

**STATE OF NEVADA SUBSTANCE ABUSE WORKING GROUP  
LEGISLATIVE SUB-COMMITTEE**

**MINUTES OF MEETING**

**January 24, 2013**

**Sub-Committee Members Present by Teleconference**

Peter Mansky, MD, Clinical Services of Nevada  
Mark Jackson, Douglas County District Attorney  
Kent Bitsko, Executive Director, Nevada HIDTA  
David Marlon, President, Solutions Recovery

**Attorney General's Office Staff Present by Teleconference**

Henna Rasul, Senior Deputy Attorney General  
Heather Cooney, Legal Secretary II

**Members of the Public Present by Teleconference**

Liz MacMenamin, Director of Government Affairs, Pharmacy and Healthcare, Retail Association of Nevada

1. Call to order and roll call of members. Board counsel Henna Rasul called the meeting to order at 10:00 a.m. A quorum of the members was present.

2. Public Comments. No public comments.

(Agenda Item No. 3 was taken out of order and addressed later in the meeting)

3. Review and approval of the minutes from August 27, 2012.

Mark Jackson moved for approval of the minutes, the motion was seconded and passed unanimously.

9. Agenda item nine taken out of order. Discussion of identifying and analyzing BDR's of the 2013 Nevada Legislative session pertaining to substance abuse.

Mark Jackson proposed beginning each meeting by listing the relevant BDR's.

David Marlon stated that not all BDR's are listed on the legislative website.

Mark Jackson suggested obtaining existing lists of bills from other agencies rather than from the BDR list on the legislative website.

Kent Bitsko stated that it would be difficult to discuss bills and strategy without the actual bill language which was largely unavailable as of the date of this meeting.

David Marlon suggested that any bill that could be under SAWG be sent to Linda Fitzgerald for inclusion in future agendas.

4. Discussion of BDR 157 of the 2013 Nevada Legislative session addressing the prescription drug monitoring (PMP) system.

\_\_\_\_\_ advised that BDR 157 was not AB 39.

David Marlon stated that 25% of prescribing physicians have a log in to PMP.

Dr. Peter Manksy added that the Pharmacy Board can require registration with PMP and does not believe it was necessary to pass a law to that effect.

Mark Jackson supported legislation requiring practitioners to register with PMP.

Dr. Manksy agreed to discuss this topic with Dr. Pinson.

David Marlon added that prescription drugs have passes street drugs in numbers of drug related fatalities.

Liz MacMenamin stated that no one had yet picked up BDR 157. Mark Jackson asked that Liz MacMenamin make a presentation on BDR 157 at the next meeting.

Mark Jackson stated that as there is no bill language yet for Agenda Items 4,5,6 and 7, that it was premature to move forward. He added that future agendas should have the bills attached so everyone has the language.

5. Discussion of BDR 3-98 of the 2013 Nevada Legislative session revising provisions concerning prescription drugs.

Mark Jackson stated the language was not available yet and suggested that Liz MacMenamin present on BDR 3-98 at the next meeting.

6. Discussion of BDRs 46 and 89 of the 2013 Nevada Legislative session regarding the use of medical marijuana.

7. Discussion of BDR 54-101 establishing provisions governing certain acts of pharmacists.

Mark Jackson stated he had no additional information. Liz MacMenamin stated that this was not a BDR that they would be interested in as it is not about substance abuse.

8. Discussion of BDR 184 of the 2013 Nevada Legislative session revising provisions relating to driving under the influence.

\_\_\_\_\_ stated that this is actually BDR 43-184. As there is no additional information it was suggested that the group wait for the actual language.

10. Discussion of monitoring Art. 4, Section 38 of the Nevada Constitution requiring the Legislature to provide by statute for medical marijuana use and the constitutionality of NRS 453A.300 and .310.

11. Discussion of monitoring the social, economic and criminal justice impact of voter initiatives legalizing marijuana for recreational use in CO and WA.

Kent Bitsko stated that it was the opinion of the lower court that it does not require legislation to take action.

David Marlon suggested combining items 6, 10 and 11 for discussion at the next meeting.

12. Discussion of coverage of substance abuse under the Medicaid program.

Dr. Mansky stated that he had discussed this topic with Mike Wilden in the Working Group. Mark Jackson asked how the coverage related to this sub-committee and suggested giving this issue to the Working Group.

13. Discussion of loopholes in federal parity mandates causing gaps in the availability of substance abuse treatment.

David Marlon stated that federal parity laws were enacted five years ago so that substance abuse was treated the same as medical issues. He added that ERISA plans would be handled on a federal level and insured plans on a state level. He stated he would get sample legislation to present at the next meeting.

14. Comments from the Sub-Committee.

The next meeting was set for February 19, 2013 at 11:00 a.m.

15. Public Comments.

Liz MacMenamin stated that there had been some interest expressed in legislation that would drug test those collecting social services.

16. Mark Jackson moved for adjournment.