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DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Division of Public and Behavioral Health
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SB 284 – ADVISORY TASK FORCE ON HIV EXPOSURE MODERNIZATION

February 3, 2021

5 p.m.

WebEx Teleconference

Draft Minutes – 1.13.2021

TASK FORCE MEMBERS PRESENT:

André Wade, Chair
Senator Dallas Harris, Co-Chair (Joined meeting at 5:14 pm)
Senator David Parks
Stephan Page
Steve Amend
Vince Collins
Jen Howell
Cheryl Radloff
Connie Schearer
Quentin Savvoir
Cynthia Watson Catha
Antioco Carrillo
Catherine Elliot

TASK FOR MEMBERS ABSENT:

Ruben Murillo

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH STAFF PRESENT:

Tory Johnson, Mngt, Section Manager, Office of HIV
Michael Thomas Blissett, Health Program Specialist I, Office of HIV
Octavio Posada, Health Program Specialist I (Contractor), Office of HIV

GUESTS PRESENT:

Linda Anderson
Brad Sears
Marguerite Schauer
Alyssa Cortes
Luis Aceves
Davina Conner
Alisa Howard
Tami Haught

The Board reserves the right to take items in a different order or to combine two or more agenda items for consideration to accomplish business in the most efficient manner. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

1. Call to Order, Roll Call – *Office of HIV Staff*

Chair Andre' Wade called the meeting to order at 5:03 p.m., asking Octavio Posada, Health Program Specialist I (Contractor), to take a roll call. Thirteen (13) of the fourteen (14) members were present; a quorum was met.

2. Public Comment - Chair, André Wade

(No action may be taken on a matter raised under this item of the agenda until the matter itself has been included specifically on an agenda as an item upon which action will be taken.)

Chair Wade asked if there was any public comment to be made, and for those making comments, to say their name and limit response to three minutes; there were no public comments.

3. Review and Approval of the December 2, 2020 draft minutes – Chair, André Wade

Chair Wade asked members if there were any corrections or revisions to the minutes as submitted. There were none. Chair Wade moved to approve the minutes as presented; Catherine Elliott seconded the motion; in response to a requested third motion by Chair Wade, Quentin Savvoir third the motion. Chair Wade called for a discussion and then for a vote, asking for all those in favor to say 'Aye,' and any opposed to say 'Nay.' None opposed; the motion carried to approve minutes as submitted.

4. To allow time for Co-Chair Dallas Harris to join the meeting to present item #4, Chair Wade skipped to agenda item #9:

Update on status of research on William Institute's research on the implementation and impact of statutes and regulations through analysis of records information and data relevant to Nevada – Chair, André Wade

- Disparities in arrests, prosecutions, or convictions
- Regulations related to race, color, sexual orientation, gender, identity or expression or national origin
- Court decisions enforcing or challenging such statutes and regulations

Chair Wade asked Brad Sears (from the Williams Institute) to join the meeting and give an update on the status of research.

Brad Sears stated that as previously communicated to the Task Force, the data request that was to be furnished to the Task Force was moved from January 4, 2021 to January 11, and that the prior notice received indicates that the data will now be provided by February 5th, 2020. Brad Sears associated the delay with recent furloughs within the agency, and they are also waiting for approval from the Attorney General's office for the data transfer. Brad Sears also shared that they had hired a new staff member who works specifically with data analysis because he believes that the data should be made available to the Task Force by no later than February 5th. One

recommendation Brad Sears had for the Task Force was to send in a letter of appreciation highlighting the need for the data for this legislative cycle.

In response to Chair Wade's for any questions from The Task Force for Brad Sears, Catherine Elliott and Connie

by the Williams Institute on behalf of the Task Force. There were no further comments or questions for Brad Sears.

5. Update on status of bill and legislative session – Co-Chair: Senator Dallas Harris.

Acknowledging the presence of Co-Chair Harris, Chair Wade address agenda item #4 as agendized initially. Co-Chair Harris mentioned that the bill is now with LCB for drafting and that recent language has also been submitted for consideration, factors that can add to the timeline required. In terms of fair timelines, Co-Chair Harris did not have any dates but hopes that within the first or second week (as typically takes place), almost all language is dropped for the bill to be introduced in a timely manner. Co-Chair Harris also shared that she believes that while there may be some work to be done with the Health Departments, all of the groundwork has been done in both Houses to ensure that this bill gets a hearing.

In response to Chair Wade's question from The Task Force regarding this item, Stephan Page asked if the Legislative Sessions would be virtual or in-person; Co-Chair Harris mentioned that she believes that most of the session would most likely be virtual. Quentin Savvoir then asked the Co-Chair Harris if she felt that there would be delays this year, similar to backlogs experienced within the 2019 Legislative Session. Co-Chair Harris responded that she hopes not and that members of both the Senate and the Assembly were encouraged to take a hard look at all the Bills they would want to present for a hearing. Co-Chair Harris also stated that she did not see any fiscal notes attached to the bill as asked by Stephan Page, but if there were any, such fiscal requirements would be presented by the agency that would be impacted by this bill.

