

ASSEMBLY BILL NO. 35—ASSEMBLYWOMAN BERMAN

PREFILED JANUARY 24, 2001

Referred to Concurrent Committees on Health and
Human Services and Ways and Means

SUMMARY—Requires department of human resources to include presumptive eligibility for children who are less than 19 years of age in children's health insurance program and to establish program of training to assist and encourage persons to enroll children in children's health insurance program. (BDR 38-214)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 include presumptive eligibility for children who are less than 19 years of age in the children's health insurance program to the extent authorized by federal law; requiring the department to establish a program of training for employees of certain health care facilities to assist and encourage persons to enroll children in the children's health insurance program; 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.** *“Federally-qualified health center” has the meaning*
4 *ascribed to it in 42 U.S.C. § 1396d(l)(2)(B).*

5 **Sec. 3. 1.** *The director shall include in the children's health*
6 *insurance program, to the extent authorized by federal law, presumptive*
7 *eligibility for children who are less than 19 years of age.*

8 *2. The department shall establish and carry out a continuing*
9 *program of training for employees of each medical facility, health care*
10 *facility that provides services to Medicaid patients, indigent persons or*
11 *other low-income persons and federally-qualified health center in this*
12 *state to assist and encourage a person responsible for the care of a child*
13 *who may be eligible for the children's health insurance program to*
14 *enroll the child in the children's health insurance program. The program*



1 *of training must include, without limitation, training in assisting a*
2 *person in filling out an application for the children's health insurance*
3 *program.*

4 *3. As used in this section, "medical facility" has the meaning*
5 *ascribed to it in NRS 449.0151.*

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

7 422.001 As used in this chapter, unless the context otherwise requires,
8 the words and terms defined in NRS 422.010 to 422.055, inclusive, *and*
9 *section 2 of this act* have the meanings ascribed to them in those sections.

10 **Sec. 5.** NRS 422.240 is hereby amended to read as follows:

11 422.240 1. Money to carry out the provisions of NRS 422.001 to
12 422.410, inclusive, *and section 3 of this act*, and 422.580, including,
13 without limitation, any federal money allotted to the State of Nevada
14 pursuant to the program to provide temporary assistance for needy families
15 and the program for child care and development, must be provided by
16 appropriation by the legislature from the state general fund.

17 2. Disbursements for the purposes of NRS 422.001 to 422.410,
18 inclusive, *and section 3 of this act*, and 422.580 must be made upon claims
19 duly filed, audited and allowed in the same manner as other money in the
20 state treasury is disbursed.

21 **Sec. 6.** NRS 422.273 is hereby amended to read as follows:

22 422.273 1. For any Medicaid managed care program established in
23 the State of Nevada, the department shall contract only with a health
24 maintenance organization that has:

25 (a) Negotiated in good faith with a federally-qualified health center to
26 provide health care services for the health maintenance organization;

27 (b) Negotiated in good faith with the University Medical Center of
28 Southern Nevada to provide inpatient and ambulatory services to recipients
29 of Medicaid; and

30 (c) Negotiated in good faith with the University of Nevada School of
31 Medicine to provide health care services to recipients of Medicaid.

32 **2.** Nothing in this section shall be construed as exempting a federally-
33 qualified health center, the University Medical Center of Southern Nevada
34 or the University of Nevada School of Medicine from the requirements for
35 contracting with the health maintenance organization.

36 ~~12-1~~ **3.** During the development and implementation of any Medicaid
37 managed care program, the department shall cooperate with the University
38 of Nevada School of Medicine by assisting in the provision of an adequate
39 and diverse group of patients upon which the school may base its
40 educational programs.

41 ~~13-1~~ **4.** The University of Nevada School of Medicine may establish a
42 nonprofit organization to assist in any research necessary for the
43 development of a Medicaid managed care program, receive and accept
44 gifts, grants and donations to support such a program and assist in
45 establishing educational services about the program for recipients of
46 Medicaid.

47 ~~14-1~~ **5.** For the purposes of this section ~~1-~~

48 ~~—(a) "Federally-qualified health center" has the meaning ascribed to it in~~
49 ~~42 U.S.C. § 1396d(1)(2)(B).~~



* A B 3 5 R 1 *

1 ~~—(b) “Health”~~, “*health* maintenance organization” has the meaning
2 ascribed to it in NRS 695C.030.

3 **Sec. 7.** NRS 232.320 is hereby amended to read as follows:

4 232.320 1. Except as otherwise provided in subsection 2, the
5 director:

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

- 8 (1) The administrator of the aging services division;
9 (2) The administrator of the health division;
10 (3) The state welfare administrator;
11 (4) The administrator of the division of child and family services; and
12 (5) The administrator of the division of health care financing and
13 policy.

14 (b) Shall administer, through the divisions of the department, the
15 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive,
16 446 to 450, inclusive, of NRS, NRS 127.220 to 127.310, inclusive, 422.001
17 to 422.410, inclusive, *and section 3 of this act*, 422.580, 432.010 to
18 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
19 445A.055, inclusive, and all other provisions of law relating to the
20 functions of the divisions of the department, but is not responsible for the
21 clinical activities of the health division or the professional line activities of
22 the other divisions.

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

- 28 (1) Identify and assess the plans and programs of the department for
29 the provision of human services, and any duplication of those services by
30 federal, state and local agencies;
31 (2) Set forth priorities for the provision of those services;
32 (3) Provide for communication and the coordination of those services
33 among nonprofit organizations, agencies of local government, the state and
34 the Federal Government;
35 (4) Identify the sources of funding for services provided by the
36 department and the allocation of that funding;
37 (5) Set forth sufficient information to assist the department in
38 providing those services and in the planning and budgeting for the future
39 provision of those services; and
40 (6) Contain any other information necessary for the department to
41 communicate effectively with the Federal Government concerning
42 demographic trends, formulas for the distribution of federal money and any
43 need for the modification of programs administered by the department.

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



- 1 (e) Has such other powers and duties as are provided by law.
- 2 2. The governor shall appoint the administrator of the division of
- 3 mental health and developmental services.
- 4 **Sec. 8.** This act becomes effective on July 1, 2001.

