

SENATE BILL NO. 290—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

(ON BEHALF OF CLARK COUNTY)

MARCH 7, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Creates public corporation to establish and operate program of services for medically indigent population of Clark County. (BDR S-182)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: No.

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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 health; creating a public corporation to establish and operate a program of services for the medically indigent population of Clark County; 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.** The Legislature hereby finds and declares that the
2 combination of public needs and available resources for the provision of
3 medical care to patients uninsured or receiving public assistance in Clark
4 County, the state's largest metropolitan area, and the lack of functioning
5 precedents for a unified system for this purpose, are unique to that county
6 and that a general law cannot be made applicable to the unified provision
7 of that care. Clark County is therefore hereby authorized to discharge its
8 obligation as a county, under general law, to serve the needs of its
9 medically indigent population by seeking waivers under the federal
10 program of Medicaid to establish a suitable special program for that
11 purpose.

12 **Sec. 2.** As used in sections 2 to 9, inclusive, of this act, unless the
13 context otherwise requires:

14 1. "Board" means the Board of Directors of the System.

15 2. "Program" means a program of services for the medically indigent
16 population of Clark County.

17 3. "System" means the County Health System.

18 **Sec. 3.** 1. The County Health System is hereby created as a
19 nonprofit public corporation to serve the municipal and charitable purposes



1 of establishing and operating a program. The System shall be deemed to be
2 a local government for the purpose of eligibility for any federal benefit
3 related to the purposes of the System.

4 2. The Board of County Commissioners of Clark County, as hospital
5 trustees ex officio, shall appoint the Board of Directors of the corporation,
6 consisting of seven members nominated by the Board of County
7 Commissioners and two members nominated by the Governor. Vacancies
8 on the Board of Directors must be filled in the same manner as the initial
9 appointments.

10 **Sec. 4.** 1. The nominees to serve as Directors must reside or be
11 employed in Clark County and be broadly representative of the cities and
12 towns of the county and experienced in business or community affairs. A
13 Director may not be an elected officer or an employee of the county, a
14 provider of health care or an employee of a provider of health care.

15 2. Members of the Board shall serve for terms of 2 years.

16 **Sec. 5.** 1. The Board shall:

17 (a) Adopt rules for its proceedings; and

18 (b) Hold at least six regular meetings each year.

19 2. A member of the Board shall not participate in any official act of the
20 Board concerning which he has a conflict of interest.

21 3. A majority of the members of the Board constitutes a quorum, but
22 the approval of an official act of the Board requires four affirmative votes
23 unless the number of members prohibited by conflict of interest from
24 voting reduces the number of members eligible to vote to fewer than four,
25 in which case approval of the official act requires affirmative votes of all
26 members eligible to vote on the matter.

27 4. Each member of the Board is entitled to receive from the System
28 \$80 for each meeting of the Board he attends, and the Board may provide
29 the same remuneration for attendance at meetings of committees of the
30 Board, but the total for all meetings attended in a calendar month may not
31 exceed \$320. In addition, a member is entitled to reimbursement for actual
32 and necessary expenses for attending meetings, at the rate payable to
33 county officers and employees generally.

34 **Sec. 6.** 1. The Board shall remove a member from office if a
35 majority of the other members find that he:

36 (a) Neither lives nor is employed in Clark County;

37 (b) Has been convicted of a felony;

38 (c) Has failed to attend three consecutive meetings of the Board or a
39 majority of the meetings of the Board held in the most recent calendar year,
40 unless good cause is shown, as determined by the Board; or

41 (d) Has failed to perform his duties as a member of the Board.

42 2. The Board shall remove a member from office at the written request
43 of the Governor or the Board of County Commissioners of Clark County,
44 whichever nominated the member, if the request sets forth the manner in
45 which he no longer meets the criteria for his nomination.

46 **Sec. 7.** 1. Except as otherwise provided in this section, the System
47 may apply through the Department of Human Resources for all waivers
48 from federal regulation and all approvals from the Federal Government that
49 are necessary to establish and operate a program, including a



1 demonstration project pursuant to 42 U.S.C. § 1315. The demonstration
2 project may not be used to curtail any existing rights of persons receiving
3 Medicaid at the time of the application.

4 2. An application for a waiver or approval may include providing
5 services pursuant to Medicaid through the program of the System to
6 persons who otherwise would not receive medical assistance pursuant to
7 Medicaid.

8 3. The System shall not apply for a waiver of the provisions
9 concerning payment to federally qualified health centers or noninstitutional
10 providers of health care pursuant to 42 U.S.C. § 1396a(a)(10), (13), (30) or
11 (37). As used in this subsection, “federally qualified health center” has the
12 meaning ascribed to it in paragraph (a) of subsection 4 of NRS 422.273.

13 **Sec. 8.** The Board shall report to the 72nd session of the Nevada
14 Legislature, immediately upon the convening of that session, concerning its
15 progress in obtaining waivers pursuant to section 7 of this act and any
16 related recommendations for legislation.

17 **Sec. 9.** Notwithstanding the provisions of subsection 2 of section 4 of
18 this act, the terms of the initial members of the Board expire on June 30,
19 2003.

20 **Sec. 10.** 1. This act becomes effective upon passage and approval
21 for the purpose of appointing members of the Board of Directors pursuant
22 to section 3 of this act and on July 1, 2001, for all other purposes.

23 2. This act expires by limitation on June 30, 2003.

