

SENATE BILL NO. 109—COMMITTEE ON FINANCE

(ON BEHALF OF LEGISLATIVE COMMITTEE ON HEALTH CARE)

FEBRUARY 4, 1999

Referred to Committee on Finance

SUMMARY—Requires department of human resources to establish program of primary and supplemental health care services for certain persons with disabilities who are ineligible for Medicaid. (BDR 38-1129)

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 establish a program of primary and supplemental health care services for certain persons with disabilities who are ineligible for Medicaid; 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
3 a new section to read as follows:
4 ***1. The director shall establish a program of primary health care services and***
5 ***supplemental health care services to be offered to each***
6 ***person with a disability in this state:***
7 ***(a) Who is not eligible for medical assistance pursuant to Title XIX of***
8 ***the Social Security Act, 42 U.S.C. §§ 1396 et seq.;***
9 ***(b) Whose medical costs as a result of his disability are not covered by***
10 ***a policy of group health insurance of his employer;***
11 ***(c) Who is not eligible for medical assistance pursuant to any work***
12 ***incentive program in which the Federal Government participates; and***
13 ***(d) Who, if not engaged in substantial gainful activity, would satisfy***
14 ***all of the eligibility requirements for supplemental security income pursuant to***
15 ***Title XVI of the Social Security Act, 42 U.S.C. §§ 1381 et***
16 ***seq., at the time he applies to participate in the program.***

1 **2. The director shall require persons enrolled in the program established**
2 **pursuant to subsection 1 to pay contributions toward**
3 **premiums, copayments or deductibles according to a schedule established on a**
4 **sliding scale. The program must be funded in part by the**
5 **contributions paid by persons enrolled in the program.**

6 **3. The legislative committee on health care shall:**

7 **(a) Monitor the development of the program established pursuant to subsection**
8 **1; and**

9 **(b) Provide advice and guidance to the director concerning the program**
10 **established pursuant to subsection 1.**

11 **Sec. 2.** NRS 422.222 is hereby amended to read as follows:

12 422.222 1. The administrator may adopt such regulations as are
13 necessary for the administration of NRS 422.070 to 422.410, inclusive , **and section**
14 **1 of this act** and any program of the welfare division.

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

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

18 232.320 1. Except as otherwise provided in subsection 2, the
19 director:

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

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

23 (2) The administrator of the health division;

24 (3) The state welfare administrator; and

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

26 (b) Shall administer, through the divisions of the department, the
27 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive, 446, 447,
28 449 and 450 of NRS, NRS 127.220 to 127.310, inclusive,
29 422.070 to 422.410, inclusive, **and section 1 of this act**, 432.010 to 432.139,
30 inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
31 445A.050, inclusive, and all other provisions of law relating to the functions of the
32 divisions of the department, but is not responsible for the
33 clinical activities of the health division or the professional line activities of the other
34 divisions.

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

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

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

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

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

6 (5) Set forth sufficient information to assist the department in
7 providing those services and in the planning and budgeting for the future provision
8 of those services; and

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

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

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

20 2. The governor shall appoint the administrator of the mental hygiene
21 and mental retardation division.

22 **Sec. 4.** 1. On or before December 31, 1999, the department of
23 human resources shall report to the legislative committee on health care concerning
24 the manner in which the department intends to establish the
25 program required pursuant to section 1 of this act. The department shall submit such
26 additional reports as requested by the committee.

27 2. The legislative committee on health care shall provide advice and
28 recommendations to the department of human resources and submit
29 quarterly reports to the interim finance committee concerning the progress of the
30 program.

31 3. On or before July 1, 2000, the department of human resources shall,
32 with the consent of the interim finance committee, establish the program
33 required pursuant to section 1 of this act.