

ASSEMBLY BILL NO. 5—COMMITTEE ON HEALTH AND HUMAN SERVICES

PREFILED DECEMBER 18, 1998

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes concerning benefits provided to pregnant women and children through Medicaid and children's health insurance program. (BDR 38-490)

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 include presumptive eligibility for pregnant women and persons who are less than 19 years of age in the state plan for Medicaid; requiring the department of human resources to include a similar benefit in the children's health insurance program to the extent authorized by federal law; 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 the
2 provisions set forth as sections 2 and 3 of this act.
- 3 **Sec. 2.** *“Children’s health insurance program” means the program*
4 *established pursuant to 42 U.S.C. §§ 1397aa to 1397jj, inclusive, to provide*
5 *health insurance to uninsured children from low-income families in this*
6 *state.*
- 7 **Sec. 3. 1.** *The administrator shall include in the state plan for*
8 *Medicaid, to the extent authorized by federal law, presumptive eligibility for*
9 *women who are pregnant and for persons who are less than 19 years of*
10 *age.*
- 11 **2.** *The administrator shall include in the children’s health insurance*
12 *program, to the extent authorized by federal law, a benefit similar to*
13 *presumptive eligibility for persons who are less than 19 years of age.*
- 14 **Sec. 4.** NRS 422.001 is hereby amended to read as follows:
15 422.001 As used in this chapter, unless the context otherwise requires,
16 the words and terms defined in NRS 422.005 to 422.055, inclusive, ***and***
17 ***section 2 of this act*** have the meanings ascribed to them in those sections.

1 **Sec. 5.** NRS 422.050 is hereby amended to read as follows:

2 422.050 **1.** “Public assistance” includes:

- 3 ~~(1.)~~ **(a)** State supplementary assistance;
4 ~~(2.)~~ **(b)** Temporary assistance for needy families;
5 ~~(3.)~~ **(c)** Medicaid;
6 ~~(4.)~~ **(d)** Food stamp assistance;
7 ~~(5.)~~ **(e)** Low-income home energy assistance;
8 ~~(6.)~~ **(f)** The program for child care and development; and
9 ~~(7.)~~ **(g)** Benefits provided pursuant to any other public welfare program

10 administered by the welfare division pursuant to such additional federal
11 legislation as is not inconsistent with the purposes of this chapter.

12 **2. The term does not include the children’s health insurance program.**

13 **Sec. 6.** NRS 422.222 is hereby amended to read as follows:

14 422.222 **1.** The administrator may adopt such regulations as are
15 necessary for the administration of NRS 422.070 to 422.410, inclusive, **and**
16 **section 3 of this act** and any program of the welfare division.

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

19 **Sec. 7.** NRS 422.270 is hereby amended to read as follows:

20 422.270 The department, through the welfare division, shall:

21 **1.** Except as otherwise provided in NRS 432.010 to 432.085, inclusive,
22 administer all public welfare programs of this state, including:

- 23 (a) State supplementary assistance;
24 (b) Temporary assistance for needy families;
25 (c) Medicaid;
26 (d) Food stamp assistance;
27 (e) Low-income home energy assistance;
28 (f) The program for child care and development;
29 (g) The program for the enforcement of child support; ~~and~~
30 (h) **The children’s health insurance program; and**
31 **(i)** Other welfare activities and services provided for by the laws of this

32 state.

33 **2.** Act as the single state agency of the State of Nevada and its political
34 subdivisions in the administration of any federal money granted to the ~~state~~
35 **State of Nevada** to aid in the furtherance of any of the services and activities
36 set forth in subsection 1.

37 **3.** Cooperate with the Federal Government in adopting state plans, in all
38 matters of mutual concern, including adoption of methods of administration
39 found by the Federal Government to be necessary for the efficient operation
40 of welfare programs, and in increasing the efficiency of welfare programs by
41 prompt and judicious use of new federal grants which will assist the welfare
42 division in carrying out the provisions of NRS 422.070 to 422.410, inclusive
43 ~~and~~, **and section 3 of this act.**

1 4. Observe and study the changing nature and extent of welfare needs
2 and develop through tests and demonstrations effective ways of meeting
3 those needs and employ or contract for personnel and services supported by
4 legislative appropriations from the state general fund or money from federal
5 or other sources.

6 5. Enter into reciprocal agreements with other states relative to public
7 assistance, welfare services and institutional care, when deemed necessary or
8 convenient by the administrator.

9 6. Make such agreements with the Federal Government as may be
10 necessary to carry out the supplemental security income program.

11 **Sec. 8.** NRS 232.320 is hereby amended to read as follows:

12 232.320 1. Except as otherwise provided in subsection 2, the director:

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

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

16 (2) The administrator of the health division;

17 (3) The state welfare administrator; and

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

19 (b) Shall administer, through the divisions of the department, the
20 provisions of ~~{chapters 210,}~~ *NRS 127.220 to 127.310, inclusive, chapter*
21 *210 of NRS, NRS 422.001 to 422.410, inclusive, and section 3 of this act,*
22 *NRS 422.580, chapters 423, 424, 425* ~~{, 427A,}~~ *and 427A of NRS, NRS*
23 *432.010 to 432.139, inclusive, chapters 432A to 442, inclusive, of NRS,*
24 *NRS 444.003 to 444.430, inclusive, and 445A.010 to 445A.050, inclusive,*
25 *and chapters 446, 447, 449 and 450 of NRS,* ~~{NRS 127.220 to 127.310,~~
26 ~~inclusive, 422.070 to 422.410, inclusive, 432.010 to 432.139, inclusive,~~
27 ~~444.003 to 444.430, inclusive, and 445A.010 to 445A.050, inclusive,}~~ and all
28 other provisions of law relating to the functions of the divisions of the
29 department, but is not responsible for the clinical activities of the health
30 division or the professional line activities of the other divisions.

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

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

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

40 (3) Provide for communication and the coordination of those services
41 among nonprofit organizations, agencies of local government, the state and
42 the Federal Government;

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

1 (5) Set forth sufficient information to assist the department in providing
2 those services and in the planning and budgeting for the future provision of
3 those services; and

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

8 (d) May, by regulation, require nonprofit organizations and state and local
9 governmental agencies to provide information to him regarding the programs
10 of those organizations and agencies, excluding detailed information relating
11 to their budgets and payrolls, which he deems necessary for his performance
12 of the duties imposed upon him pursuant to this section.

13 (e) Has such other powers and duties as are provided by law.

14 2. The governor shall appoint the administrator of the mental hygiene
15 and mental retardation division.

16 **Sec. 9.** 1. This section and sections 1, 2 and 3 of this act become
17 effective on July 1, 1999.

18 2. Sections 4 to 8, inclusive, of this act become effective at 12:01 a.m. on
19 July 1, 1999.