
ASSEMBLY BILL NO. 36—COMMITTEE ON HEALTH
AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILDREN, YOUTH AND FAMILIES)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Health and Human Services

SUMMARY—Requires Director of Department of Human Resources to include in State Plan for Medicaid requirement that young adults who have “aged out” of foster care are eligible for Medicaid. (BDR 38-668)

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 Director of the Department of Human Resources to include in the State Plan for Medicaid a requirement that young adults who have “aged out” of foster care are eligible for Medicaid; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Most children in foster care are eligible for Medicaid or other governmental
2 health care programs. At age 18 years, however, these children are discharged from
3 foster care and lose these health care benefits. (NRS 424.013, 424.015) Federal law
4 authorizes a state to continue to provide Medicaid to certain former foster children
5 until 21 years of age. (42 U.S.C. § 1396a(a)(10)(A)(ii)(XVII))

6 This bill requires the Director of the Department of Human Resources to
7 include in the State Plan for Medicaid a requirement that certain former foster
8 children who were in foster care on their 18th birthdays are eligible for Medicaid
9 until they reach 21 years of age.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Director shall include in the State Plan for Medicaid a requirement that an independent foster care adolescent is eligible for Medicaid.*

2. As used in this section, "independent foster care adolescent" means:

(a) A person described in 42 U.S.C. § 1396d(w)(1), as that section existed on July 1, 2005; or

(b) If the Director specifies a different category of adolescents in the manner set forth in 42 U.S.C. § 1396a(a)(10)(A)(ii)(XVII), as that section existed on July 1, 2005, a person who is within such a category.

Sec. 2. NRS 422.240 is hereby amended to read as follows:

422.240 1. Money to carry out the provisions of NRS 422.001 to 422.410, inclusive, **and section 1 of this act**, and 422.580, including, without limitation, any federal money allotted to the State of Nevada pursuant to the program to provide Temporary Assistance for Needy Families and the Program for Child Care and Development, must, except as otherwise provided in NRS 422.3755 to 422.379, inclusive, and 439.630, be provided by appropriation by the Legislature from the State General Fund.

2. Disbursements for the purposes of NRS 422.001 to 422.410, inclusive, **and section 1 of this act**, and 422.580 must, except as otherwise provided in NRS 422.3755 to 422.379, inclusive, and 439.630, be made upon claims duly filed and allowed in the same manner as other money in the State Treasury is disbursed.

Sec. 3. This act becomes effective on July 1, 2005.

