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**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
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**Senate Bill 275 (2021) –
ADVISORY TASK FORCE ON HIV EXPOSURE MODERNIZATION**

January 5th, 2023

Final – Approved January 20, 2023

Microsoft Teams Teleconference

1. Call to Order, Roll Call – Tory Johnson, Office of HIV

TASK FORCE MEMBERS PRESENT:

Stephan Page – Co-Chair
Cheryl Radeloff
Caesar Espinoza
Rob Phoenix
Jesus (JP) Coleman
Senator Dallas Harris
Andre' Wade

TASK FORCE MEMBERS ABSENT:

Quentin Savvoir – Chair
Gary Costa
Jennifer Howell

OFFICE OF HIV STAFF PRESENT:

Tory Johnson

GUESTS PRESENT:

Linda Anderson, Esq. – Nevada Public Health Foundation
Pieron Tackes – Deputy Attorney General
Donna Laffey

Tory Johnson conducted the roll call and called the meeting to order at 5:07 pm. six (6) of the 10 members were present initially. Shortly after another task force member joined, which brought quorum up to seven (7) of the ten members.

2. **Public Comment:** *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*

Linda Anderson (former Senior Deputy Attorney General), now with Nevada Public Health Foundation, had a public comment. Linda brought up the history of

the task force. Stated the original one started in 1997. Quorum became an issue which is why coalitions became more prevalent and the task force disbanded. She also stated the difference between the original task force and modernization task force is that the current one reports directly to the legislature. She confirmed that anytime task forces had been picked by the governor there had been delays in being able to act. Linda recommended that if the current task force was not going to move forward that the task force makes a recommendation asking the State Board of Health to have a subcommittee formed in its place.

Caesar Espinoza asked about the ability to speak on something for public record. Co-Chair Page stated that subject would come up later and to discuss it then.

3. For Possible Action: Review and approval of meeting minutes – Co-Chair: Stephan Page

- December 8, 2022

Motion made to approve minutes. Motion was seconded. Motion approved unanimously by roll call vote.

4. For Possible Action: Discussion and possible action relating to drafting and submission of letter of support from modernization task force to host the 2023 HIV Fast Track Cities Conference in Las Vegas, Nevada (see attachment: [Fast_Track_City_Conference_Request_Draft2_01052023.pdf](#)) - Rob Phoenix, APRN, FNP-C, HIV-PCP

Co-Chair Page stated that he felt a few minor corrections are needed and then suggested that Senator Harris and Chair Savwoir sign the letter. Senator Harris stated her approval to sign it. Rob Phoenix then said to send it to him and he'll get the letter in to who it needs to go to. Tory Johnson then volunteered to help with the formatting of the letter. Everyone gave support for Tory to be allowed to update the formatting.

5. For Possible Action: Discussion around Nevada Revised Statute (NRS) 212.189 and recent incident relating to a Carson City inmate arrested for felony spitting and possible action to incorporate related recommendations into the Governor's Office and Legislative Counsel Bureau (LCB) report. – Jen Howell, MPH, Sexual Health Program Coordinator

- <https://www.leg.state.nv.us/nrs/NRS-212.html#NRS212Sec189>
- [Carson Now Story](#)

Co-Chair Page said this was brought up by Jen Howell because while the case in question does not involve an HIV patient, the state law in question deals with all communicable diseases. There is concern that the language of the law could be used against someone with HIV in a similar situation: NRS 209.385. Caesar Espinoza stated that the people arrested in the articles were arrested in Pahrump and asked why it refers to a Carson City prisoner. Co-Chair Page stated he is unsure how the person talked about in the article was moved to Carson. Cheryl Radeloff asked if this article and potential impact on people with HIV, how would it need to be included in the report. Co-Chair Page said it would need to be

written up and get its own section or be included in another. He stated he would talk to Jennifer Howell offline about inclusion in state prison section.

6. For Discussion: Discussion and possible action relating to drafting of report to Govern’s Office and LCB. Possible tops to include and review the report are as follows:

Possible Section	Status	Document Name	Task Force Member
Comprehensive Sexual Education	Pending		Quentin Savvoir
Applying SB 275 (2021) retroactively; clearing records of those previously criminalized under the statutes that SB 275 (2021) repealed	Pending		Senator Dallis Harris
Public Health Authority (New)	Pending		Jennifer Howell & Cheryl Radeloff
1 st responders	Draft Submitted	2022_HIV_Report_Section_First_Responders_DRAFT_01052023.pdf	Jennifer Howell
NRS 441A.320	Draft Submitted	2022_HIV_Report_Section_HIV_NRS_441A_320_DRAFT2_01052023.pdf	Jennifer Howell, Rob Phoenix, & Stephan Page
Community Engagement and the need to share information related to SB 275 (2021)	Draft Submitted	2022_HIV_Report_Section_Community_Engagement_DRAFT4_01052023.pdf	Cheryl Radeloff & Stephan Page
Age of consent regarding STI testing and Treatment	Draft Submitted	2022_HIV_Report_Section_Age_of_Consent_DRAFT_01052023_.pdf	Andre’ Wade
HIV & Nevada State Prisons, including new topic: Encouraging HIV/Hepatitis C (Hep C) testing for prisons, as well as standards of care for Hep C	Draft Submitted	2022_HIV_Report_Section_HIV_Nevada_State_Prisons_DRAFT2_01052023.pdf	Cheryl Radeloff, Stephan Page & Rob Phoenix
Clients/patients access to medications through limitations placed on co-pay assistance cards (i.e., health insurance plans and deductibles) through commercial insurance plans	Draft Submitted	2022_HIV_Report_Section_CoPay-AccumulatorRecommendations_DRAFT2_01052023.pdf	Rob Phoenix
Provider Parity (New)	Draft Submitted	2022_HIV_Report_Section_Provider_Parity_DRAFT2_01052023.Pdf	Rob Phoenix
Removing barriers to care such as specialist requirements, same day-rapid start, medication access (New)	Draft Submitted	HIV_modernization_recommendations_DRAFT2_01052023.pdf	Rob Phoenix

Co-Chair Page started by discussing the sections that had not been finished and uploaded. He brought up an e-mail that he had been informed that the report needed to be submitted before the start of session, on February 3rd. This would leave only one more meeting to

finalize the report. He asked the task force if they wanted to skip the unfinished sections. Or should they be reassigned? Senator Harris apologized for not finishing her section but stated she would finish it by the next meeting.

