

Steve Sisolak
Governor
Richard Whitley, MS
Director



DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Aging and Disability Services Division
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Dena Schmidt
Administrator

Draft Minutes

Name of Organization: Nevada Statewide Independent Living Council (NV SILC) Legislative Subcommittee

Date and Time of Meeting: August 27, 2020
10:00 a.m.

This meeting will be held via video-conference only:

In accordance with Governor Sisolak's Declaration of Emergency Directive 006; Subsection 1; The requirement contained in NRS 241.023 (1) (b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate is suspended.

The public may observe this meeting and provide public comment on Zoom.

To Join the Zoom Meeting

<https://us02web.zoom.us/j/9299041434?pwd=NmM5Tk1Od3ltRzg1enhRYTU3WDdUZz09>

Meeting ID: 929 904 1434

Password: NVSILC

One tap mobile

+12532158782,,9299041434#,,,,0#,,707401# US (Tacoma)

Meeting Materials Available at: <https://www.nvsilc.com/meetings/>

1. Welcome, Roll Call and Introductions
Dawn Lyons, Executive Director, NV SILC

Members Present: Dawn Lyons, Patricia Unruh, Janet Serial,

Members Excused Absent: Renee Portnell & Nathan Say

Guests: Jack Mayes, Mark Tadder, Steven Cohen, Shelley Hendren, Madeline Becker, Kate Osti, Regina Daniel, Sabra McWhirter, Lisa Bonie, Cimi Neal

CART Provider: Becky Van Auken
Staff: Dawn Lyons & Wendy Thornley

2. Public Comment (Members of the public will be invited to speak, however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Please clearly state and spell your name. Public comment may be limited to 3 minutes, per person at the discretion of the chair. Agenda items may be taken out of order, combined or consideration by the public body, and/or pulled or removed from the agenda at any time. Pursuant to NRS 241.020, no action may be taken upon a matter during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken).

No public comment.

3. Discussion and Make Recommendations to Choose the Legislative Subcommittee Chair and Vice Chair **(For Possible Action)**.

Dawn Lyons, Executive Director, NV SILC

Dawn Lyons: Nominated Steven Cohen as Chair. Steven Cohen accepted. Steven Cohen was voted in as Chair.

Dawn Lyons: Nominated Kate Osti as Vice Chair. Kate accepted with the caveat of needing to check with her administration. The subcommittee will address this at the next meeting.

4. Discussion and Make Recommendations Regarding the following Nevada State Legislative Session 81 Current Bill Draft Requests that can be found at <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bdrs/List> :
4,5,6,8,12,13,17,28,31,32,34,36,38,45 & 47,50,52,53,54,55,56,62,71,74,76 through 82,85,88,& 89,105,118,124,125 & 126,128 & 129,131,132,133,141,142,143,144,145,152, 154,155,159,169,177,180,185,187,189,192,193,198,202,212,214,216,221,222,223,229,230, 236,239,242,247,251,254,283,284,287,288,289,291,292,294 & 295,297,325,326,335 **(For Possible Action)**.

Steven Cohen, Chair

Steven Cohen: He will tentatively be presenting two BDRs in the interim committee on senior citizens, veterans and adults with disabilities on Tuesday.

Both will likely end up being amended into existing BDR's, one of which was filed by state HR and then the other that was filed by Assemblywoman Martinez.

The first BDR idea is to make substantive changes to the 700-hour program and related sections of personnel law and then the other BDR resolves a statutory conflict concerning competitive integrated employment versus subminimum wage.

While the feds decide what they want to do with it, he is going to be suggesting them, but the subjects have already been brought up and will be amended into the existing BDRs. When the Legislature redid the minimum wage in the 2019 session, they still had a carve out for subminimum wage. Ideally it would end the practice, while considering that some providers are either at reduced capacity or not yet open due to COVID-19.

Dawn Lyons: Asked if they were addressing the concerns that the legislators had with the previous legislative session in that bill or not?

Steven Cohen: His communication with LCB staff thus far is that Chair Spearman of the Interim Committee is willing to send a letter to the federal delegation to end the practice. The JDT bill is currently BDR 177, the discrimination bill, BDR, is BDR 243.

Dawn Lyons: She had added BDR's to the list for discussion as they state in the description that they're specifically related to disability issues. There have already been 366 BDRs that have been introduced to the Legislature. She asked if anyone has an interest in any of them.

Patricia Unruh: Asked Steven about BDR 280, Emergency response of public utilities. She is also interested in BDRs regarding homelessness as it relates to mental health among people with disabilities.

