
**Division of Public and Behavioral Health
Palliative Care and Quality of Life Council**

DRAFT SUMMARY MEETING MINUTES

DATE: January 23, 2020 TIME: 4 pm Meeting

Locations:

Division of Public and Behavioral Health
Bureau of Health Care Quality and Compliance
727 Fairview Drive, Suite E
Carson City, NV

Division of Public and Behavioral Health
Bureau of Health Care Quality and Compliance
4220 Maryland Parkway, Building D, Suite 810
Las Vegas, NV

Call to order/roll call

Members:

Marilyn Jeanne Hesterlee, Council Administrator (teleconference)
Veneta Lepera, RN, BA, BSN, Council Chair (teleconference)
Kim Anderson Council, Vice Chair (Las Vegas)
Mary-Ann Brown, RN, MSN, CHPCA GCHCE HEC-C (teleconference)
Melissa St. Jean, MSW teleconference
Dr. Terri Hanlon (teleconference)
Patricia Pollina, APRN, ACHPN, NP-PC (Las Vegas)
Robin M. Tejada

Ex-officio members

Tom McCoy (Carson City)

Excused

Marie Conner, RN
Kelly Conright, MD
Joyce Woodhouse
Lucille Walker

Others attending:

Nathan Orme
Brooke Maylath

Kim Anderson announced a quorum was present and convened the meeting to order at approximately 4:01 p.m.

Approval of minutes for the meeting of October 24, 2019. Veneta Lepera, Council Chair

THERE WAS A MOTION BY PATRICIA POLLINA TO APPROVE THE MEETING MINUTES OF OCTOBER 24, 2019. VENETA LEPERA SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Approve By-laws that updates the wording from “Division” to “Bureau” in reference to the Bureau of Health Care Quality and Compliance.

M. Jeanne Hesterlee explained that wording was identified in the by-laws that needed changes and a couple of recommendations from our legal council. The word “division” changed to the Department of Health and Human Services. All of the areas of the by-laws that refer to a bill to reflect the actual NRS. Suggestion was half would be three year renewals and the other half would be two and half year renewals.

MARY-ANN BROWN MOVED TO APPROVE THE BY-LAWS INCLUDING THE SUGGESTED CHANGES IN THE HANDOUT WHICH REMOVES ALL REFERENCES TO THE BILL AND REFERS TO THE ACTUAL STATUTE AND ALSO CHANGES WORDING FROM THE DIVISION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES. VENETA LEPERA SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

State of Nevada
Department of Health and Human Services
Aging and Disability Services Division
Advisory Council on Palliative Care and Quality of Life
By Laws

Article I Definitions

1. The term “Council” refers to the Advisory Council on Palliative Care and Quality of Life.
2. The term “Department” refers to the Department of Health and Human Services.
3. The term “Director” refers to the Director of the Department of Health and Human Services.
4. The term “Bureau” refers to the State of Nevada, Bureau of Health Care Quality and Compliance
5. The term “NRS” refers to the Nevada Revised Statutes.
6. “Palliative Care” means a multidisciplinary and patient and family centered approach to specialized medical care for a person with a serious illness, which approach focuses on the care of a patient throughout the continuum of an illness and involves addressing the physical, emotional, social and spiritual needs of the patient, as well as facilitating patient autonomy, access to information and choice of care. The term includes without limitation, discussion of the goals of the patient for treatment and discussion of treatment options appropriate to the patient, including where appropriate, hospice care and comprehensive management of pain and symptoms.

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7. “Program” means the Palliative Care and Quality of Life Consumer and Professional Information and Education Program established by section 10 of Senate bill 136 79th Session (2017).
 8. “Serious illness” means a medical illness, physical injury or condition that substantially affects the quality of life of a person for more than a short period of time. A serious illness includes, without limitation, Alzheimer’s disease and related dementias, cancer, lung disease, heart, renal or liver failure and similar conditions or diseases.

Article II Creation – Senate Bill 136 79th (NRS 232.4855)

1. The Council is created by Senate Bill 136 of the 2017 Legislative Session under the Department of Health and Human Services.

