

ASSEMBLY BILL NO. 75—ASSEMBLYMEN BERMAN, GIBBONS, CARPENTER,
GIUNCHIGLIANI, HETTRICK, HUMKE AND VON TOBEL

FEBRUARY 9, 2001

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

SUMMARY—Requires adoption of state cancer plan and mandates administrative action
necessary to provide Medicaid coverage to certain patients with breast or
cervical cancer. (BDR 40-277)

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 cancer; requiring the adoption of a state cancer plan; mandating the
administrative action necessary to provide Medicaid coverage to certain patients
with breast or cervical cancer; making appropriations; 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 457 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. The health division shall:***
4 ***(a) In cooperation with public and private entities involved in the***
5 ***detection, prevention and treatment of cancer and the rehabilitation of***
6 ***victims of cancer:***
7 ***(1) Develop a state cancer plan and revise the plan at least once***
8 ***every 5 years; and***
9 ***(2) Facilitate the formation and activities of a committee to monitor***
10 ***the implementation of the components of the state cancer plan; and***
11 ***(b) Publish and submit to the legislative commission a copy of the***
12 ***state cancer plan and each revision of the plan.***
13 ***2. The state cancer plan must:***
14 ***(a) Include a demographic assessment of the occurrences of cancer in***
15 ***this state;***
16 ***(b) Establish statewide:***
17 ***(1) Goals and objectives for the detection, prevention and treatment***
18 ***of cancer and the rehabilitation of victims of cancer; and***



1 (2) *Priorities for the allocation of resources for the detection,*
2 *prevention and treatment of cancer and the rehabilitation of victims of*
3 *cancer;*

4 (c) *Identify and assist in the procurement from the Federal*
5 *Government and other sources any available grants and other funding*
6 *for the detection, prevention and treatment of cancer and the*
7 *rehabilitation of victims of cancer;*

8 (d) *Identify and evaluate existing public and private activities,*
9 *programs and resources for the detection, prevention and treatment of*
10 *cancer and the rehabilitation of victims of cancer;*

11 (e) *Promote coalitions and partnerships to achieve the goals and*
12 *objectives set forth in the plan;*

13 (f) *Develop and promote strategies and procedures to reduce any*
14 *duplication of efforts among public and private programs for the*
15 *detection, prevention and treatment of cancer and the rehabilitation of*
16 *victims of cancer; and*

17 (g) *Promote the coordination of activities for:*

18 (1) *The dissemination of information related to cancer;*

19 (2) *The provision of educational programs related to cancer; and*

20 (3) *The detection, prevention and treatment of cancer and the*
21 *rehabilitation of victims of cancer.*

22 **Sec. 2.** Chapter 422 of NRS is hereby amended by adding thereto a
23 new section to read as follows:

24 *The director shall take such action as is necessary to include in the*
25 *state plan for Medicaid the coverage authorized by section 2 of the*
26 *federal Breast and Cervical Cancer Prevention and Treatment Act of*
27 *2000, including the period of presumptive eligibility authorized by that*
28 *section.*

29 **Sec. 3.** NRS 422.240 is hereby amended to read as follows:

30 422.240 1. Money to carry out the provisions of NRS 422.001 to
31 422.410, inclusive, *and section 2 of this act* and 422.580, including,
32 without limitation, any federal money allotted to the State of Nevada
33 pursuant to the program to provide temporary assistance for needy families
34 and the program for child care and development, must be provided by
35 appropriation by the legislature from the state general fund.

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

40 **Sec. 4.** 1. There is hereby appropriated from the state general fund
41 to the health division of the department of human resources the sum of
42 \$25,000 to carry out the provisions of section 1 of this act.

43 2. Any balance of the appropriation made by subsection 1 must not be
44 committed for expenditure after June 30, 2003, and reverts to the state
45 general fund as soon as all payments of money committed have been made.

46 **Sec. 5.** 1. There is hereby appropriated from the state general fund
47 to the department of human resources to pay the nonfederal share of
48 expenditures for the coverage required by section 2 of this act:



1 For the fiscal year 2001-2002.....\$685,125
2 For the fiscal year 2002-2003.....\$685,125

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

7 **Sec. 6.** The health division of the department of human resources
8 shall, not later than December 31, 2002, publish and submit to the
9 legislative commission the state cancer plan required pursuant to section 1
10 of this act.

11 **Sec. 7.** Section 2 of this act must not be construed to authorize or
12 require the state to provide any coverage authorized by section 2 of the
13 federal Breast and Cervical Cancer Prevention and Treatment Act of 2000
14 before:

15 1. July 1, 2001; or

16 2. The date all federal requirements are met for the state to provide that
17 coverage,
18 whichever occurs later.

19 **Sec. 8.** 1. This section and sections 4 and 5 of this act become
20 effective upon passage and approval.

21 2. Sections 1, 2, 3, 6, and 7 of this act become effective on July 1,
22 2001.