Steven Cohen: He could see an amendment being proposed for that for emergency preparedness for people with disabilities, but as currently described, that would be the only kind of relatedness that he would see.

Dawn Lyons: Pointed out that this BDR could be added to the discussion at the next meeting.

Janet Serial: She would like to follow BDR 133, relating to the subminimum wage. She would also like to follow BDR 243, which is the discrimination bill and any other BDRs that relate to discrimination, inclusion, and diversity.

Dawn Lyons: She would like to follow the health for people with disabilities and mental health BDRs to see how they pertain to the disability community, especially with the current budget cuts.

Janet Serial: She would also like to follow BDRs regarding mental health and Medicaid coverage.

Janet and Dawn will work together to monitor those BDRs that interest both and advocate for language in those bills.

Janet Serial: She is tracking COVID-19 for marginalized communities of color in Washoe County and does not see data by disabilities. She wanted to know where she could get that data. She will reach out to Tina Dortch, the program manager for the Nevada Office of Minority Health and Equity, for more information.

Dawn Lyons: She does not think that the state is separating individuals with disabilities in their data, but it can be investigated. She will look into the availability of that data.

Patricia Unruh: She would like to track what's happening with Medicaid, housing and anything related to seniors or older persons, including nursing homes.

Shelley Hendren: Vocational Rehabilitation tracks relevant BDR's that impact their agency. She will share that list with this group periodically.

Janet Serial: She will track educational related BDRs.

Steven Cohen: He will follow BDR 128 and 129. They pertain to public access and protective equipment. COVID-19 is affecting people with disabilities in a negative way.

Mark Tadder: He would like to see a BDR relating to election voting accessibility, one does not currently exist. One of the challenges of a mail-in or absentee ballot program that exists the way it is now, is for folks that are print disabled be it blind or otherwise print disabled, being able to complete the mailed out paper ballot.

The Secretary of State's office has created a program that will allow a digital ballot delivery system to be used and it was used during the primary.

This holds up with what the ADA is trying to do which is provide the same level of services for everyone. So that the only option isn't to have a family member or, even a mailman fill out your ballot for you. And then try to figure out how to get that back to the Registrar of Voters. The digital platform allows you to fill out the form on your device, save it to your device as an encrypted ballot and then deliver it through the mail, your email, to the voter registrar. He would like to see this in law, and he would like this to be a permanent program that the state of Nevada can have.

The state of Nevada has a touch screen voting machine which is easily convertible into an audio setup so that people can listen to it and submit their bills or their votes in person anonymously, confidentially, without having to get help from anyone else.

It's been fantastic program for the state of Nevada that they have been able to have that set up.

The mail-in ballot program on the other hand before this ballot delivery system was enabled, was completely inaccessible for blind people.

He didn't have the option as a blind person to submit a ballot, absentee ballot anonymously, confidentially, and all the other things that are protected under the federal laws pertaining to voting, including the ADA and others.

He would like to see this introduced and passed.

A lot of states have done this, West Virginia successfully did it this spring as they discussed at a conference he was at.

He doesn't want to see this disappear after the pandemic.

If it works, and it seems to be working fine and in use and been in use for out of state citizens and military since 2008 or at least the late or early part of this century, and it works for people with disabilities who cannot otherwise fill out a paper ballot, he is surprised it hasn't been introduced.

It would have been great if it had been introduced by an agency, but the COVID sort of cut down on the ability for some of the folks that are interested in this kind of thing, including him, to attend in-person meetings.

He is not sure if there's a committee or an agency out there that has an open slot where they can introduce a bill like this or a legislator who would be interested or willing to do that.

Dawn Lyons: The SILC is interested in this and it is part of the BDRs about elections. This group can reach out to those Assembly people or senators to see if their BDRs have anything to do with it.

She asked Mark if the National Federation of the Blind have any advocacy planning regarding this issue.

Mark Tadder: The National Federation of the Blind is working on promoting the existing program and talking specifically with the Secretary of State's office deputy who's in charge of elections to make sure that the program itself was going to be up and running and fully accessible for people who are print disabled.

In June, he and some other people used the program, but they haven't done the next step. The next step is to get this into law because right now it's something the Secretary of State's office is offering which is fantastic but if we get a new Secretary of State, it could disappear. We need to have it in law, it needs to be something that we have and we're all proud of because we don't need things to be on the whim of whoever is in office at the time. The people need a law that protects people.