Article III Duties – Senate Bill 136 79th Session (2017) (NRS 232.4855)

1. The Council shall:
 - (a) Consult with and advise the Department on matters related to the establishment, maintenance, operation and outcomes of palliative care programs and initiatives in this State; and
 - (b) Advise and assist in the creation and carrying out of the Program established by section 10 of (NRS 232.4855).
2. The Council may:
 - (a) Apply for any available grants and accept any available gifts, grants, appropriations or donations, and use any such gifts, grants, appropriations or donations to carry out the provisions of (NRS 232.4855).

Section 10 of Senate Bill 136 79th Session (2017) (NRS 232.4855) reads as follows:

1. The Palliative Care and Quality of Life Consumer and Professional Information and Education Program is hereby established within the Department to maximize the effectiveness of palliative care initiatives in this State by ensuring

that comprehensive and accurate information and education about palliative care is available to health care providers, health care facilities and members of the public.

2. The Department shall, to the extent that money is available from gifts, grants, appropriations and donations for this purpose, include on an Internet website available to the public, with links to appropriate external Internet websites, information and resources concerning:

(a) The delivery of palliative care in the home and in primary, secondary and tertiary environments;

(b) Best practices for the delivery of palliative care; and

(c) Educational materials and referral information for palliative and hospice care.

3. The Department may develop and carry out such other initiatives regarding palliative care and education that the Department determines will further the purposes of the Program. The Director shall consult with the Council in developing and implementing such initiatives.

Article IV Membership – Senate Bill 136 79th Session (2017) (NRS 232.4855)

1. The State of Nevada Advisory Council on Palliative Care and Quality of Life is hereby created within the Department.

2. The Director shall appoint such number of members of the Council as he or she determines is appropriate to carry out the provisions of sections 2 to 10, inclusive, of this act, but not less than nine members as follows:
 - (a) Two members with experience in the provision of interdisciplinary palliative care, including, without limitation, hospital, medical, nursing, social work, pharmacy, financial and spiritual services;
 - (b) One member with a background in patient and family caregiver advocacy;
 - (c) One member who is a health care professional with clinical experience in palliative care;
 - (d) One member who is a health care professional with expertise in delivery models for palliative care in a variety of inpatient, outpatient and community settings and with diverse populations;
 - (e) Two members who are employees of the Department or any other state agency, board or commission who have relevant work experience related to palliative care and issues concerning quality of life; and
 - (f) Two members who are board certified hospice and palliative care physicians or nurses.
3. After the initial terms, the term of each member of the Council is 3 years, and members shall serve at the pleasure of the Director.
4. The Council shall select from its members a Chair and a Vice Chair who shall hold office for 1 year and whose duties will be established by the Council.
5. The Council shall meet at least twice annually at a time and place specified by a call of the Director.
6. Each member of the Council:
 - (a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally to the extent that funds for such expenses are available within the budget of the Department.

7. The Director may appoint as nonvoting, ex-officio members of the Commission such other representatives as the Director deems appropriate.
8. Removal of a Member
 - A. Malfeasance in office or neglect of duty.
 - B. Unexcused absence from two consecutive meetings of the Council constitutes good and sufficient cause.

Article V Meetings

1. A majority of the voting members of the Council constitutes a quorum, and a quorum may exercise all the powers conferred on the Council.
Each member of the Council who is appointed pursuant Senate Bill 136 79th Session (2017) serves at the pleasure of the Director.
2. The Chairperson of the Council will approve the date and place of the meetings.
3. The meetings are open to the public and subject to the requirements of the Nevada Open Meeting Law.

Article VI Minutes

1. The Division will designate a support staff to act as the recording secretary.
2. Minutes of the previous meeting will be transcribed and made available for inspection by the public within 30-working days after the adjournment of the meeting.
 - A. The recording secretary will transcribe minutes from tape recording, notes taken at meeting and from agenda exhibits.
 - B. After draft of minutes is prepared, it will be submitted to the Chairperson for approval.
 - C. After approval, minutes will be finalized and included in meeting materials for members.
 - D. Final approval of the minutes will be done by the Council at its next meeting.
3. Minutes of each meeting of the Council are considered public record and will be maintained in the Administrative Office of the Division.
4. Copies of the minutes of the previous meeting will be made available to Committee members prior to the next meeting.

