

ASSEMBLY BILL NO. 181—ASSEMBLYMEN EVANS, LESLIE, PARKS, GOLDWATER, HUMKE, MANENDO, DE BRAGA, OHRENSCHALL, KOIVISTO, BACHE, HETTRICK, CEGAVSKE, BERMAN, WILLIAMS, BEERS, CLABORN, MCCLAIN, FREEMAN, ARBERRY, CHOWNING, SEGERBLUM, NEIGHBORS, CARPENTER, LEE, BUCKLEY, ANDERSON, PERKINS, GIUNCHIGLIANI, COLLINS, MORTENSON, TIFFANY, THOMAS AND DINI

FEBRUARY 10, 1999

JOINT SPONSORS: SENATORS WIENER, RAWSON, TITUS,
TOWNSEND AND COFFIN

Referred to Concurrent Committees on Health and Human Services
and Ways and Means

SUMMARY—Makes various changes relating to provision of services relating to substance abuse and mental health. (BDR 40-1059)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation not included in Executive Budget.

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

AN ACT relating to public health; providing in skeleton form for the creation of an internal state board for the coordination of services relating to mental health and substance abuse, and prescribing its duties; providing in skeleton form for the transfer of the bureau of alcohol and drug abuse from the department of employment, training and rehabilitation to the department of human resources; providing for additional services relating to substance abuse and mental health; requiring the commission on substance abuse education, prevention, enforcement and treatment to conduct annual evaluations of programs to treat substance abuse; requiring the establishment of pilot projects in family resource centers to provide services relating to substance abuse; making appropriations; and providing other matters properly relating thereto.

1 WHEREAS, Approximately 16,000 children residing in this state are in need of
2 services relating to the prevention and treatment of substance abuse and intervention
3 into problems of substance abuse; and

1 WHEREAS, Approximately 500 of those children are in need of comprehensive
2 evaluations relating to substance abuse, intensive residential or outpatient treatment,
3 detoxification or transitional housing; and

4 WHEREAS, There is inadequate funding of such services in this state and many
5 severely addicted children residing in this state are placed on waiting lists or must go
6 outside this state to receive the care that they need; and

7 WHEREAS, There is a strong link between substance abuse and mental illness,
8 with approximately 60 percent of all relevant cases involving a dual diagnosis of
9 mental illness and substance abuse; and

10 WHEREAS, There currently exists little coordination between state agencies and
11 organizations providing services relating to mental health and state agencies and
12 organizations providing services relating to substance abuse; now, therefore,
13

14 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
15 AND ASSEMBLY, DO ENACT AS FOLLOWS:
16

17 **Section 1.** Chapter 458 of NRS is hereby amended by adding thereto
18 the provisions set forth as sections 2 to 5, inclusive, of this act.

19 **Sec. 2. 1. *The internal state board for the coordination of services***
20 ***relating to mental health and substance abuse is hereby created within***
21 ***the department. The director shall appoint to the internal state board:***

22 ***(a) Two representatives from the bureau, one with experience in***
23 ***budgetary matters and one with experience in working with the programs***
24 ***provided by the bureau;***

25 ***(b) Two representatives from the division of child and family services***
26 ***of the department, one with experience in budgetary matters and one***
27 ***with experience in working with the programs provided by that division;***

28 ***(c) Two representatives from the mental hygiene and mental***
29 ***retardation division of the department, one with experience in budgetary***
30 ***matters and one with experience in working with the programs provided***
31 ***by that division;***

32 ***(d) Two representatives from the private sector with experience in***
33 ***substance abuse programs;***

34 ***(e) Two representatives from the private sector with experience in***
35 ***mental health programs; and***

36 ***(f) Two representatives from the general public who have or have had***
37 ***children with problems related to mental illness or substance abuse.***

38 **2. The internal state board shall:**

39 ***(a) Establish a standard system for referrals between providers of***
40 ***services relating to the treatment of mental health problems and***
41 ***providers of services relating to treatment for substance abuse;***

1 **(b) Identify the facilities for the treatment of substance abuse located**
2 **in this state in which at least one specialist in mental health should be**
3 **placed;**