The National Federation of the Blind has not done advocacy because they thought this was going to take years to get done, and then when they spoke with the Secretary of State, who came around on this during the COVID crisis because it became such an issue regarding the ability to vote in person.

The Federation has started contacting from the national level and the local level, the Secretary of State's offices who run the elections, to see what they could do.

They came back to the Federation immediately and said they would been working on it and they had this program and they were ready to do it.

This election will be a demonstration as to how successful this program will be and it will easy to put it into law. They just need a bill draft request.

If there is a way to get that out of a committee, still, or from a legislator, he does not know when the deadline is for the legislators to submit, usually when he talks to them, they already have all their slots filled.

Hopefully someone on this call has a little bit more pull and can figure out a way to introduce something like that.

Lisa Bonie: She asked if this committee will be developing recommended policy positions that will be presented to the SILC as a whole to be discussed and ultimately adopted as the SILC's position?

Also, is there a plan when appropriate, to coordinate with other existing legislative committees, creating a bigger presence, louder voice.

Dawn Lyons: Mark's topic s definitely something the SILC wants to pursue in partnership with the National Federation of the Blind and whoever else is interested in coordinating something in that regard. She is hoping that this group could have a plan to take back to the SILC to coordinate letters and advocate for what they need.

5. Review and Confirm Potential Action Steps for Subcommittee Members **(For Possible Action)**.

Steven Cohen, Chair

The different members will start monitoring the BDRs that they stated towards the beginning of the meeting.

Patricia Unruh: She is part of ACTIONN, an advocacy group working with legislators, both state and local, and has been talking about this subject. ACTIONN will be having some town

halls with candidates starting in September. She will send this group information for the town halls and send Mark the contact information for these legislators.

Janet Serial: She is also involved with ACTIONN through the NAACP Reno/Sparks branch. Denise Mina is the ACTIONN digital manager and a good resource. Janet will contact Patricia to coordinate efforts.

Dawn Lyons: Mentioned that a current bill, BDR 36 addresses election access. She suggested that the Federation of the Blind, ACTIONN, the SILC and Nevadans for Common Good, submit a letter to Senator Cansello to include this in the bill draft, possibly amending it.

Mark Tadder: Will take the lead on this item and begin working with Patricia and Dawn in drafting a letter to Senator Cansello.

6. Approve Next Meeting Agenda Items and Next Meeting Date **(For Possible Action)**
Steven Cohen, Chair

A Doodle poll will be sent out to members to determine the date of the next meeting.

7. Public Comment (Members of the public will be invited to speak, however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Please clearly state and spell your name. Public comment may be limited to 3 minutes, per person at the discretion of the chair).

Patricia Unruh: She is excited about this group and it is a great addition to what the SILC is doing.

Dawn Lyons; Thanked everyone for their participation and their ideas.

8. Adjournment
Steven Cohen, Chair

Meeting adjourned at 11:07 am.

NOTE: We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Wendy Thornley at (775) 687-0551 as soon as possible and at least five days in advance of the meeting. If you wish, you may email her at wthornley@adsd.nv.gov According to NRS 241.020, supporting materials for this meeting is available at: 3416 Goni Road, #D-132, Carson City, NV 89706 or by contacting Wendy Thornley at (775) 687-0551 or by email at wthornley@adsd.nv.gov.

Agenda Posted at the Following Locations:

Notice of this meeting was posted on the Internet: <http://www.adsd.nv.gov> and <https://notice.nv.gov>

In accordance with Nevada Governor Sisolak's Declaration of Emergency Directive 006 there will not be a physical location for the Governor's Commission on Behavioral Health Meeting regarding the Annual Governor's Letter.

As per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 3: The requirements contained in NRS 241.020 (4) (a) that public notice agendas be posted at physical locations within the State of Nevada are suspended.

As per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 4: Public bodies must still comply with requirements in NRS 241.020 (4)(b) and NRS 241.020 (4)(c) that public notice agendas be posted to

Nevada's notice website and the public body's website, if it maintains one along with providing a copy to any person who has requested one via U.S. mail or electronic mail.

- As per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 5: The requirement contained in NRS 241.020 (3)(c) that physical locations be available for the public to receive supporting material for public meetings is suspended.
- As per Nevada Governor Sisolak's Declaration of Emergency Directive 006; Subsection 6: If a public body holds a meeting and does not provide a physical location where supporting material is available to the public, the public body must provide on its public notice agenda the name and contact information for the person designated by the public body from whom a member of the public may request supporting material electronically and must post supporting material to the public body's website, if it maintains one.