Article VIII Rules of Order

1. The Council will generally follow, as a guide, the Roberts Rules of Order where such rules do not conflict with NRS and these Bylaws.
2. The order of business at meetings will generally follow the sequence listed:
 - A. Call to order

- B. Public comment
 - C. Approval of minutes
 - D. Presentation of special reports
 - E. Old business
 - F. New business
 - G. Announcements
 - H. Public comment
 - I. Adjournment
3. Voting
- A. There are 9-voting members of the Council with each member having one vote.
 - B. A simple majority of the voting members present at the meeting of the Council constitutes a quorum for the transaction of all business.
 - C. The support by the majority of the quorum is required for the approval of any action to be taken by the Council.
 - D. Members may abstain.
 - E. The Chairperson will count and announce the results of any vote.
 - F. A vote is not effective until it is announced and may be changed up to the time of the announcement.
 - G. If a roll call vote is made, the vote will be recorded by the secretary with an indication of the names and vote of each member present.
 - H. Proxy voting is allowed by an alternative approved by the Director.
4. Amendments to the Bylaws
- The Bylaws may be amended or changed at any regular meeting by a majority of the voting members who are present at the meeting of the Council, if the proposed amendment or change was submitted, in writing, to members of the Council and the Chairperson, at least 14 days before the meeting.

There was some discussion regarding staggering the term of member terms. There were three members who had left, so some were of the opinion that would be a natural staggering of members terms in itself.

It was decided that the terms will not be changed at this point.

MARY-ANNE BROWN MOVED TO APPROVE THE BY-LAWS WITH THE RECOMMENDED CHANGES. VENETA LEPERA SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Make recommendations on renewal of memberships that expired September 30, 2019 that need to be reappointed by Director Richard Whitley.

Jeanne Hesterlee said that they will not change anyone's term at this point and can put on the agenda at the next meeting. This item was skipped and voted on near the end of the meeting.

- Veneta Lepera, Council Chair.
- M. Jeanne Hesterlee, Administrator
- Veneta Lepera, Council member
- Kim Anderson, Council member
- Mary-Ann Brown, Council member
- Marie (Phillis) Conner, Council member
- Kelly Conright, MD
- Melissa St. Jean
- Robin M. Tejada

**PUBLIC COMMENT
FOR POSSIBLE ACTION**

Review and approval of changes web site; update on informational videos, email questions for council – Nathan Orme – *Veneta Lepera, Council Chair; Kim Anderson, Vice Chair; Nathan K. Orme, HCQC*

Nathan Orme said he has some video from Kim Anderson discussing her personal experience story that he would like to share. He will work on that as another awareness video. He would entertain and ask people to talk to clinicians and folks that they know and he will do another capture of people's stories. Any ideas you may have for the web page, please let him know.

Veneta Lepera said she really liked the videos on the web site. One of her suggestions that is in the By-laws in Section 2, Article A which outlines three different goals: Best practices, educational materials have both been accomplished and have a good portion of that online. They need to move forward on goal as a council is the delivery of palliative care in the home and tertiary environment. How we would or list people that are providers on the page but as insurance companies jump on board and hospices, the volume of people calling regarding palliative care has increased dramatically.

Patricia Pollina said that Amy Schmidt and herself at Comagine where they work, are taking a grant certification course. They working on a palliative pilot in long term care. They are trying to put together a good proposal and then shop it around and see what happens.

The Chair asked everyone to think about that goal and what type of criteria they will have to put something on the web page.

Dr. Terri Hanlon said there are not enough trained palliative and hospice care people. She said that they could partner with the residency and medical schools to bring their students into the community and pair them with trained physicians so that they could do home care visits and end up being palliative care in the long run.

Kim Anderson said that State of Oregon has a council association on palliative care. She commented that Nevada may want to do something similar.

Mary-Anne Brown listing providers, there is no vetting process. One of the things they could do is help the public on how to find and select a good palliative care program.

Jeanne Hesterlee suggested that this be an agenda item for the next meeting.

Nathan Orme noted there is an online team where any word document can be posted in one place and one document. An alert email was sent to members of the council to be part of the team.

Veneta Lepera requested that all members be sent the link for the online team.

