

SENATE BILL NO. 10—COMMITTEE ON HUMAN RESOURCES AND FACILITIES

PREFILED JANUARY 6, 1999

(ON BEHALF OF LEGISLATIVE COMMITTEE ON HEALTH CARE)

Referred to Committee on Human Resources and Facilities

SUMMARY—Makes various changes concerning children’s health insurance program as it relates to Indian children. (BDR 38-495)

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 ~~for omitted material~~ is material to be omitted.

AN ACT relating to health care; requiring the department of human resources to take certain actions to increase the enrollment of and health care services provided to Indian children in the children’s health insurance program; establishing an advisory committee to provide advice and recommendations to the Nevada Indian commission concerning the children’s health insurance program as it relates to Indian children; 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 the 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 health*
5 *insurance for uninsured children from low-income*
6 *families in this state.*
7 **Sec. 3.** *The department shall:*
8 1. *Seek the assistance of and cooperate with Indian tribes, tribal organizations*
9 *and organizations that collaborate with Indian tribes to*
10 *identify Indian children who may be eligible to enroll in the children’s health*
11 *insurance program and facilitate the enrollment of such children*
12 *in the children’s health insurance program;*

1 **2. Upon determining that an Indian child is eligible for the children's**
2 **health insurance program, immediately take any necessary action to enroll the**
3 **child in the children's health insurance program; and**

4 **3. Contract with the Indian Health Service and tribal clinics that provide health**
5 **care services to Indians to provide health care services to**
6 **Indian children who are enrolled in the children's health insurance program.**

7 **Sec. 4.** NRS 422.001 is hereby amended to read as follows:

8 422.001 As used in this chapter, unless the context otherwise requires,
9 the words and terms defined in NRS 422.010 to 422.055, inclusive, **and section 2 of**
10 **this act** have the meanings ascribed to them in those sections.

11 **Sec. 5.** NRS 422.001 is hereby amended to read as follows:

12 422.001 As used in this chapter, unless the context otherwise requires,
13 the words and terms defined in NRS 422.005 to 422.055, inclusive, **and section 2 of**
14 **this act** have the meanings ascribed to them in those sections.

15 **Sec. 6.** NRS 422.050 is hereby amended to read as follows:

16 422.050 **1.** "Public assistance" includes:

17 ~~1.~~ **(a)** State supplementary assistance;

18 ~~2.~~ **(b)** Temporary assistance for needy families;

19 ~~3.~~ **(c)** Medicaid;

20 ~~4.~~ **(d)** Food stamp assistance;

21 ~~5.~~ **(e)** Low-income home energy assistance;

22 ~~6.~~ **(f)** The program for child care and development; and

23 ~~7.~~ **(g)** Benefits provided pursuant to any other public welfare program
24 administered by the welfare division or the division of health care financing
25 and policy pursuant to such additional federal legislation as is not inconsistent with
26 the purposes of this chapter.

27 **2. The term does not include the children's health insurance program.**

28 **Sec. 7.** NRS 422.050 is hereby amended to read as follows:

29 422.050 **1.** "Public assistance" includes:

30 ~~1.~~ **(a)** State supplementary assistance;

31 ~~2.~~ **(b)** Temporary assistance for needy families;

32 ~~3.~~ **(c)** Medicaid;

33 ~~4.~~ **(d)** Food stamp assistance;

34 ~~5.~~ **(e)** Low-income home energy assistance;

35 ~~6.~~ **(f)** The program for child care and development; and

36 ~~7.~~ **(g)** Benefits provided pursuant to any other public welfare program
37 administered by the welfare division pursuant to such additional federal
38 legislation as is not inconsistent with the purposes of this chapter.

39 **2. The term does not include the children's health insurance**
40 **program.**

1 **Sec. 8.** NRS 422.240 is hereby amended to read as follows:

2 422.240 1. Money to carry out the provisions of NRS 422.001 to 422.410,
3 inclusive, *and sections 2 and 3 of this act* and *NRS* 422.580,
4 including, without limitation, any federal money allotted to the State of Nevada
5 pursuant to the program to provide temporary assistance for needy
6 families and the program for child care and development, must be provided by
7 appropriation by the legislature from the state general fund.

8 2. Disbursements for the purposes of NRS 422.001 to 422.410, inclusive, *and*
9 *sections 2 and 3 of this act* and *NRS* 422.580 must be made
10 upon claims duly filed, audited and allowed in the same manner as other money in
11 the state treasury is disbursed.

12 **Sec. 9.** NRS 422.270 is hereby amended to read as follows:

13 422.270 The department shall:

14 1. Administer all public welfare programs of this state, including:

15 (a) State supplementary assistance;

16 (b) Temporary assistance for needy families;

17 (c) Medicaid;

18 (d) Food stamp assistance;

19 (e) Low-income home energy assistance;

20 (f) The program for child care and development;

21 (g) The program for the enforcement of child support; ~~and~~

22 (h) *The children's health insurance program; and*

23 (i) Other welfare activities and services provided for by the laws of this
24 state.

