

SENATE BILL NO. 520—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

(ON BEHALF OF CLARK COUNTY)

MARCH 22, 1999

Referred to Committee on Human Resources and Facilities

SUMMARY—Creates county health system in Clark County as public corporation. (BDR 57-577)

FISCAL NOTE: Effect on Local Government: Yes.
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 health; creating a public corporation to operate a county health system in Clark County; 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.** The legislature finds and declares that the combination of
2 public needs and available resources for the provision of medical care to
3 patients uninsured or receiving public assistance in Clark County, the
4 state’s largest metropolitan area, and the lack of functioning precedents for
5 a unified system for this purpose, are unique to that county and that a
6 general law cannot be made applicable to the unified provision of that care.
7 Clark County is therefore hereby authorized to discharge its obligation as a
8 county, under general law, to serve the needs of its medically needy
9 population by seeking waivers under the federal program of Medicaid to
10 establish a suitable special program for that purpose.
- 11 **Sec. 2.** As used in sections 2 to 8, inclusive, of this act, unless the
12 context otherwise requires:
- 13 1. “Board” means the board of directors of the system.
14 2. “System” means the County Health System.

1 **Sec. 3.** 1. The County Health System is hereby created as a nonprofit
2 public corporation to serve a municipal and charitable purpose. The system
3 shall be deemed to be a local government for the purpose of eligibility for
4 any federal benefit related to the purposes of the system.

5 2. The board of county commissioners of Clark County, as hospital
6 trustees ex officio, shall appoint the board of directors of the corporation,
7 consisting of seven members nominated by the board of county
8 commissioners and two members nominated by the governor. Vacancies on
9 the board of directors must be filled in the same manner as the initial
10 appointments.

11 **Sec. 4.** 1. The nominees to serve as directors must reside or be
12 employed in Clark County and be broadly representative of the cities and
13 towns of the county and experienced in business or community affairs. A
14 director may not be an elected officer or an employee of the county, a
15 provider of health care or an employee of a provider of health care.

16 2. Members of the board shall serve for terms of 2 years.

17 **Sec. 5.** 1. The board shall hold at least six regular meetings each
18 year.

19 2. The board shall adopt rules for its proceedings. A majority of the
20 members constitutes a quorum, but the approval of an official act requires
21 four affirmative votes unless the number of members prohibited by conflict
22 of interest from voting reduces the number of members eligible to vote to
23 fewer than four, in which case approval of the official act requires
24 affirmative votes of all members eligible to vote on the matter.

25 3. Each member of the board is entitled to receive from the system \$80
26 for each meeting of the board he attends, and the board may provide the
27 same remuneration for attendance at meetings of committees of the board,
28 but the total for all meetings attended in a calendar month may not exceed
29 \$320. In addition, a member is entitled to reimbursement for actual and
30 necessary expenses for attending meetings, at the rate payable to county
31 officers and employees generally.

32 **Sec. 6.** 1. The board shall remove a member from office if a majority
33 of the other members find that he:

34 (a) Neither lives nor is employed in Clark County;

35 (b) Has been convicted of a felony;

36 (c) Has failed to attend three consecutive meetings of the board or a
37 majority of the meetings of the board held in the most recent calendar year,
38 unless good cause is shown, as determined by the board; or

39 (d) Has failed to perform his duties as a member of the board.

40 2. The board shall remove a member from office at the written request
41 of the governor or the board of county commissioners of Clark County,
42 whichever nominated the member, if the request sets forth the manner in
43 which he no longer meets the criteria for his nomination.

1 **Sec. 7.** 1. Except as otherwise provided in this section, the system
2 may apply through the department of human resources for all waivers from
3 federal regulation and all approvals from the Federal Government which
4 are necessary to establish and operate its program of services, including a
5 demonstration project pursuant to 42 U.S.C. § 1315. The demonstration
6 project may not be used to curtail any existing rights of persons receiving
7 Medicaid at the time of the application.

8 2. An application for a waiver or approval may include providing
9 services pursuant to Medicaid through the program to persons who
10 otherwise would not receive medical assistance pursuant to Medicaid.

11 3. The system shall not apply for a waiver of the provisions concerning
12 payment to federally qualified health centers or noninstitutional providers
13 of health care pursuant to 42 U.S.C. § 1396(a)(10), (13), (30) or (37). As
14 used in this subsection, federally qualified health center has the meaning
15 ascribed to it in paragraph (a) of subsection 4 of NRS 422.273.

16 **Sec. 8.** The board shall report to the 71st session of the Nevada
17 Legislature, immediately upon the convening of that session, concerning its
18 progress in obtaining waivers pursuant to section 7 of this act and any
19 related recommendations for legislation.

20 **Sec. 9.** 1. This act becomes effective upon passage and approval for
21 the purpose of appointing members of the board of directors pursuant to
22 section 3 of this act and on July 1, 1999, for all other purposes.

23 2. This act expires by limitation on July 1, 2001. The terms of all
24 members of the board of directors expire on that date.