

SENATE BILL NO. 207—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

(ON BEHALF OF INTERIM COMMITTEE ON HEALTH CARE)

FEBRUARY 20, 2001

Referred to Committee on Finance

SUMMARY—Requires department of human resources to establish program for provision of medical assistance to certain working persons with disabilities who are ineligible for Medicaid. (BDR 38-227)

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; requiring the department of human resources to establish a program for the provision of medical assistance to certain working persons with disabilities who are ineligible for Medicaid; 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 a
2 new section to read as follows:
3 ***1. The director shall establish a program for the provision of medical***
4 ***assistance to a person with a disability who is employed and:***
5 ***(a) Who is not eligible for medical assistance under Medicaid or any***
6 ***work incentive program in which the Federal Government participates;***
7 ***(b) Who, if he was not engaged in a substantial gainful activity, would***
8 ***satisfy all of the eligibility requirements for participation by a disabled***
9 ***person in the supplemental security income program, at the time he***
10 ***applies to participate in the program established pursuant to this section;***
11 ***(c) Whose medical costs as a result of his disability are not covered by***
12 ***a policy of group health insurance of his employer;***
13 ***(d) Whose assets do not have a total value in excess of \$20,000,***
14 ***excluding the value of any:***
15 ***(1) Assets of his spouse;***



1 (2) *Assets that are not considered for determining the eligibility of a*
2 *person for benefits under the state plan for Medicaid;*

3 (3) *Money held for retirement as part of any plan or arrangement*
4 *pursuant to which the money is exempt from federal taxation; and*

5 (4) *Accounts established by his employer for the payment of his*
6 *medical expenses; and*

7 (e) *Who pays any premium required pursuant to subsection 2.*

8 2. *Except as otherwise provided in subsection 3, the director shall*
9 *require a person whose gross income is greater than the federally*
10 *designated level signifying poverty for the size of his household, as a*
11 *condition to his participation in the program, to pay:*

12 (a) *A premium of 7.5 percent of his gross income if that income is less*
13 *than 450 percent of the federally designated level signifying poverty for*
14 *the size of his household; or*

15 (b) *A premium of 10 percent of his gross income if that income is 450*
16 *percent or more of the federally designated level signifying poverty for*
17 *the size of his household.*

18 *For the purposes of this subsection, "gross income" includes both earned*
19 *and unearned income and does not include the income of a spouse.*

20 3. *The amount of any premium required pursuant to subsection 2*
21 *must be determined by the department upon the application of the person*
22 *for participation in the program and annually thereafter, and when any*
23 *change occurs in his income or the size of his household. The premium*
24 *must be paid at such a time and in such a manner as the director deems*
25 *appropriate. The director may:*

26 (a) *Authorize the payment of the premium in installments;*

27 (b) *For good cause, waive the payment of all or any portion of the*
28 *premium; and*

29 (c) *If a check submitted for the payment of all or any portion of the*
30 *premium is dishonored upon presentment for payment, require the*
31 *person to make that payment or any future payments, or both, by*
32 *cashier's check, traveler's check, money order or cash.*

33 **Sec. 2.** NRS 232.320 is hereby amended to read as follows:

34 232.320 1. Except as otherwise provided in subsection 2, the
35 director:

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

38 (1) The administrator of the aging services division;

39 (2) The administrator of the health division;

40 (3) The state welfare administrator;

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

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

44 (b) Shall administer, through the divisions of the department, the
45 provisions of chapters 210, 423, 424, 425, 427A, 432A to 442, inclusive,
46 446 to 450, inclusive, of NRS, NRS 127.220 to 127.310, inclusive, 422.001



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1 to 422.410, inclusive, *and section 1 of this act*, 422.580, 432.010 to
2 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010 to
3 445A.055, inclusive, and all other provisions of law relating to the
4 functions of the divisions of the department, but is not responsible for the
5 clinical activities of the health division or the professional line activities of
6 the other divisions.

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

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

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

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

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

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

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

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

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

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

37 **Sec. 3.** 1. There is hereby appropriated from the state general fund
38 to the department of human resources to carry out the program required by
39 section 1 of this act:

40 For the fiscal year 2001-2002..... \$1,500,000

41 For the fiscal year 2002-2003..... \$1,500,000

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

47 **Sec. 4.** This act becomes effective on July 1, 2001.