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

29 3. Cooperate with the Federal Government in adopting state plans, in
30 all matters of mutual concern, including adoption of methods of administration found
31 by the Federal Government to be necessary for the
32 efficient operation of welfare programs, and in increasing the efficiency of welfare
33 programs by prompt and judicious use of new federal grants which
34 will assist the department in carrying out the provisions of this chapter.

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

40 5. Enter into reciprocal agreements with other states relative to public assistance,
41 welfare services and institutional care, when deemed necessary
42 or convenient by the director.

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

3 **Sec. 10.** NRS 422.270 is hereby amended to read as follows:

4 422.270 The department, through the welfare division, shall:

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

7 (a) State supplementary assistance;

8 (b) Temporary assistance for needy families;

9 (c) Medicaid;

10 (d) Food stamp assistance;

11 (e) Low-income home energy assistance;

12 (f) The program for child care and development;

13 (g) The program for the enforcement of child support; ~~and~~

14 (h) *The children's health insurance program; and*

15 (i) Other welfare activities and services provided for by the laws of this
16 state.

17 2. Act as the single state agency of the State of Nevada and its political
18 subdivisions in the administration of any federal money granted to the ~~{state}~~ *State of*
19 *Nevada* to aid in the furtherance of any of the services and
20 activities set forth in subsection 1.

21 3. Cooperate with the Federal Government in adopting state plans, in
22 all matters of mutual concern, including adoption of methods of administration found
23 by the Federal Government to be necessary for the
24 efficient operation of welfare programs, and in increasing the efficiency of welfare
25 programs by prompt and judicious use of new federal grants which
26 will assist the welfare division in carrying out the provisions of NRS 422.070 to
27 422.410, inclusive ~~and~~ *, and section 3 of this act.*

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

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

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

38 **Sec. 11.** Chapter 233A of NRS is hereby amended by adding thereto the
39 provisions set forth as sections 12 to 17, inclusive, of this act.

40 **Sec. 12.** *As used in sections 12 to 17, inclusive, of this act, unless the context*
41 *otherwise requires, the words and terms defined in sections 13*
42 *and 14 of this act have the meanings ascribed to them in those sections.*

1 **Sec. 13.** *“Advisory committee” means the advisory committee*
2 *concerning the children’s health insurance program created pursuant to section*
3 *15 of this act.*

4 **Sec. 14.** *“Children’s health insurance program” has the meaning ascribed to*
5 *it in section 2 of this act.*

6 **Sec. 15.** 1. *There is hereby created in the commission the advisory committee*
7 *concerning the children’s health insurance program. The*
8 *advisory committee consists of four members appointed by the commission.*

9 2. *Each member serves a term of 2 years. A member may be reappointed for*
10 *additional terms of 2 years in the same manner as the*
11 *original appointment.*

12 3. *A vacancy occurring in the membership of the advisory committee*
13 *must be filled in the same manner as the original appointment.*

14 4. *The advisory committee shall meet at least twice annually.*

15 5. *At its first meeting and annually thereafter, the advisory committee shall*
16 *elect a chairman from among its members.*

17 **Sec. 16.** 1. *Each member of the advisory committee:*

18 (a) *Serves without compensation; and*

19 (b) *Is entitled to receive the per diem allowance and travel expenses provided for*
20 *state officers and employees generally.*

21 2. *Each member of the advisory committee who is an employee of the State of*
22 *Nevada or a local government must be relieved from his duties*
23 *without loss of his regular compensation so that he may prepare for and attend*
24 *meetings of the advisory committee and perform any work*
25 *necessary to carry out the duties of the advisory committee in the most timely*
26 *manner practicable. A state agency or local governmental entity*
27 *shall not require an employee who is a member of the advisory committee to make*
28 *up the time that he is absent from work or to take annual*
29 *vacation or compensatory time for the time that he is absent from work to carry out*
30 *his duties as a member of the advisory committee.*

31 **Sec. 17.** 1. *The advisory committee shall:*

32 (a) *Advise the commission on matters related to the children’s health*
33 *insurance program, including, without limitation, matters related to the enrollment*
34 *of Indian children in the program, outreach efforts to raise*
35 *awareness about the program among Indians and other matters concerning the*
36 *program which affect Indians; and*

37 (b) *Make recommendations concerning those matters to the commission.*

38 2. *The commission shall consider the advice and recommendations of the*
39 *advisory committee and make any appropriate recommendations to*
40 *the department of human resources as a result of this review.*

1 **Sec. 18.** 1. This section and sections 1 to 4, inclusive, 6, 8, 9 and 11
2 to 17, inclusive, of this act become effective upon passage and approval.

3 2. Sections 4, 6, 8 and 9 of this act expire by limitation on June 30,
4 1999.

5 3. Sections 5, 7 and 10 of this act become effective at 12:01 a.m. on
6 July 1, 1999.

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