
ASSEMBLY BILL NO. 53—ASSEMBLYMAN ARBERRY JR.

FEBRUARY 11, 2005

Referred to Committee on Ways and Means

SUMMARY—Creates Division of Minority Health within Department of Human Resources. (BDR 18-146)

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 health care; creating the Division of Minority Health within the Department of Human Resources; creating an Advisory Committee to the Division of Minority Health; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law establishes various departments and divisions within the Executive
2 Branch of the State Government, including the Department of Human Resources.
3 (Chapter 232 of NRS)
4 This bill creates the Division of Minority Health within the Department of
5 Human Resources and sets forth its powers and duties. The Division's primary
6 purpose is to improve the quality of and access to health care services for members
7 of racial and ethnic minority groups. The Division would also provide advocacy
8 and education on health care issues of interest to members of minority groups.
9 This bill provides for the appointment of and sets forth the powers and duties of
10 the Administrator of the Division of Minority Health. The bill also creates an
11 Advisory Committee in the Division to advise the Administrator of the Division on
12 matters relating to the Division.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 18, inclusive, of this act.

Sec. 2. *As used in sections 2 to 18, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act, have the meanings ascribed to them in those sections.*

Sec. 3. *“Administrator” means the Administrator of the Division.*

Sec. 4. *“Advisory Committee” means the Committee created in the Division pursuant to section 16 of this act.*

Sec. 5. *“Division” means the Division of Minority Health of the Department.*

Sec. 6. *“Health care” includes, without limitation, mental health care.*

Sec. 7. *“Minority group” means a racial or ethnic minority group.*

Sec. 8. *The purposes of the Division are to:*

1. Improve the quality of health care services for members of minority groups;

2. Increase access to health care services for members of minority groups; and

3. Disseminate information to and educate the public on matters concerning health care issues of interest to members of minority groups.

Sec. 9. 1. *In accomplishing its purposes, the Division shall:*

(a) Provide a central source of information for the use of the public concerning health care services for members of minority groups and health care issues of interest to those members;

(b) Identify and use any available resources for the improvement of the quality of health care services for members of minority groups and for increased access to health care services for those members;

(c) Develop and coordinate plans and programs to improve the quality of health care services for members of minority groups and to increase access to health care services for those members, including, without limitation, plans and programs that primarily serve local communities;

(d) Advocate on behalf of members of minority groups for the improvement of the quality of health care services for those



1 *members and for increased access to health care services for those*
2 *members;*

3 *(e) Hold conferences and provide training concerning cultural*
4 *diversity in the workplace for public and private entities that offer*
5 *services in the field of health care, including, without limitation,*
6 *providing recommendations and opportunities for training for*
7 *such public and private entities to improve recruitment of*
8 *members of minority groups;*

9 *(f) Whenever possible, incorporate the use of bilingual*
10 *communication in its programs and activities;*

11 *(g) Publicize health care issues of interest to members of*
12 *minority groups; and*

13 *(h) Develop and carry out such other programs and activities*
14 *as the Division deems appropriate.*

15 *2. In carrying out the duties set forth in subsection 1, the*
16 *Division may seek assistance from and cooperate with a public or*
17 *private entity.*

18 **Sec. 10. The Division may:**

19 *1. Apply for any available grants and accept any available*
20 *gifts, grants, appropriations or donations, and use any such gifts,*
21 *grants, appropriations or donations to carry out its purposes;*

22 *2. Contract with a public or private entity to assist in carrying*
23 *out its purposes; and*

24 *3. Adopt such regulations as are necessary to carry out the*
25 *provisions of sections 2 to 18, inclusive, of this act.*

26 **Sec. 11. The Administrator must be appointed on the basis of**
27 *his education, training, experience, demonstrated abilities and*
28 *interest in the provision of health care services to members of*
29 *minority groups and in related programs.*

30 **Sec. 12. The Administrator shall:**

31 *1. Ensure that the purposes of the Division are carried out;*

32 *2. Direct and supervise all the technical and administrative*
33 *activities of the Division;*

34 *3. Report to the Governor on all matters concerning the*
35 *administration of the Division;*

36 *4. Attend the meetings of the Advisory Committee, serve as*
37 *secretary at those meetings and keep minutes of those meetings;*