4 **(c) Identify the facilities for the treatment of mental health problems**
5 **located in this state in which at least one counselor in substance abuse**
6 **should be placed;**

7 **(d) Determine the cost of placing such specialists and counselors in**
8 **facilities pursuant to paragraphs (b) and (c);**

9 **(e) Determine the process by which clients in a facility for the**
10 **treatment of substance abuse would receive treatment for mental health**
11 **problems when necessary; and**

12 **(f) Determine the process by which clients in a facility for the**
13 **treatment of mental health problems would receive treatment for**
14 **substance abuse when necessary.**

15 **Sec. 3. 1. The bureau shall prepare requests for proposals for the**
16 **provision by facilities of:**

17 **(a) Residential treatment of adolescents who engage in substance**
18 **abuse;**

19 **(b) Outpatient treatment of adolescents who engage in substance**
20 **abuse;**

21 **(c) Comprehensive evaluations of adolescents with problems relating**
22 **to substance abuse or mental illness, or both; and**

23 **(d) Transitional housing for adolescents who engage in substance**
24 **abuse.**

25 **2. Upon accepting a proposal submitted in accordance with this**
26 **section, the bureau may advance not more than 8 percent of the amount**
27 **of the proposal to the facility that submitted the proposal to help defray**
28 **the costs of starting the provision of the services, including, without**
29 **limitation, the cost of beds, equipment and rental space for expansion.**

30 **3. The bureau shall establish such requirements for the requests for**
31 **proposals as it determines necessary.**

32 **4. The bureau shall hire, to the extent of legislative authorization,**
33 **such staff as it determines necessary to carry out the provisions of this**
34 **section and section 4 of this act.**

35 **Sec. 4. The bureau shall, on or before September 1 of each odd-**
36 **numbered year, submit to the director a report covering the biennium**
37 **ending on June 30 of that year. The report must include:**

38 **1. The name of each facility that received money pursuant to section**
39 **3 of this act during the biennium, and the amount of money that each**
40 **facility received for each type of service provided;**

2. If a facility received money pursuant to section 3 of this act during the biennium to help defray the costs of starting the provision of services, the name of the facility, the amount of money received and an accounting of how the money was used;

3. The number of adolescents who received any of the services described in section 3 of this act from such facilities during the biennium, and the number of adolescents who were receiving such services as of the end of the biennium; and

4. As of the end of the biennium:

(a) The number of adolescents on waiting lists to receive the services described in section 3 of this act; and

(b) An estimate of the number of other adolescents in this state who are in need of the services described in section 3 of this act.

Sec. 5. 1. The commission shall:

(a) Establish a standard report card that identifies at least four key indicators of the level of substance abuse by adolescents and adults residing in this state; and

(b) Publicize the indicators to be used in the report card.

2. The commission shall annually compile a list of substance abuse programs in this state that are publicly or privately financed, or both, including:

(a) Treatment programs for adolescents and adults;

(b) Intervention programs for adolescents and adults;

(c) Prevention programs for adolescents and adults; and

(d) Education programs for adolescents and adults.

Sec. 6. NRS 458.010 is hereby amended to read as follows:

458.010 As used in NRS 458.010 to 458.360, inclusive, **and sections 2, 3 and 4 of this act**, unless the context requires otherwise:

1. "Alcohol and drug abuse program" means a project concerned with education, prevention and treatment directed toward achieving the mental and physical restoration of alcohol and drug abusers.

2. "Alcohol and drug abuser" means a person whose consumption of alcohol or other drugs, or any combination thereof, interferes with or adversely affects his ability to function socially or economically.

3. "Alcoholic" means any person who habitually uses alcoholic beverages to the extent that he endangers the health, safety or welfare of himself or any other person or group of persons.

4. "Bureau" means the bureau of alcohol and drug abuse in ~~the rehabilitation division of~~ the department.

5. "Chief" means the chief of the bureau.

6. "Civil protective custody" means a custodial placement of a person for the purpose of protecting his health or safety. Civil protective custody does not have any criminal implication.

1 7. "Department" means the department of ~~employment, training and~~
2 ~~rehabilitation.~~ **human resources.**

3 8. "Director" means the director of the department.

