
ASSEMBLY BILL NO. 139—COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF LEGISLATIVE COMMITTEE ON HEALTH CARE)

FEBRUARY 4, 1999

Referred to Committee on Health and Human Services

SUMMARY—Requires department of human resources to provide services pursuant to Medicaid program to certain persons with disabilities whose total household income is less than 250 percent of federally designated level signifying poverty. (BDR 38-1128)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to public welfare; requiring the department of human resources to provide services pursuant to the Medicaid program to certain persons with disabilities whose total household income is less than 250 percent of the federally designated level signifying poverty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 422 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
3 *The director shall include in the state plan for Medicaid a provision*
4 *for making medical assistance available to any person with a disability:*
5 1. *Whose total income combined with any family member in his*
6 *household is less than 250 percent of the federally designated level*
7 *signifying poverty; and*
8 2. *Who meets all other requirements set forth in 42 U.S.C. §*
9 *1396a(a)(10)(A)(ii)(XIII).*
10 **Sec. 2.** NRS 422.222 is hereby amended to read as follows:
11 422.222 1. The administrator may adopt such regulations as are
12 necessary for the administration of NRS 422.070 to 422.410, inclusive,
13 *and section 1 of this act* and any program of the welfare division.

1 2. A regulation adopted by the administrator becomes effective upon
2 adoption or such other date as the administrator specifies in the regulation.

3 **Sec. 3.** NRS 232.320 is hereby amended to read as follows:

4 232.320 1. Except as otherwise provided in subsection 2, the
5 director:

6 (a) Shall appoint, with the consent of the governor, chiefs of the
7 divisions of the department, who are respectively designated as follows:

8 (1) The administrator of the aging services division;

9 (2) The administrator of the health division;

10 (3) The state welfare administrator; and

11 (4) The administrator of the division of child and family services.

12 (b) Shall administer, through the divisions of the department, the
13 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive,
14 446, 447, 449 and 450 of NRS, NRS 127.220 to 127.310, inclusive,
15 422.070 to 422.410, inclusive, *and section 1 of this act*, 432.010 to
16 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
17 445A.050, inclusive, and all other provisions of law relating to the
18 functions of the divisions of the department, but is not responsible for the
19 clinical activities of the health division or the professional line activities of
20 the other divisions.

21 (c) Shall, after considering advice from agencies of local governments
22 and nonprofit organizations which provide social services, adopt a master
23 plan for the provision of human services in this state. The director shall
24 revise the plan biennially and deliver a copy of the plan to the governor
25 and the legislature at the beginning of each regular session. The plan must:

26 (1) Identify and assess the plans and programs of the department for
27 the provision of human services, and any duplication of those services by
28 federal, state and local agencies;

29 (2) Set forth priorities for the provision of those services;

30 (3) Provide for communication and the coordination of those services
31 among nonprofit organizations, agencies of local government, the state and
32 the Federal Government;

33 (4) Identify the sources of funding for services provided by the
34 department and the allocation of that funding;

35 (5) Set forth sufficient information to assist the department in
36 providing those services and in the planning and budgeting for the future
37 provision of those services; and

38 (6) Contain any other information necessary for the department to
39 communicate effectively with the Federal Government concerning
40 demographic trends, formulas for the distribution of federal money and
41 any need for the modification of programs administered by the department.

- 1 (d) May, by regulation, require nonprofit organizations and state and
2 local governmental agencies to provide information to him regarding the
3 programs of those organizations and agencies, excluding detailed
4 information relating to their budgets and payrolls, which he deems
5 necessary for his performance of the duties imposed upon him pursuant to
6 this section.
- 7 (e) Has such other powers and duties as are provided by law.
- 8 2. The governor shall appoint the administrator of the mental hygiene
9 and mental retardation division.

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