38 *5. Request and consider the advice of the Advisory Committee*
39 *concerning matters of policy;*

40 *6. Serve as the contracting officer for the Division to receive*
41 *money from the Federal Government or any other source; and*

42 *7. Act as liaison between the Division, members of minority*
43 *groups, and public and private entities offering health care*



1 *services primarily to those members or offering health care*
2 *information of interest to those members.*

3 **Sec. 13.** *On or before March 1 of each odd-numbered year,*
4 *the Administrator shall submit a report to the Governor, the*
5 *Director of the Department and the Director of the Legislative*
6 *Counsel Bureau for transmittal to the Legislature. The report*
7 *must outline the manner in which the Division has accomplished*
8 *its purposes during the biennium, including, without limitation,*
9 *information concerning the activities, findings and*
10 *recommendations of the Division as they relate to health care*
11 *services for members of minority groups and to health care issues*
12 *of interest to those members.*

13 **Sec. 14.** *The Administrator may:*

14 *1. Within the limits of legislative appropriations, appoint such*
15 *professional, technical, clerical and operational staff as necessary*
16 *to carry out his duties;*

17 *2. Perform any lawful act that he considers necessary or*
18 *desirable to carry out the purposes of his office; and*

19 *3. Delegate the performance of any of his powers or duties*
20 *required pursuant to sections 2 to 18, inclusive, of this act to any*
21 *person within the Division.*

22 **Sec. 15.** *1. The Administrator may, within the limits of*
23 *legislative appropriations and other available money, award a*
24 *grant of money to a person for use consistent with the provisions*
25 *of sections 2 to 18, inclusive, of this act.*

26 *2. Before the Administrator may award a grant pursuant to*
27 *subsection 1, he shall adopt by regulation:*

28 *(a) Procedures by which a person may apply for a grant from*
29 *the Administrator;*

30 *(b) Criteria that the Administrator will consider in determining*
31 *whether to award a grant; and*

32 *(c) Procedures by which the Administrator will distribute any*
33 *money that the Division receives pursuant to subsection 1 of*
34 *section 10 of this act.*

35 **Sec. 16.** *1. There is hereby created in the Division an*
36 *Advisory Committee consisting of:*

37 *(a) At least 13 members appointed by the Governor;*

38 *(b) One member of the Senate appointed by the Majority*
39 *Leader of the Senate; and*

40 *(c) One member of the Assembly appointed by the Speaker of*
41 *the Assembly.*

42 *2. When appointing a member to the Advisory Committee,*
43 *consideration must be given to whether the members appointed to*



1 *the Advisory Committee reflect the ethnic and geographical*
2 *diversity of this State.*

3 *3. The term of each member of the Advisory Committee is 2*
4 *years. A member may be reappointed for an additional term of 2*
5 *years in the same manner as the original appointment. A vacancy*
6 *occurring in the membership of the Advisory Committee must be*
7 *filled in the same manner as the original appointment.*

8 *4. At its first meeting and annually thereafter, the Advisory*
9 *Committee shall elect a Chairman from among its members.*

10 **Sec. 17.** *1. Each member of the Advisory Committee who is*
11 *not an officer or employee of the State of Nevada is entitled to*
12 *receive a salary of not more than \$80 per day, as fixed by the*
13 *Administrator in consultation with the Advisory Committee, for*
14 *each day or portion of a day spent on the business of the Advisory*
15 *Committee. Each member of the Advisory Committee who is an*
16 *officer or employee of the State of Nevada serves without*
17 *additional compensation. Each member of the Advisory*
18 *Committee is entitled to receive the per diem allowance and travel*
19 *expenses provided for state officers and employees generally. A*
20 *claim for a payment pursuant to this section must be made on a*
21 *voucher approved by the Administrator and paid as other claims*
22 *against the State are paid.*

23 *2. Each member of the Advisory Committee who is an officer*
24 *or employee of the State of Nevada or a local government must be*
25 *relieved from his duties without loss of his regular compensation*
26 *so that he may prepare for and attend meetings of the Advisory*
27 *Committee and perform any work necessary to carry out the duties*
28 *of the Advisory Committee in the most timely manner practicable.*
29 *A state agency or local governmental entity may not require an*
30 *employee who is a member of the Advisory Committee to make up*
31 *time or take annual vacation or compensatory time for the time*
32 *that he is absent from work to carry out his duties as a member of*
33 *the Advisory Committee.*

