ASSEMBLY BILL NO. 196–COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF INTERIM COMMITTEE ON HEALTH CARE)

FEBRUARY 20, 2001

Referred to Committee on Health and Human Services

SUMMARY—Prohibits department of human resources from considering assets of child or pregnant woman or family of child or pregnant woman to determine eligibility for child health assurance program. (BDR 38-224)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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; prohibiting the department of human resources from considering the assets of a child or pregnant woman or the family of the child or pregnant woman to determine eligibility for the child health assurance program unless such consideration is required by federal law; making an appropriation; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

The director shall not include in the state plan for Medicaid a requirement that any resources or assets of a child or pregnant woman or the family of the child or pregnant woman be considered to determine eligibility for the child health assurance program established pursuant to 42 U.S.C. § 1396a(a)(10)(A)(i)(IV), (VI) or (VII), unless required to include such a consideration pursuant to federal law.

Sec. 2. NRS 422.240 is hereby amended to read as follows:

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

2. Disbursements for the purposes of NRS 422.001 to 422.410, inclusive, ***and section 1 of this act,*** and 422.580 must be made upon claims

duly filed, audited and allowed in the same manner as other money in the state treasury is disbursed.

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

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

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

(1) The administrator of the aging services division;

(2) The administrator of the health division;

(3) The state welfare administrator;

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

(5) The administrator of the division of health care financing and policy.

(b) Shall administer, through the divisions of the department, the provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, ***and section 1 of this act,*** 422.580, 432.010 to 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the department, but is not responsible for the clinical activities of the health division or the professional line activities of the other divisions.

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

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

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

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

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

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

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

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

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

2. The governor shall appoint the administrator of the division of mental health and developmental services.

Sec. 4. 1. There is hereby appropriated from the state general fund to the department of human resources for the costs incurred in not considering the resources or assets of a child or pregnant woman or the family of the child or pregnant woman in determining eligibility for the child health assurance program established pursuant to 42 U.S.C. § 1396a(a)(10)(A)(i)(IV), (VI) or (VII):

For the fiscal year 2001-2002 .... $3,779,744

For the fiscal year 2002-2003 .... $4,294,899

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 5. This act becomes effective upon passage and approval for purposes of revising the state plan for Medicaid, making necessary changes to computer programs and employing and training necessary additional staff and on July 1, 2001, for all other purposes.