Anti-Discrimination & Cultural Competency Training Proposed Regulations Review & Recommendations *Nathan K. Orme, Brooke Maylath, HCQC*

Nathan explained that cultural competency notification training that has been passed and regulations that are required training for health facilities.

Brooke Maylath, HCQC, said that there is a public workshop scheduled for January 29, 2020 for the regulations. One is the anti-discrimination language with is a broad base of nondiscrimination. If there are complaints of discrimination there is a method for patients to report to HCQC. If there is validity there is a process. There is also mandatory cultural competency training which is the responsibility for the facility that their staff has taken that training. Engaging in that training is the best way to address those issues. Patient medical records must maintain sexual orientation within the recordkeeping system.

The training is the facility's responsibility. Brooke explained the concept behind this is to give a working knowledge of what is out there and patients with different backgrounds that facilities may not be familiar which may be able to make critical decisions that are in the best interest of the patient.

Nathan stated if a facility develops a training, they must submit it to HCQC for approval.

Mary-Anne Brown requested the link to the regulations could be sent to everyone on the council.

Brooke Maylath said that they are not budgeted to create the training. The goal is to make it appropriately comprehensive. They have had contact with a couple of agencies that provide training and are looking to create training material and will be able to offer facilities where the trainers can come in and it would be provided at a cost.

Kim Anderson asked what are they looking for the PCC to do. Nathan Orme responded to keep everyone apprised of the process and encourage involvement.

Brooke Maylath said that HCQC will approve the training to meet the standards but we are not going to develop the training. The curriculum requirements are not in the regulations. The goal is to make this appropriately comprehensive.

Patricia Pollina said that there may be other presentations that are sensitive to cultural understandings that may be available which would be at a cost but they do exist.

Brooke Maylath said that curating knowledge between professionals and being able to look at examples of best practices have been monitored for many years. There is a good concept of where the best resources are and what the content needs to be. There is opportunity to share a mechanism that is able to set a new bar of competency through others like conferences and fee base and things of that nature.

[Updates of items related to Palliative Care.](#) *Tom McCoy*

The House has passed the training act that will provide funding to centers across the nation. From an advocacy standpoint, Nevada has done its job.

The Nevada Cancer Coalition puts a cancer plan for Nevada and part of that plan will get into issues such as survivorship and palliative care and he will share the plan for this area. This is something the council should be aware of.

Tom McCoy noted that Senator Allison Copening passed recently. Veneta Lepera stated that if anyone was interested in attending the services to send her an email

Veneta Lepera said the council already voted to post the ECCO schedule. She requested Kim to make sure to give that to Nathan for him to post.

[Date of Next Meeting:](#) April 23, 2020

[Make recommendations on renewal of memberships that expired September 30, 2019 that need to be reappointed by Director Richard Whitley –](#)

Jeanne Hesterlee said that they will not change anyone’s term at this point and can put on the agenda at the next meeting.

KIM ANDERSON MOVED TO APPROVE THE MEMBERS FOR ANOTHER THREE YEARS. PATRICIA POLLINO MOVED TO APPROVE THE MOTION. THE MOTION PASSED UNANIMOUSLY.

A voice vote was taken by each member if they agree to recommend reappointment to Richard Whitley, Director.

- Veneta Lepera, Council Chair.
- M. Jeanne Hesterlee, Administrator
- Veneta Lepera, Council member
- Kim Anderson, Council member
- Mary-Ann Brown, Council member
- Marie (Phillis) Conner, Council member
- Kelly Conright, MD

- Terry Hanlon
- Melissa St. Jean
- Robin M. Tejada (newer member so her term does not need to renewed at this time)
- Tom McCoy

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

Mary-Ann Brown said they are looking for new board members from the south to be members on A physician Order for Life-Sustaining Treatment (POLST Board) which is a working board. She looks forward to National Healthcare Decision Day where she will be putting on a community workshop and she will send that information.

Adjournment (no further actions will be taken by the council after adjournment.)

Patricia Pollina said that during their POLST meeting there was mentioned that the Ethics office may include a coalition.

The Nevada State Board of Nursing now has the information of the Palliative Care Council on their web site.

There was a motion to adjourn the meeting. **PATRICIA POLLINA SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at approximately 5 p.m.