

Steve Sisolak
Governor



Richard Whitley, MS
Director

**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



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Administrator

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Chief Medical Officer

Senate Bill 275 (2021) –

ADVISORY TASK FORCE ON HIV EXPOSURE MODERNIZATION

May 12, 2022, 5:25 PM

Draft Meeting Minutes

Microsoft Teams Teleconference

1. Call to Order, Roll Call – Marla Robinson, Office of HIV

TASK FORCE MEMBERS PRESENT:

Cheryl Radeloff
Stephan Page – Co-Chair
Vince Collins
Jennifer Howell
Caesar Espinoza
Gary Costa
Jesus “JP” Coleman

TASK FORCE MEMBERS ABSENT:

Quentin Savwoir – Chair
Andre’ Wade
Senator Dallas Harris

OFFICE OF HIV STAFF PRESENT:

Tory Johnson

GUESTS PRESENT:

Linda Anderson
Deputy Attorney General Pierron Tackes

Tory Johnson conducted the roll call and called the meeting to order at 5:09 pm. seven (7) of the ten (10) members were present.

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*

No Public Comment

3. For Possible Action – Review and approval of meeting minutes – Co-Chair: Stephan Page
 - March 31, 2022 – Motion made to approve minutes, seconded. Approved on voice vote.
4. For Possible Corrective Action – Review and approval of meeting minutes from March 17, 2022
Pierron Tackes, Deputy Attorney General

There was discussion that the recording of March 17th, 2022 meeting was lost. Deputy Attorney General Pierron Tackes stated that Open Meeting Law requires that minutes are prepared and approved by the committee. She then requested that agenda item be moved to next meeting regarding March 17th meeting. Because of inability to submit minutes there needs to be a corrective action and any actions taken at this meeting needs to be retaken by the advisory task force. Two sets of minutes approved at March 17th meeting need to be re-approved by task force.

5. Informational Only – Nevada Legal Services Representative(s) to discuss possible collaboration between Nevada Legal Services (NLS) and Advisory Task Force related to publish material(s) around recent changes outlined in SB 275 (2021) and HIV criminalization

Member representing Nevada Legal Services (NLS) was not present. Tory Johnson clarified that NLS was willing to assist in getting information to public pursuant to SB 275. There was discussion as to what NLS' role would be, and they were not sure at first. There was discussion about NLS receiving funding for public information and possible discussion between task force and NLS. There was discussion that there might have been miscommunication on meeting time, and would arrange to try to get them on board for discussion at next meeting

6. Information Only – Discussion regarding Task Force question relating to retroactivity of SB 275 (2021) - Pierron Tackes, Deputy Attorney General

There had been question at previous meeting with quorum about retroactivity of SB 275 (2021). Deputy Attorney General Tackes clarified that laws are retroactive only where clarified to be by the legislature. If there is no language in the bill, then bill is considered active from listed start date. There would need to be another legislative motion to make SB 275 (2021) retroactive.

There was discussion about a language change in SB 275 (2021) from AIDS to HIV out of concern for potential loopholes. Jennifer Howell clarified there had been a previous pass through of the legislation to remove mention of AIDS and replaced with HIV before passing of legislation. Deputy Attorney General Tackes clarified any additional changes would need to be passed through legislature. There was discussion about changing the language of NRS to be covered later based on SB 275 (2021). There was discussion about file LCB File o R002-22 needing review due to verbiage change listed in SB 275 (2021)

Tory Johnson adds that the public notice for LCB R002-002 will be posted on May13th, 2022 including impact on small business statement. Public review for draft language is scheduled for June 1st, 2022 at 1 pm Pacific time.

Co-Chair Page recommend the task force look at Assembly Bill 192 (2019) that sealed past marijuana convictions. There was discussion on what a bill might look like to seal past HIV criminalization.

7. For Possible Action – Discussion around frequency of future meetings

There was discussion on if task force should meet monthly or bi-weekly as is currently established. There was discussion about how not all meetings have met quorum. There was discussion that if reports are required that continuing bi-weekly would make it easier. There was discussion about creating calendar invites on Teams in order to create more warning about future meetings. There was discussion that a firm end date would allow for an easier establishment of regular bi-weekly meetings.

Tory Johnson clarified that discussion on moving to monthly is for administrative reasons. All documents need to be reviewed by him and the co-chairs, then be put before the Deputy Attorney General for review and this has caused some delays in meetings. There was also concern expressed about difficulty in getting quorum each meeting on a bi-weekly basis.

There was discussion on if motion should be made or saved for future meetings when Chair Savvoir returns. Motion made to retain current bi-weekly schedule. Motion was seconded. Motion passes with unanimous voice vote.