4 9. "Facility" means a physical structure used for the education,
5 prevention and treatment, including mental and physical restoration, of
6 alcohol and drug abusers.

7 **10. "Internal state board" means the internal state board for the**
8 **coordination of services relating to mental health and substance abuse**
9 **established pursuant to section 2 of this act.**

10 **Sec. 7.** NRS 458.025 is hereby amended to read as follows:

11 458.025 The bureau of alcohol and drug abuse is hereby created in the
12 ~~rehabilitation division of the~~ department. The bureau:

13 1. Shall formulate and operate a comprehensive state plan for alcohol
14 and drug abuse programs which must include:

15 (a) A survey of the need for education, prevention and treatment of
16 alcohol and drug abuse, including a survey of the facilities needed to
17 provide services and a plan for the development and distribution of
18 services and programs throughout the state.

19 (b) A plan for programs to educate the public in the problems of the
20 abuse of alcohol and other drugs.

21 (c) A survey of the need for trained teachers, persons who have
22 professional training in fields of health and others involved in the
23 education and prevention of alcohol and drug abuse and in the treatment
24 and recovery of alcohol and drug abusers, and a plan to provide the
25 necessary
26 treatment.

27 In developing and revising the state plan, the bureau shall consider, among
28 other things, the amount of money available from the Federal Government
29 for alcohol and drug abuse programs and the conditions attached to the
30 acceptance of the money, and the limitations of legislative appropriations
31 for alcohol and drug abuse programs.

32 2. Is responsible for coordinating efforts to carry out the state plan and
33 coordinating all state and federal financial support of alcohol and drug
34 abuse programs in the state. The bureau must be consulted in the planning
35 of projects and advised of all applications for grants from within the state
36 which are concerned with alcohol and drug abuse programs, and shall
37 review and advise concerning the applications.

38 3. Shall develop and publish standards of certification and may certify
39 or deny certification of any facilities, programs or personnel on the basis of
40 the standards, and publish a list of certified facilities, programs and
41 personnel. Any facilities, programs or personnel which are not certified are
42 ineligible to receive state and federal money for alcohol and drug abuse
43 programs. The chief shall establish requirements for continuing education

1 for persons certified as counselors and administrators of the programs and
2 may set fees for certification of facilities, programs or personnel. The fees
3 must be calculated to produce the revenue estimated to cover the costs
4 related to the certifications, but in no case may the fee for a certificate
5 exceed \$100.

6 4. Upon request from a facility which is self-supported, may certify
7 the facility, its programs and personnel and add them to the list of certified
8 facilities, programs and personnel.

9 **Sec. 8.** NRS 458.100 is hereby amended to read as follows:

10 458.100 1. All gifts or grants of money which the bureau is
11 authorized to accept must be deposited in the state treasury for credit to the
12 state grant and gift account for alcohol and drug abuse which is hereby
13 created in the department of ~~employment, training and rehabilitation's~~
14 **human resources'** gift fund.

15 2. Money in the account which has been received:

16 (a) Pursuant to NRS 369.174 must be used for the purposes specified in
17 NRS 458.097.

18 (b) From any other source must be used for the purpose of carrying out
19 the provisions of NRS 458.010 to 458.360, inclusive, **and sections 2, 3**
20 **and 4 of this act** and other programs or laws administered by the bureau.

21 3. All claims must be approved by the chief before they are paid.

22 **Sec. 9.** NRS 458.370 is hereby amended to read as follows:

23 458.370 As used in NRS 458.370 to 458.420, inclusive, **and section 5**
24 **of this act**, unless the context otherwise requires, "commission" means the
25 commission on substance abuse education, prevention, enforcement and
26 treatment.

27 **Sec. 10.** NRS 232.940 is hereby amended to read as follows:

28 232.940 The rehabilitation division of the department consists of the
29 following bureaus:

30 1. Bureau of services to the blind and visually impaired.

31 2. ~~Bureau of alcohol and drug abuse.~~
32 ~~3.~~ Bureau of vocational rehabilitation.

