

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*
- 5 *provide health 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*
- 9 *organizations and organizations that collaborate with Indian tribes to*
- 10 *identify Indian children who may be eligible to enroll in the children’s*
- 11 *health 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**
3 **enroll the child in the children's health insurance program; and**

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

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

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

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

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

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

17 422.050 **1.** "Public assistance" includes:

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

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

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

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

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

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

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

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

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

31 422.050 **1.** "Public assistance" includes:

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

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

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

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

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

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

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

41 **2. The term does not include the children's health insurance**
42 **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
3 422.410, 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
5 Nevada pursuant to the program to provide temporary assistance for needy
6 families and the program for child care and development, must be provided
7 by appropriation by the legislature from the state general fund.

8 2. Disbursements for the purposes of NRS 422.001 to 422.410,
9 inclusive, *and 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
11 money in 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
27 ~~{state}~~ *State of 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 all
30 matters of mutual concern, including adoption of methods of administration
31 found by the Federal Government to be necessary for the efficient operation
32 of welfare programs, and in increasing the efficiency of welfare programs
33 by prompt and judicious use of new federal grants which will assist the
34 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
37 those needs and employ or contract for personnel and services supported by
38 legislative appropriations from the state general fund or money from federal
39 or other sources.

40 5. Enter into reciprocal agreements with other states relative to public
41 assistance, 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
19 ~~State~~ *State of 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 all
22 matters of mutual concern, including adoption of methods of administration
23 found by the Federal Government to be necessary for the efficient operation
24 of welfare programs, and in increasing the efficiency of welfare programs
25 by prompt and judicious use of new federal grants which will assist the
26 welfare division in carrying out the provisions of NRS 422.070 to 422.410,
27 inclusive ~~and~~ *, and section 3 of this act.*

28 4. Observe and study the changing nature and extent of welfare needs
29 and 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 federal
32 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
35 or convenient by the administrator.

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

38 **Sec. 11.** Chapter 233A of NRS is hereby amended by adding thereto
39 the 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*
41 *context 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*
3 *section 15 of this act.*

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

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

9 (a) *One member who is the chairman of a tribal council or chief of a*
10 *Nevada Indian tribe and is appointed by the governing body of a unit of*
11 *the Indian Health Service that is designated to serve the health care*
12 *needs of Indians in the eastern portion of this state. The appointed*
13 *member may designate a representative to serve in his absence.*

14 (b) *One member who is the chairman of a tribal council or chief of a*
15 *Nevada Indian tribe and is appointed by the governing body of a unit of*
16 *the Indian Health Service that is designated to serve the health care*
17 *needs of Indians in the western portion of this state. The appointed*
18 *member may designate a representative to serve in his absence.*

19 (c) *One member who is appointed by the Inter-Tribal Council of*
20 *Nevada, Inc.*

21 (d) *One member who is appointed by the governing board of an*
22 *organization that is partially funded by the Indian Health Service and*
23 *which specifically serves the health care needs of Indians in each county*
24 *whose population is more than 100,000, but less than 400,000.*

25 (e) *One member who is appointed by the governing board of an*
26 *organization that is partially funded by the Indian Health Service and*
27 *which specifically serves the health care needs of Indians in each county*
28 *whose population is 400,000 or more.*

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

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

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

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

37 **Sec. 16.** 1. *Each member of the advisory committee serves without*
38 *compensation.*

39 2. *Each member of the advisory committee who is an employee of the*
40 *State of Nevada or a local government must be relieved from his duties*
41 *without loss of his regular compensation so that he may prepare for and*
42 *attend meetings of the advisory committee and perform any work*
43 *necessary to carry out the duties of the advisory committee in the most*

1 *timely manner practicable. A state agency or local governmental entity*
2 *shall not require an employee who is a member of the advisory committee*
3 *to make up the time that he is absent from work or to take annual*
4 *vacation or compensatory time for the time that he is absent from work to*
5 *carry out his duties as a member of the advisory committee.*

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

7 *(a) Provide written reports, analysis and advice to the commission on*
8 *matters related to the children's health insurance program, including,*
9 *without limitation, matters related to the enrollment of Indian children in*
10 *the program, outreach efforts to raise awareness about the program*
11 *among Indians and other matters concerning the program which affect*
12 *Indians; and*

13 *(b) Make written recommendations concerning those matters to the*
14 *commission.*

15 **2. The commission shall:**

16 *(a) Consider the advice and recommendations of the advisory*
17 *committee and make any appropriate written recommendations to the*
18 *director of the department of human resources as a result of this review;*
19 *and*

20 *(b) Provide the necessary staff to assist the advisory committee in*
21 *performing its duties, including, without limitation, staff to assist in*
22 *preparing written reports and analysis pursuant to subsection 1.*

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

25 2. Sections 4, 6, 8 and 9 of this act expire by limitation on June 30,
26 1999.

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