

SENATE BILL NO. 206—COMMITTEE ON HUMAN RESOURCES  
AND FACILITIES

FEBRUARY 20, 2001

Referred to Committee on Finance

SUMMARY—Requires department of human resources to establish certain programs for respite services. (BDR 38-265)

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 health care; requiring the department of human resources to establish certain programs for respite services; authorizing the department to award a grant to a person to operate certain programs established by the department; 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:

- 1     **Section 1.** Chapter 422 of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2 to 12, inclusive, of this act.  
3     **Sec. 2.** *As used in sections 2 to 12, inclusive, of this act, unless the*  
4     *context otherwise requires, the words and terms defined in sections 3 to*  
5     *8, inclusive, of this act have the meanings ascribed to them in those*  
6     *sections.*  
7     **Sec. 3.** *“Caregiver” means a person who provides care for a person*  
8     *who, because of a mental or physical disability, is unable to care for*  
9     *himself.*  
10    **Sec. 4.** *“Community program” means a program established to*  
11    *provide respite services pursuant to the provisions of section 10 of this*  
12    *act.*  
13    **Sec. 5.** *“Person” includes a government, governmental agency or a*  
14    *political subdivision of a government.*  
15    **Sec. 6.** *“Provider” means any person who provides respite care for a*  
16    *caregiver.*  
17    **Sec. 7.** *“Respite care” means care provided for a period prescribed*  
18    *by the department for a person who, because of a mental or physical*  
19    *disability:*  
20    1. *Is unable to care for himself; and*



2. *Receives care from a caregiver.*

**Sec. 8.** *"Respite services" includes, without limitation:*

1. *Recruiting and approval of providers;*

2. *Identifying courses or other opportunities to provide training for providers;*

3. *Matching families and caregivers with providers;*

4. *Identifying sources of money for the payment of respite care;*

5. *Identifying, developing and coordinating resources for providing or obtaining respite care;*

6. *Evaluating the respite care offered by a provider; and*

7. *Providing assistance to a caregiver and the members of the family of the caregiver by identifying the requirements of the caregiver and members for respite care.*

**Sec. 9.** 1. *The department shall establish a program for respite services. The program must:*

(a) *Develop and encourage coordination of respite services in this state;*

(b) *Prepare and make available to the general public information concerning the respite services provided by the program or any community program;*

(c) *Identify issues relating to the provision of respite services in this state and propose solutions for those issues;*

(d) *Provide technical assistance to each community program, including, without limitation, preparing and distributing information for the establishment and operation of those programs;*

(e) *Promote the exchange of information concerning respite services among providers, caregivers, community programs and local governments in this state that provide respite services;*

(f) *Insofar as practicable, ensure access for persons for any respite services provided by the program or a community program;*

(g) *Monitor, evaluate and supervise the operation of each community program; and*

(h) *Perform any other duty assigned to it by the department.*

2. *The director shall appoint a person to administer the program for respite services. The person serves at the pleasure of the director.*

**Sec. 10.** 1. *Except as otherwise provided in subsection 2, the department shall establish a community program in each of the following areas:*

(a) *The area that includes Elko, Eureka, Lander and White Pine counties;*

(b) *The area that includes Esmeralda, Lincoln and Nye counties;*

(c) *The area that includes Churchill, Lyon, Mineral and Storey counties;*

(d) *The area that includes Carson City and Douglas and Washoe counties;*

(e) *The area that includes Humboldt and Pershing counties; and*

(f) *Clark County.*

2. *The department may establish additional community programs. If the department establishes any additional community program, the area*



\* S B 2 0 6 \*

- 1 served by that program may include any portion of an area that is served  
2 by a community program specified in subsection 1.
- 3 3. Before establishing a community program, the department shall  
4 appoint a person to operate the program. The department shall, by  
5 regulation, specify the procedure for applying for:
- 6 (a) An appointment as an operator of a community program and the  
7 requirements to qualify for that appointment; and  
8 (b) A grant of money from the department to operate the community  
9 program and the criteria the department must consider in determining  
10 whether to award such a grant.
- 11 4. Each community program must:
- 12 (a) Provide respite services within the area in which it is established;  
13 (b) Prepare and make available to the general public information  
14 relating to respite care and the respite services provided by the  
15 community program;  
16 (c) Upon request, provide assistance to a person in obtaining respite  
17 care and any respite services provided by the community program or, if  
18 the community program does not provide a respite service that is required  
19 by that person, refer the person to a provider; and  
20 (d) Before preparing or revising any plan to provide respite services,  
21 request recommendations and advice from the members of the general  
22 public who reside within the area served by the community program  
23 concerning the respite services that are required in that area.
- 24 5. To assist in carrying out the duties of a community program, the  
25 operator of the program shall create an advisory committee consisting of  
26 eight members. The operator shall appoint to the advisory committee:
- 27 (a) One member who represents caregivers;  
28 (b) One member who represents providers;  
29 (c) One member who represents local organizations that provide  
30 respite services;  
31 (d) One member who represents elderly persons;  
32 (e) One member who represents persons with disabilities;  
33 (f) One member who represents families who provide foster care;  
34 (g) One member who represents families who are at risk of abuse and  
35 neglect of elderly persons; and  
36 (h) One member who represents the general public.
- 37 6. The members of the advisory committee serve without  
38 compensation and are not entitled to receive a per diem allowance or  
39 travel expenses.
- 40 **Sec. 11.** The department may:
- 41 1. Employ such professional, technical and clerical staff as are  
42 necessary to assist the department in carrying out the provisions of  
43 sections 2 to 12, inclusive, of this act; and  
44 2. Apply for and accept any gift, grant, appropriation or donation,  
45 and use the gift grant appropriation or donation to carry out its duties  
46 pursuant to the provisions of sections 2 to 12, inclusive, of this act.
- 47 **Sec. 12.** The department shall adopt regulations to carry out the  
48 provisions of sections 2 to 12, inclusive, of this act.



1     **Sec. 13.** 1. There is hereby appropriated from the state general fund  
2 to the department of human resources the sum of \$1,000,000 to carry out  
3 the provisions of sections 2 to 12, inclusive, of this act.

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

8     **Sec. 14.** 1. This section and section 13 of this act become effective  
9 upon passage and approval.

10    2. Sections 1 to 12, inclusive, of this act become effective:

11    (a) Upon passage and approval for the purpose of adopting regulations  
12 by the department of human resources to carry out the provisions of  
13 sections 2 to 12, inclusive, of this act; and

14    (b) On January 1, 2002, for all other purposes.

