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**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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**Senate Bill 275 (2021) –
ADVISORY TASK FORCE ON HIV EXPOSURE MODERNIZATION**

August 19, 2022

DRAFT MINUTES

Microsoft Teams Teleconference

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

TASK FORCE MEMBERS PRESENT:

Cheryl Radeloff
Stephan Page – Co-Chair
Caesar Espinoza
Gary Costa
Andre' Wade
Senator Dallas Harris

TASK FORCE MEMBERS ABSENT:

Quentin Savvoir – Chair
JP Coleman
Rob Phoenix
Jennifer Howell

OFFICE OF HIV STAFF PRESENT:

Tory Johnson

GUESTS PRESENT:

Linda Anderson, Nevada Public Health Foundation
Russ Alfano, Medical Administrator, Nevada Department of Corrections

Tory Johnson conducted the roll call and called the meeting to order at 5:07 pm. seven (6) 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

Caesar Espinoza asked for clarification regarding what to do about people currently incarcerated despite repeal of statutes that made transfer of HIV criminal. Senator Harris stated the goal of the task force was to make policy recommendations and that the task force should recommend measures that could clear records.

Linda Anderson also clarified that in the past the committee had submitted an incomplete report and then supplemented it after the due date.

3. For Possible Action:

Review and approval of meeting minutes – Chair: Quentin Savwoir

- August 4, 2022

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

4. For Possible Action:

Discussion and possible action to request an extension of submittal for the report due to Legislative Council Bureau (LCB) and Governor’s Office

There was discussion about reaching out to someone in the legislator about getting in an extension request for September 1st. Senator Harris stated she had texted the chair of the legislator commission about potential extensions. Stated it would be difficult to get action taken before meeting. There was discussion about still asking for an extension after due date. Senator Harris clarified that the next meeting of the Legislative Commission Board for September 27th.

5. For Discussion:

Discussion with Russ Alfano, Medical Administrator, Nevada Department of Corrections regarding how SB 275 (2021) impacts Department of Corrections

Stated that historically information came from Office of HIV regarding dollar amounts spent on infection diseases. Information was also provided by disease control specialist to Office of HIV when requested. Russ Alfano expressed concern that information was over-representing footprint of federal funds used in Nevada with regards to Department of Corrections. Stated that all monies used for infectious diseases for NDoC is completely general funding through state assigned budget.

Tory Johnson confirmed to Russ Alfano that committee was associated with SB 275 (2021) with regarding to elimination of criminalization of HIV. Russ requested additional information regarding SG 275 (2021). Co-Chair Page clarified that the bill, specifically with regards to NDoC, repealed NRS 209.385 regarding testing of inmates for HIV and disclosure and segregation of offenders. Russ stated that bill has not been impactful. NDoC still does due diligence regarding sharing of infectious diseases but believes department has done a good job of adopting repeal of ‘House Alone, House Alike’ aspect of NRS 209.385. In his opinion, repeal has not impacted testing overall, and other matters have become more important such as Corona Virus testing and impact.

Andre’ asked Russ about requirements for staff and inmates to receive HIV and information training? Russ clarified that inmate intake packets have information regarding disease transmission. Secondary education for peace officers provides additional training included. Also, additional documentation found at major institutions.

Cheryl asked about process for someone entering NDoC and information received and if they are offered testing for communicable diseases. Russ clarified that inmates receive full medical and dental checks including labs to test for diseases. Also receive documentation regarding preventing spread of infectious diseases. Additional information available upon request in both English and Spanish. Similar packet received upon discharge. Testing available on several occurrences such as request or NDoC request for communicable diseases. Inmates do have the right to refuse treatment until it has a negative impact on the institution, they are residing in.

Russ stated that the reaction to the law changes on the medical side, there was little to no change. He did not want to speak on behalf of administration side of NDoC.

Co-Chair Page asked about segregation of inmates who test positive. Russ stated he is not familiar with any offenders currently being segregated just because of HIV diagnosis. Only segregation occurred if inmates tested positive for Covid to allow for quarantine. Russ also stated that there is counseling and consultation for those that test positive for infectious diseases such as HIV or Hepatitis C.

