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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 20, 2023

MEETING MINUTES – Approved January 31, 2023

4:05 PM

Microsoft Teams Teleconference

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

TASK FORCE MEMBERS PRESENT:

Quentin Savvoir – Chair
Stephan Page – Co-Chair
Cheryl Radeloff
Caesar Espinoza
Andre' Wade
Jennifer Howell
Jesus (JP) Coleman
Rob Phoenix

TASK FORCE MEMBERS ABSENT:

Gary Costa
Senator Dallas Harris

OFFICE OF HIV STAFF PRESENT:

Tory Johnson

GUESTS PRESENT:

Linda Anderson, Esquire, Nevada Public Health Foundation

Tory Johnson conducted the roll call and called the meeting to order at 5:05 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

No public comment

- 3. For Possible Action:** Review and approval of meeting minutes – Co-Chair: Stephan Page
- January 21, 2023

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 found that the conference this letter was intended for had already selected a 2023 location. Jennifer Howell recommended that the letter be amended to request being considered for a future site. Co-Chair Page asked Chair Savvoir if he would be willing to sign it after the update. Chair Savvoir said he would. Co-Chair Page made motion to amend the letter and motion passed on voice vote. Tory Johnson recommended having Co-Chair Page sign the letter in case Chair Savvoir is not able to do so due to an uncertain schedule. Chair Savvoir agreed with this. Co-Chair Page amended the motion to include his signature and motion passed on voice vote.

- 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 brought up this story again to address it once more. He stated that they added information regarding this story and potential issue to the prisons section of the report. Someone with HIV could be charged with a felony for spitting which runs contrary to modernization of laws regarding HIV. Jennifer Howell stated she had contacted potential legal consultation for the prisoner listed in the story. Also spoke to Senator Harris to receive additional legal guidance for how to ensure someone with HIV isn’t punished under this law. Senator Harris recommended extending the language and affirmative defense language to be included in revising this statute.

6. For Discussion:

Discussion and possible action relating to drafting of report to Govern’s Office and LCB. Possible topics 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 discussion by showing Table of Contents he created for the report. No one provided any initial recommendations on changes to this section. No suggested changes were made to summary of work.

Next was Community Engagement and the need to share information section. No changes had been made since the previous meeting, and no recommendations to changes were made.

Next section was applying SB 275 retroactively to clear previous records. It is the only report section that has no draft yet. Co-Chair Page stated that it is too late to really start it and made some suggestions about what to do.

Jennifer Howell stated that Senator Harris was working on the section. Caesar Espinoza asked if there was going to be any additional meetings where people can talk about the report once finished or if he should speak directly to Senator Harris regarding this particular section. Co-Chair Page clarified that in order to be able to review it at another meeting it would have to be submitted on the same night as the meeting for review. Chair Savvoir stated he was working with Senator Harris was working on it to be included in a future bill but had no guarantee it would be part of the report. Tory Johnson clarified that another meeting would have to be reviewed and be submitted soon to be able to include it in the report. Co-Chair Page asked for clarification about potentially having a meeting on 01/31/2023 since it would be their last change. Tory Johnson clarified that while report was due in September, they must have it in by February 5th so they could have a meeting 01/31/2023 if it was submitted in time. Co-Chair Page recommended one last meeting just to be safe. Cheryl Radeloff recommended that they prepare for a meeting in case Senator Harris can get the information in time we can have a meeting, but if it is not finished then cancel the meeting and submit the report as is. Jennifer Howell also recommended a final meeting anyway about next steps for post disbandment pursuits.

First Responders NRS 441a.195 was brought up next. Co-Chair Page stated that no changes were made to this section since the last meeting beyond a typo correction. There were no task force recommendations on changes.

Co-Chair Page moved onto the Public Health Authority section. He stated that this had not been discussed previously, but he himself had no suggested changes from what was submitted. There were no recommendations from the task force for changes.

Next section was HIV and Nevada State Prisons. This did include changes from previous meeting, including issues that arose from NRS 212.189 and its affect on NRS 441A.195. Jennifer Howell stated a recommendation to remove the prisoners name for anonymity purposes. There were no other recommended changes.

Next section was NRS 441A.320 where Co-Chair Page had added a small section. This section was regarding law enforcement's change of opinion regarding the change to the statute. Cheryl Radeloff and Jennifer Howell both recommended keeping changes to section. Jennifer Howell also wanted to include a section to continue the conversation with advocates, as well. Co-Chair Page stated that the final paragraph addressed this concern but suggested he could include a statement specifically regarding advocates. Jennifer Howell stated that something emphasizing their inclusion would be good.

The next section was the Sexual Education section. This was a new section that was being introduced and included a history of sex ed in Nevada and recommendations on ways of making it better, as well as the importance of comprehensive sexual education. No further changes were suggested to add to this section

The next report section was Age of Consent with regards to certain healthcare and testing decisions, and allowing minors to opt into some of tests and healthcare on their own. Andre' Wade made some changes to his report from version listed at previous meeting. Jennifer Howell recommended inclusion of contraception to this section, especially given that many places that could provide contraceptives without parental support are losing funding. Andre' Wade stated he could make the changes but needed assistance. Jennifer Howell stated she could provide information and talking points. Cheryl Radeloff asked about clarification regarding minors and contraceptives. Jennifer Howell clarified that Nevada state law states that providers can only provide contraceptives if there is an imminent health hazard. Pregnancy could be listed as a health hazard or hazardous to the health of the minor, but that is the closest law that could be interpreted in such a way. Cheryl Radeloff asked how this impacts the Nevada law passed in 2021 that allowed pharmacists to distribute hormonal contraceptives. Jennifer Howell stated that it only applied to people 18 and older. Otherwise only entities with Title 10 funds can give contraceptives to those under 18.