6. Discussion of bill if language has been released – Chair: André Wade

Chair Wade shared that bill language had not been released, the reason why there was nothing to discuss. There were no questions from the Task Force regarding the bill language.

7. Discussion and possible action regarding interfacing with the legislature and strategy to support passage of the bill– Co-Chair: Senator Dallas Harris

Chair Wade mentioned that while the Task Force had previously discussed possible testimonies and Task Force members tasked to do so, he wanted to know if the Task Force had any other recommendations or ideas. Co-Chair Harris mentioned that having Chair Wade and any other Task Force members present when she presents the bill would be beneficial as there may be questions about the bill. Most importantly, the Task Force's presence would become important as Co-Chair Harris would be mainly the bill's sponsor. Connie Schearer thanked Co-Chair Harris for the recommendation and that she supported Chair Wade and Stephan Page to represent the Task Force when presenting the bill.

In response to an idea from Catherine Elliott to present a video of individuals being affected by current laws during the bill hearing, Co-Chair Harris mentioned that while a good idea, she did not know how feasible the showing of the video would be given the current limitations posed

by all hearings being offered virtually. Co-Chair Harris stated that equally impactful would be several phone calls being made during the bill's presentation. Connie Schearer mentioned that she could share a video that has been put together by the HIV Modernization Coalition.

Chair Wade moved to approve Co-Chair Harris' recommendation to have himself, Senator David Parks, and Stephan Page present the bill with Co-Chair Harris; Steven Amend seconded the motion; and Connie Schearer third the motion. Chair Wade called for a discussion and then for a vote, asking for all those in favor to say 'Aye,' and any opposed to say 'Nay.' None opposed; the motion carried to approve Co-Chair Harris' recommendation.

8. Discussion regarding possible testimony by HIV Task Force at legislative hearings – Chair: André Wade.

Chair Wade opened the floor for discussion regarding a person or group that would lead the drafting and presentation of testimony during the bill hearing on behalf of the Task Force. In response, Catherine Elliott, Connie Schearer, Jen Howell, and Davina Connor (public) volunteered to participate in the group. Chair Wade then asked the group to have a draft of the testimony ready for the next Task Force meeting to review it.

9. Discussion and updates relating to Nevada Revised Statutes (NRS) Chapter 441A relating to local health programs and case management. – Chair: André Wade

Chair Wade mentioned that The HIV Modernization Coalition had a meeting today (1/13/2021) with the Washoe County Health District and the Southern Nevada Health District to discuss the Task Force recommendations around the 441A statute. The Southern Nevada Health District is currently working on draft language defining "casual contacts." Both Cheryl Radeloff and Jen Howell stated that the state (Nevada) should also be involved as they represent the rural areas. Jen Howell shared that the Washoe County Health District's current sticking points would be any laws changing 441A that would impact the more than 77 communicable diseases as they relate to house visits without a court order and quarantining. Marguerite Schauer from the Center for HIV Law and Policy supported the HIV Modernization Coalition's suggested revision of 441A that includes limitations to 441A related to modernizing the current HIV laws.

Responding to a discussion among Co-Chair Harris and Marguerite Schauer regarding the broadness of some of the language in 441A, Jen Howell shared that while NRS may be broader, administrative codes are more focused and easier to request for the State Board of Health tightens some things in Nevada's Administrative codes as they can be more focused and are easier to change as compared to NRS. Cheryl Radeloff and Linda Anderson agreed with Jen Howell's assertions. There were no more recommendations or suggestions from the Task Force.

10. Making recommendations for next meeting's agenda – Chair, André Wade

Stephan Page asked if the Task Force meetings would return to the first Wednesday of the month, an assumption confirmed by Chair Wade. As an agenda item, Jen Howell suggested results from NRS 40.770 to be discussed during the next meeting. This statute does not require realtors to disclose if a homicide or suicide occurs unless a person with HIV had lived in the home. Co-Chair Harris mentioned that she will reach out to the Legislative Council to see if this statute

could be an item of discussion given the implications with homeowners, but that she would follow up. The Task Force discussed eradicating the word “HIV” from the statute.

State staff Tory Johnson suggested that the Task Force consider reviewing the bylaws around attendance to the Task Force meetings, mainly excused or unexcused absences. Chair Wade mentioned that he would look into it. Stephan Page asked, adding the regularity of future Task Force meetings moving forward. Chair Wade also requested to add to the agenda a discussion about the time allotted for public comments.

11. Public Comment – Chair Wade

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Chair Wade then asked for any public comments mentioning that those making comments would have three minutes to do so; there were no public comments. Chair Wade then asked if there were any final thoughts or questions from the Task Force; there were none shared.

12. Adjournment - Chair Wade

Chair Wade motioned for adjournment of the meeting. Co-Chair Harris seconded the motion; Stephan Page third the motion. Chair Wade called for a vote, all in favor say, 'Aye,' any opposed say 'Nay.' None opposed, the meeting adjourned at 6:02 pm.