Cheryl asked if NDoC has been exposed to a communicable disease, does NDoC contact Disease Investigation and Intervention Specialist (DIIS) for further testing and treatment. Russ clarified he does not know the details and what happens if they test positive for an infectious disease.

Russ Alfano left after final question.

6. For Discussion:

Community Partner Presentation from Nevada Legal Services, relating to marketing information

Representative from NLS came at previous meeting. Agenda item remained to have a chance to review flyers posted in attachments for questions.

7. For Possible Action:

Discussion and Possible Action to engage Nevada Legal Services (NLS) for assistance with Task Force research and outreach

Co-Chair Page asked about potential changes to flyers regarding NLS. No comments offered by members of committee.

8. For Discussion:

Review of Nevada Revised Statutes (NRS) as it relates to HIV, specifically NRS 209.385, 441A.180, and 441A.320

There was discussion about reaching out to organizations regarding sexual and domestic violence organizations regarding these statutes. Co-Chair Page stated there were no updates on his part. Cheryl Radeloff stated she had received comment from Signs of Hope, and they were working on statements/input from that organization.

9. For Possible Action:

Review of LCB File No. R002-22, draft regulations and Task Force Letter relating to testing of sexually transmitted diseases, and possible action to recommend changes of providing public comment

Co-Chair Page informed the committee he did not finish the letter by deadline but would for the next meeting. Senator Harris stated she had reached out to contact at Department of Public and Behavioral Health. There was discussion regarding impact of department on bill by limiting what medically indicated meant. That bill was intended to make bill for prevention and not just treatment and diagnosis. Stated she would attempt to remove some provisions from draft regulations.

There was discussion on if medically indicated would extend treatment to be preventative, as well. Senator Harris clarified that was intended for primary care physicians and ER doctors to ask about the desire of patients to be tested for STIs. Also clarified that there is an updated version that LCB sent to Board of Health on August 15th for this file. There was discussion on if this newest version can be posted for the task force to access. It was clarified that requested document is posted in attachments.

10. For Possible Action: Discussion and possible action relating to drafting of report to Governor’s Office and Legislative Council Bureau (LCB). Possible topics to include and review in the report are as follow:

Possible Section	Task Force Member
Community Engagement and the need to share information related to SB 275 (2021)	Cheryl Radeloff & Stephan Page
Comprehensive sexual education	Quentin Savwoir
1 st Responders	Jennifer Howell
Age of consent regarding STI testing and treatment	Andre’ Wade
NRS 441A.320	Not assigned
HIV & Nevada State Prisons	Cheryl Radeloff & Stephan Page
Applying SB 275 (2021) retroactively; clearing records of those previously criminalized under the states that SB 275 (2021) repealed	Senator Dallas Harris

There was discussion on if drafts of sections had been finished. There was discussion on assigning sections for people to cover for report. No section was assigned. There was discussion on establishing a new deadline for report despite report being late for September 1st deadline. Co-Chair Page recommended September 15th for new deadline or November 1st. There was discussion about the impact of pushing it back too far for legislation in next session. There was discussion about going with October deadline instead. Senator Harris stated she was still going to bring forth bills regardless of when recommendations happen. There was a discussion about using Senator Harris’ bill for report purposes. She recommended not to work backwards and make recommendations regardless of what goes into her bill as it might influence her bill to help with prevention.

11. For Possible Action: Make Recommendations for next meeting’s agenda

Co-Chair Page asked for recommendations on future meetings. There was discussion on having some speakers from Signs of Hope. There was discussion on changing agenda items 5 and 6 due to Russ Alfano stating he would not be coming back to task force meetings. There was discussion about making it a general community presentation. Was stated by Tory that agenda items needed to be more specific. Co-Chair Page put forth motion to remove section 5 due to Department of Corrections not returning. Also recommended making Section 6 to be dedicated to being open for speakers from Signs of Hope and Nevada Coalition to End Domestic and Sexual Violence. There was discussion about the necessary timing of when any additional speakers can be added to future meetings. Co-Chair Page then called for vote about removing agenda item 5 and amending agenda item 6. Voice vote was unanimous.

12. 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.

13. Adjournment Co-Chair Page

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