Tory Johnson stated that the new governor's office has been reaching out to different departments regarding task forces. He confirmed that the appointment for the task force ends February 5th. Tory also added that the report was technically due in September, and that he has been asked to provide an update. The report needs to be in before the start of the next legislative session, but the task force is no longer able to meet after February 5th.

Co-Chair Page stated that the meeting on the 19th should be the final meeting then for reviewing report sections. He stated he would also take over the section on sexual education for Chair Savvoir and asked for others to review his section before submission. Cheryl Radloff offered to help co-author the section, and would ensure that her own section with Jennifer Howell would be in by the next meeting. Tory Johnson confirmed that all sections need to be received by the 13th due to open meeting laws. Co-Chair Page stated he would ask everyone to have it in by the 12th to ensure plenty of time.

Co-Chair Page opened the floor to additional thoughts on covered sections. He brought up section on Parity done by Rob Phoenix and asked him about change to one section where there had been 10 pages before and is now 1 page. Rob Phoenix stated he thought he had sent 10 pages of updates and would resend it. Co-Chair Page clarified that it was the HIV modernization one that was now a single page. He also asked about possible changes to Copay Accumulator and there seemed to be no edits. Rob Phoenix said he will double check everything and send it to Tory.

Andre' Wade spoke up about his section on rates of HIV and laws passed in Nevada to help address the high rates. He clarified that the references to the laws he had in his section linked to the older laws and was uncertain why someone felt it implied the laws were sooner. Cheryl Radloff clarified that she interpreted the writing to refer to the 1989 law as being sooner. That it was her opinion it wasn't clear. Andre' Wade asked if he should add a descriptor to clarify the timeline. Andre' Wade also stated he would fix the other issue brought up in 12/22 meeting about categorization in his section.

7. For Discussion:

Continuation of Advisory Task Force on HIV Exposure Modernization – Current Task Force members

Co-Chair Page re-stated that the task force ends February 5th. Stated that if the task force were to continue in some capacity something new would have to be done. Caesar Espinoza stated he would like to see the task force continued in some capacity. Co-Chair Page suggested a non-binding vote about what to do. He asked to stay out of the vote due to his inability to continue.

Tory Johnson conducted a roll call vote. Those who participated voted in favor of continuing the task force. Co-Chair Page and JP Coleman abstained due to concerns over being able to continue. Quorum was not met, but vote was unofficial. Rob Phoenix recommended reaching out to Fabian Donate as a potential sponsor. Howard Watts was another suggestion.

8. For Discussion:

Review and discussion of Bill Draft Request (BDR) 99-9999 (see attachment: BRDR82_99_9999_V1_01052023.pdf) which seeks to revise provisions governing the ability of a minor to consent to certain health care services. – Senator Dallas Harris

BDR is 3 pages regarding allowing minors to consent to certain health

services.

Co-Chair Page recommended to Andre' Ward that this could be referenced in his section of the report.

9. For Discussion:

Legal Research State Statute Comparison (see attachment: *Legal_Research_State_Statute_Comparison_01052023.pdf*) – Andre' Wade, Silver State Equity

Co-Chair Page asked Andre' Wade where he found the HIV modernization comparison he submitted. Was stated that the research was done by Greenberg Tollard in the previous year. While this has been uploaded as an attachment for a while, it has not been discussed fully by the task force yet. Co-Chair Page stated he would use some of the information from the research since it shows Nevada is still behind in some areas. Cheryl Radeloff asked if any states have changed their modernization laws since review happened. Andre' stated that he believes Georgia, Virginia, and one other state has changed their laws, but he would have to check.

10. For Possible Action:

Make recommendations for next meeting's agenda.

Co-Chair Page recommended that they keep the agenda the same for the next meeting, minus agenda item 4 since it had been addressed already. Co-Chair Page motioned this action. It was seconded and passed on voice vote.

Tory Johnson spoke up before public comment and asked about actions the task force would take in case quorum was not met. Pierron Tackes spoke up and stated that no action could be taken that was not authorized by the task force. She stated that if quorum was not met on the 19th, they will still have time before the cutoff date to finalize the report. Rob Phoenix recommended making a cover letter stating that the appendix holds recommendations for future legislation and includes individual contributions now just in case. Tory Johnson showed a previous written example. Co-Chair Page asked if anyone had the time to write a background section for the report, and then volunteered when no one else did. Tory Johnson pointed out that any additional documents added would still need to be approved at the next meeting and should be added back onto the agenda. AGD Tackes recommended authorizing someone to write the cover letter and that can still be added to the rest of the report without being approved at the next meeting. Also, the task force should authorize that current documents be submitted if no further meetings can occur. Clarified that the cover letter will include a background summary and table of contents. Co-Chair Page made a motion that the cover letter would be authorized to be written by Co-Chair Page, and that all approved changes from this meeting would be approved to be included in the final report. Cheryl Radeloff seconded the motion. Motion passed on voice vote.

11. Public Comment:

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No public comment occurred.

12. Adjournment:

Meeting adjourned at 6:17 pm by consensus of task force