34 **Sec. 18.** *The Advisory Committee shall:*

35 *1. Advise the Administrator on all matters concerning the*
36 *manner in which the purposes of the Division are being carried*
37 *out;*

38 *2. Review the manner in which the Division uses any gifts,*
39 *grants, donations or appropriations to carry out the purposes of*
40 *the Division and make recommendations; and*

41 *3. Review any reports to be submitted by the Administrator,*
42 *including, without limitation, the report required pursuant to*
43 *section 13 of this act, and make recommendations.*



1 **Sec. 19.** NRS 232.290 is hereby amended to read as follows:
2 232.290 As used in NRS 232.290 to 232.465, inclusive, *and*
3 *sections 2 to 18, inclusive, of this act*, unless the context requires
4 otherwise:

5 1. "Department" means the Department of Human Resources.

6 2. "Director" means the Director of the Department.

7 **Sec. 20.** NRS 232.300 is hereby amended to read as follows:

8 232.300 1. The Department of Human Resources is hereby
9 created.

10 2. The Department consists of a Director and the following
11 divisions:

12 (a) Aging Services Division.

13 (b) Health Division.

14 (c) Division of Mental Health and Developmental Services.

15 (d) Welfare Division.

16 (e) Division of Child and Family Services.

17 (f) Division of Health Care Financing and Policy.

18 (g) *Division of Minority Health.*

19 3. The Department is the sole agency responsible for
20 administering the provisions of law relating to its respective
21 divisions.

22 **Sec. 21.** NRS 232.320 is hereby amended to read as follows:

23 232.320 1. Except as otherwise provided in subsection 2, the
24 Director:

25 (a) Shall appoint, with the consent of the Governor,
26 administrators of the divisions of the Department, who are
27 respectively designated as follows:

28 (1) The Administrator of the Aging Services Division;

29 (2) The Administrator of the Health Division;

30 (3) The State Welfare Administrator;

31 (4) The Administrator of the Division of Child and Family
32 Services; and

33 (5) The Administrator of the Division of Health Care
34 Financing and Policy.

35 (b) Shall administer, through the divisions of the Department
36 and the Office of Disability Services, the provisions of chapters 63,
37 423, 424, 425, 426A, 427A, 432A to 442, inclusive, 446 to 450,
38 inclusive, of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to
39 422.410, inclusive, 422.580, 426.205 to 426.295, inclusive, 432.010
40 to 432.139, inclusive, 444.003 to 444.430, inclusive, and 445A.010
41 to 445A.055, inclusive, and all other provisions of law relating to
42 the functions of the divisions of the Department and the Office of
43 Disability Services, but is not responsible for the clinical activities



1 of the Health Division or the professional line activities of the other
2 divisions or the Office of Disability Services.

3 (c) Shall, after considering advice from agencies of local
4 governments and nonprofit organizations which provide social
5 services, adopt a master plan for the provision of human services in
6 this State. The Director shall revise the plan biennially and deliver a
7 copy of the plan to the Governor and the Legislature at the
8 beginning of each regular session. The plan must:

9 (1) Identify and assess the plans and programs of the
10 Department for the provision of human services, and any
11 duplication of those services by federal, state and local agencies;

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

13 (3) Provide for communication and the coordination of those
14 services among nonprofit organizations, agencies of local
15 government, the State and the Federal Government;

16 (4) Identify the sources of funding for services provided by
17 the Department and the allocation of that funding;

18 (5) Set forth sufficient information to assist the Department
19 in providing those services and in the planning and budgeting for the
20 future provision of those services; and

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

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

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

33 2. The Governor shall appoint the *administrators of the*
34 *following divisions, who serve at the pleasure of the Governor:*

35 (a) *The Administrator of the Division of Mental Health and*
36 *Developmental Services.*

37 (b) *The Administrator of the Division of Minority Health.*

38 **Sec. 22.** This act becomes effective on July 1, 2005.