33 **Sec. 11.** There is hereby appropriated from the state general fund to
34 the department of human resources the sum of \$158,400 for the three pilot
35 projects to be established pursuant to section 15 of this act. Any remaining
36 balance of the appropriation made by this section must not be committed
37 for expenditure after June 30, 2001, and reverts to the state general fund as
38 soon as all payments of money committed have been made.

39 **Sec. 12.** 1. There is hereby appropriated from the state general fund
40 to the bureau of alcohol and drug abuse of the department of human
41 resources to pay for the provision of services pursuant to subsection 1 of
42 section 3 of this act:

- 1 (a) The sum of \$696,080 for residential treatment;
- 2 (b) The sum of \$1,218,800 for outpatient treatment;
- 3 (c) The sum of \$52,500 for comprehensive evaluations; and
- 4 (d) The sum of \$337,500 for transitional housing.

5 2. Any remaining balance of an appropriation made by subsection 1
6 must not be committed for expenditure after June 30, 2001, and reverts to
7 the state general fund as soon as all payments of money committed have
8 been made.

9 **Sec. 13.** There is hereby appropriated from the state general fund to
10 the bureau of alcohol and drug abuse of the department of human
11 resources the sum of \$184,390 to carry out the provisions of subsection 2
12 of section 3 of this act. Any remaining balance of the appropriation made
13 by this section must not be committed for expenditure after June 30, 2001,
14 and reverts to the state general fund as soon as all payments of money
15 committed have been made.

16 **Sec. 14.** There is hereby appropriated from the state general fund to
17 the bureau of alcohol and drug abuse of the department of human
18 resources the sum of \$25,000 to carry out the provisions of section 4 of
19 this act. Any remaining balance of the appropriation made by this section
20 must not be committed for expenditure after June 30, 2001, and reverts to
21 the state general fund as soon as all payments of money committed have
22 been made.

23 **Sec. 15.** 1. The department of human resources shall establish three
24 pilot projects in family resource centers as follows:

25 (a) One pilot project must be located in a family resource center that is
26 located in a county whose population is 400,000 or more;

27 (b) One pilot project must be located in a family resource center that is
28 located in a county whose population is 100,000 or more but less than
29 400,000; and

30 (c) One pilot project must be located in a family resource center that is
31 located in a county whose population is less than 100,000.

32 2. Each pilot project must provide families with services related to the
33 prevention of substance abuse and intervention into problems of substance
34 abuse.

35 3. The internal state board for the coordination of services relating to
36 mental health and substance abuse shall:

37 (a) Define the scope of the services that must be provided by the pilot
38 projects;

39 (b) Prepare requests for proposals based on the scope of the services
40 needed;

41 (c) Set appropriate deadlines for receiving such proposals;

42 (d) Accept and review such proposals; and

1 (e) Make recommendations for the award of a pilot project to the
2 director of the department of human resources.

3 4. The director of the department of human resources shall review the
4 proposals on a competitive basis and award the pilot projects.

5 5. The local governing board of a family resource center in which a
6 pilot project has been established shall submit an annual report to the
7 director of the department of human resources and the internal state board
8 for the coordination of services relating to mental health and substance
9 abuse. The report must include:

10 (a) The kinds of services offered pursuant to the pilot project during the
11 previous 12 months;

12 (b) The number of adolescents and adults who received services
13 pursuant to the pilot project during the previous 12 months;

14 (c) An estimate of the number of adolescents and adults in the
15 community served by the family resource center who are or may be in
16 need of services relating to substance abuse, and a description of the
17 services needed; and

18 (d) Such other information as the director or the internal state board
19 requests.

20 6. As used in this section, "family resource center" means a family
21 resource center established and operated pursuant to chapter 430A of NRS.

22 **Sec. 16.** The state treasurer shall transfer any balance remaining
23 unexpended on June 30, 1999, in the state grant and gift account for
24 alcohol and drug abuse in the department of employment, training and
25 rehabilitation's gift fund to the state grant and gift account for alcohol and
26 drug abuse which is created in the department of human resources' gift
27 fund pursuant to section 8 of this act.

28 **Sec. 17.** This act becomes effective on July 1, 1999.