The task force moved onto the section regarding removing barriers to care related to cost. Co-Chair Page mentioned that some changes had been suggested in a previous meeting, but the version posted seemed to not reflect those changes. He wanted to check in on recommended changes including changing of term 'HIV Uninfected' person to something else such as 'Person without HIV'. Tory Johnson stated that if there are any changes he could send changes to author, Rob Phoenix, to make sure they get added in remaining window. Cheryl Radeloff asked Tory if he received the comments and concerns, she had on previous section. Tory Johnson stated he believed they were incorporated in the document, but he could not confirm as he is not the author. He recommended Cheryl send him any suggested changes to send on to Rob Phoenix.

Provider Parity was brought up for thoughts and recommendations. There were no recommendations as previous recommendations were already added to the section.

Removing Barriers to Care was the next section presented for review. Co-Chair Page stated he hadn't reviewed the updated version. He did state that from what he saw, his previous recommendations had been largely adopted. No other recommendations were presented by the task force. Co-Chair Page stated that if he did find any other recommendations, he would send them by the end of the night.

Tory Johnson stated he had been taking notes regarding requested changes. He went through the list with the task force including section from Senator Harris and four sections. Co-Chair Page confirmed the information.

Co-Chair Page then made a motion that if the task force was unable to meeting again he will submit the report with all agreed upon changes. Motioned was seconded and motion passed on voice vote with none opposed.

7. For Discussion:

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

Co-Chair Page mentioned informal vote at last meeting that passed with those who voted. He also mentioned Rob Phoenix would reach out to potential sponsors to find someone willing to put forward a bill to continue the task force. Caesar Espinoza asked if current members will be automatically moved over, or if they need to reapply

if the task force is renewed. Co-Chair Page stated that everyone had to reapply because of language in previous bill. New bill can have language that members can request to be rolled over. Cheryl Radeloff stated that there were some unexpected situations that have come up such as potential denial of employment that have not been covered by the existing task force and are important for a future task force to cover.

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

Co-Chair Page stated he did not know of any updates to the bill. Cheryl Radeloff asked if this will address access to contraception that was raised earlier and will be raised in the report. Co-Chair Page stated he was unsure if it did, but he would look. He did state that it does mention contraceptives, and states that what is covered in section 2 of the BDR is for minors, which mentions contraceptives. Cheryl asked for further clarifications if vaccines are included. Co-Chair Page stated they are not listed in the BDR.

9. For Discussion:

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

This was a comparison of modernization attempts by states regarding HIV. Cheryl Radeloff had asked if there had been any additional states since the initial information came out. Co-Chair Page stated that Georgia had also passed modernization laws. Cheryl Radeloff then thanks Andre' Ward for addressing her questions in the report.

10. For Possible Action:

Make recommendations for next meeting's agenda.

Co-Chair Page recommended meeting on the 30th or 31st and stated that the 31st was his preference. Quentin Savvoir stated the 31st worked best for him. Co-Chair Page suggested 5 pm as potential meeting time. Motion was presented, seconded, and passed on voice vote. There was no dissent.

Tory Johnson clarified that any documents to be presented at the meeting must be received by January 25th.

Co-Chair Page stated that next meeting should include agenda items such as approving Senator Harris' section. He also recommended that the next agenda contain items 6, 7, 10 from the current agenda. Jennifer Howell stated she would like to add an agenda item on discussion of next steps for the task force in case it is not re-established. This would include how to continue support of work of the task force into the future. Cheryl Radeloff wanted to know about how to go about clarifying on who would be able to share information from report and recommendations to other entities such as school districts. Co-Chair Page stated he would be happy to help present information. He also stated that it shouldn't be an issue for any member to be able to present findings to outside entities.

Tory Johnson asked for a re-working of agenda item 10 to reflect actions for the task force after the task force is disbanded. He also talked about Cheryl Radeloff's question regarding presenting information: The majority of task force members appointment end on February

5th. There are certain members who are appointed until March 2024. He suggested a vote happen to appoint specific people to fill those spots to be able to speak on behalf of the task force and its findings. Tory clarified that Caesar Espinoza, Senator Harris, and Rob Phoenix were all appointed through March 31st, 2024 since they had joined the task force later than the others. They just will not have a quorum to do anything else official.

Rob Phoenix asked what that extended appointment means. Tory Johnson stated that he can pose that question to AGD Pierron Tackes but stated that those still appointed can still represent the task force, but do not have the numbers necessary to officially meet.

JP Coleman then stated he wanted to put forth an agenda item due to a patient stating they had been denied a job due to their HIV status. He wanted to see if that could be added in order to put forth information to help promote the continuation of the task force. Co-Chair Page asked if JP wanted it to be an agenda item or if it should be added to the next steps discussion already discussed. JP stated he would be fine with it being included in the next steps agenda item and mentioned another case in 1992 regarding a fired fire fighter who won his case for wrongful termination.

JP Coleman stated that he wanted to make sure that the report included information on the denial of employment he mentioned. Jennifer Howell stated her support for going back to amend the report to include the information. Co-Chair Page also stated he supported going back but asked Tory Johnson to clarify the necessary steps. Tory affirmed it best to amend the motion. Co-Chair Page made a new motion to in addition to previously agreed upon motion that report will also include information regarding denial of employment in the Background Section. Motion was seconded and then passed in roll call vote. No dissent.

Co-Chair Page asked JP for additional information. Jennifer Howell also volunteered to speak to the lobbyist for the fire fighter's association to get comment from them.

Co-Chair Page then made a motion to include items 6 and 7 from current agenda into the future agenda, and to create a new agenda item to address potential next steps. Motion seconded and then passed on voice vote. No dissent.

11. 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 occurred.

12. Adjournment:

Meeting adjourned at 5:29 pm by consensus of task force