Tory Johnson established calendar schedule for future meetings.

8. For Possible Action – Overview of submissions required by SB 275 (2021) and possible action to establish strategy, including engaging of a law firm to complete research, as needed.

There was discussion about not finding a need for law firm portion of this action. There was discussion that there was also limited funding so pro bono work would probably be necessary. There was discussion about keeping portion of action item regarding overview of submissions for SB 275 (2021) and possible action to establish strategy. There was discussion that it would be useful in case a legislature was necessary for putting forward a bill.

Motion made to move agenda item to next meeting with amendment to only include Overview of submissions required by SB 275 (2021) and possible action to establish strategy. Motion was seconded. Motion passes with unanimous voice vote.

9. For Possible Action – Strategy discussion pertaining to community outreach partners and possible action to establish any next steps, as well as recruitment of remaining six (6) Advisory Task Force members.

There was discussion that there were only 5 spots available now with addition of two members and resignation of one. It was mentioned that Nevada Brothel Association was reached out to but did not give a response. Sex Workers Alliance of Nevada (SWAN) responded to contact and referred co-chair to SWAid (Sex Worker Aid) which is the mutual aid branch of SWAN. There was discussion that a representative would bring up what Co-Chair Page discussed with them to see if there was any interest on sitting on the task force. There was discussion about contacting Nevada Coalition to End Domestic and Sexual Violence regarding 441a.320 but no response had been received.

Jennifer Howell stated she had spoken to her organization's government affairs representative. That representative offered to help make an introduction for the task for to the policy individual of Nevada Coalition to End Domestic and Sexual Violence. She also discussed that she had reached out to the

Attorney General's Office for Rights of Survivors of Sexual Assault task force, but they have had trouble making quorum for meetings. Was informed that when the next meeting was scheduled, they would be in contact so SB 275 (2021) task force members can attend.

There was discussion about other organizations to reach out to such as Williams Institute once representative was available for meetings again. There was discussion about finding someone to contact at the DoC (Department of Corrections). There was a recommendation about reaching out to person who wrote impact statement on behalf of DoC for SB 275 (2021).

A suggestion was made to reach out to communities with higher affectation by HIV. There was discussion about TAG (Transgender Allies Group) having testified in support of SB 275 (2021) as one option. A question was raised about reaching out to communities of color. There was discussion about reaching out to a faith based imitative through Office of HIV. There was discussion about including women with HIV. There was a suggestion about reaching out to first responders. It was mentioned that Reno Fire Fighters Union and Clark County First Responders government affairs employee were involved in SB 275 (2021) discussion.

10. For Possible Action – Review of Nevada Revised Statutes (NRS) as it relates to HIV, specifically NRS 209.385, 441A.180, 441A.320, and 441A.195

There was discussion about previous meetings on these statutes. There was clarification about where statutes could be found on endhiv.org website. There was discussion about including Elizabeth Kessler, Nevada DPBH with the STI division if statutes cover other communicable diseases. There was clarification that statutes in discussion, only HIV is mentioned.

11. Review of LCB File No. R002-22, draft regulations relating to testing of sexually transmitted diseases, and possible action to recommend changes or provide public comment

There were no suggestions or discussion on this topic. There was mention of replacement of term AIDS with HIV in recommendation for changes. There was discussion about public meeting occurring June 3rd, 2022 at 9 am. There was discussion about keeping or removing item for agenda. Suggestion was made to keep it on until after public hearing occurs.

12. For Possible Action – Recommendations for Agenda Items for Next Meeting – Chair Savvoir

It was discussed that motion had passed to keep agenda item 8 in its modified form. There was discussion about agenda item 4, 5, 9, 10, and 11 being moved to the next meeting. Question posed about additional items needed for the agenda. Tory Johnson recommended adding review of previous LCB report in preparation for report due in September. There was discussion about previous report already being reviewed. There was discussion about focusing on new report rather than re-reviewing previous report. There was discussion about reaching out to affected communities to get feedback necessary for the report.

Motion made to move 4, 5, 8, 9, 10, and 11 agenda items to next meeting. There was a second. There was no discussion. Motion passes with unanimous voice vote.

Motion made to add agenda item to discuss LCB report. Motion was seconded. There was no discussion. Motion passes with unanimous voice vote.

13. Public Comment – Co-Chair Stephen Page - The following statement was read, with no public comment following statement was read: *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*

There was no public comment.

14. Adjournment – Co-Chair Page

Co-Chair Page declared the meeting adjourned. The meeting adjourned at 6:26 pm.