

SENATE BILL NO. 157—SENATORS WIENER, HARDY, TITUS, HECK,
MATHEWS, HORSFORD AND NOLAN

MARCH 2, 2005

Referred to Committee on Government Affairs

SUMMARY—Requires Director of Office for Consumer Health Assistance to establish and maintain Internet website and toll-free telephone number to provide certain information to consumers concerning prescription drugs and pharmaceutical services. (BDR 18-627)

FISCAL NOTE: Effect on Local Government: No.
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 health care; requiring the Director of the Office for Consumer Health Assistance to establish and maintain an Internet website to provide certain information to consumers concerning prescription drugs and pharmaceutical services; requiring the Director to establish and maintain a toll-free telephone number for consumers to request and obtain the information provided on the Internet website; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Office for Consumer Health Assistance in the Office of the Governor. (NRS 223.550) Existing law defines a "prescription drug program" as a program sponsored or conducted by a manufacturer of prescription drugs at no charge, or a program offered by the State of Nevada or a political subdivision of the State. (NRS 223.535)

This bill requires the Director of the Office for Consumer Health Assistance to establish and maintain an Internet website to provide information concerning prescription drug programs, applications for prescription drug programs and links to other websites that provide information concerning prescription drugs and pharmaceutical services. This bill further requires the Director to establish and maintain a toll-free telephone number for consumers to request and obtain any of the information provided on the Internet website. The cost of establishing and maintaining the website and the toll-free telephone number must be paid from the proceeds of gifts, grants or donations received by the Office for this purpose to the



15 extent available and through direct legislative appropriation from the State General
16 Fund.

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

1 **Section 1.** NRS 223.550 is hereby amended to read as follows:
2 223.550 1. The Office for Consumer Health Assistance is
3 hereby established in the Office of the Governor. The Governor
4 shall appoint the Director. The Director must:

5 (a) Be:
6 (1) A physician, as that term is defined in NRS 0.040;
7 (2) A registered nurse, as that term is defined in
8 NRS 632.019;
9 (3) An advanced practitioner of nursing, as that term is
10 defined in NRS 453.023; or

11 (4) A physician assistant, as that term is defined in NRS
12 630.015; and

13 (b) Have expertise and experience in the field of advocacy.

14 2. The cost of carrying out the provisions of NRS 223.500 to
15 223.580, inclusive, must be paid as follows:

16 (a) That portion of the cost related to providing assistance to
17 consumers and injured employees concerning workers'
18 compensation must be paid from the assessments levied pursuant to
19 NRS 232.680.

20 (b) That portion of the cost related to the operation of the
21 Bureau for Hospital Patients created pursuant to NRS 223.575 must
22 be paid from the assessments levied pursuant to that section.

23 (c) That portion of the cost related to providing assistance to
24 consumers in need of information or other facilitation regarding a
25 prescription drug program may, to the extent money is available
26 from this source, be paid from the proceeds of any gifts, grants or
27 donations that are received by the Director for this purpose.

28 (d) *That portion of the cost related to establishing and*
29 *maintaining an Internet website and a toll-free telephone number*
30 *pursuant to subsections 9, 10 and 11 of NRS 223.560 to provide*
31 *information to consumers concerning prescription drugs and*
32 *pharmaceutical services must, to the extent money is available*
33 *from this source, be paid from the proceeds of any gifts, grants or*
34 *donations that are received by the Director for this purpose.*

35 (e) The remaining cost must be provided by direct legislative
36 appropriation from the State General Fund and be paid out on claims
37 as other claims against the State are paid.



Sec. 2. NRS 223.560 is hereby amended to read as follows:
223.560 The Director shall:

1. Respond to written and telephonic inquiries received from consumers and injured employees regarding concerns and problems related to health care and workers' compensation;

2. Assist consumers and injured employees in understanding their rights and responsibilities under health care plans and policies of industrial insurance;

3. Identify and investigate complaints of consumers and injured employees regarding their health care plans and policies of industrial insurance and assist those consumers and injured employees to resolve their complaints, including, without limitation:

(a) Referring consumers and injured employees to the appropriate agency, department or other entity that is responsible for addressing the specific complaint of the consumer or injured employee; and

(b) Providing counseling and assistance to consumers and injured employees concerning health care plans and policies of industrial insurance;

4. Provide information to consumers and injured employees concerning health care plans and policies of industrial insurance in this State;

5. Establish and maintain a system to collect and maintain information pertaining to the written and telephonic inquiries received by the Office;

6. Take such actions as are necessary to ensure public awareness of the existence and purpose of the services provided by the Director pursuant to this section;

7. In appropriate cases and pursuant to the direction of the Governor, refer a complaint or the results of an investigation to the Attorney General for further action; ~~and~~

8. Provide information to and applications for prescription drug programs for consumers without insurance coverage for prescription drugs or pharmaceutical services ~~H~~;

9. Establish and maintain an Internet website to:

(a) Provide information concerning prescription drug programs and applications for prescription drug programs to consumers without insurance coverage for prescription drugs or pharmaceutical services; and

(b) Provide links to other Internet websites that provide information concerning the availability of prescription drugs and pharmaceutical services.



1 **10. Update the information and links provided on the Internet**
2 **website established pursuant to subsection 9 not less than once**
3 **each year; and**

4 **11. Establish and maintain a toll-free telephone number for**
5 **consumers to request and obtain any of the information provided**
6 **on the Internet website established pursuant to subsection 9.**

7 **Sec. 3.** NRS 223.570 is hereby amended to read as follows:

8 223.570 1. The Director may:

9 (a) Within the limits of available money, employ:

10 (1) Such persons in the unclassified service of the State as he
11 determines to be necessary to carry out the provisions of this section
12 and NRS 223.560 and 223.580, including, without limitation, a
13 provider of health care, as that term is defined in NRS 449.581.

14 (2) Such additional personnel as may be required to carry out
15 the provisions of this section and NRS 223.560 and 223.580, who
16 must be in the classified service of the State.

17 ➤ A person employed pursuant to the authority set forth in this
18 subsection must be qualified by training and experience to perform
19 the duties for which the Director employs him.

20 (b) To the extent not otherwise prohibited by law, obtain such
21 information from consumers, injured employees, health care plans,
22 prescription drug programs and policies of industrial insurance as he
23 determines to be necessary to carry out the provisions of this section
24 and NRS 223.560 and 223.580.

25 (c) Adopt such regulations as he determines to be necessary to
26 carry out the provisions of this section and NRS 223.560 and
27 223.580.

28 (d) Apply for any available grants, accept any gifts, grants or
29 donations and use any such gifts, grants or donations to aid the
30 Office in carrying out its duties pursuant to ~~subsection~~ **subsections**
31 **8 to 11, inclusive**, of NRS 223.560.

32 2. The Director and his employees shall not have any conflict
33 of interest relating to the performance of their duties pursuant to this
34 section and NRS 223.560 and 223.580. For the purposes of this
35 subsection, a conflict of interest shall be deemed to exist if the
36 Director or employee, or any person affiliated with the Director or
37 employee:

38 (a) Has direct involvement in the licensing, certification or
39 accreditation of a health care facility, insurer or provider of health
40 care;

41 (b) Has a direct ownership interest or investment interest in a
42 health care facility, insurer or provider of health care;

43 (c) Is employed by, or participating in, the management of a
44 health care facility, insurer or provider of health care; or



- 1 (d) Receives or has the right to receive, directly or indirectly,
- 2 remuneration pursuant to any arrangement for compensation with a
- 3 health care facility, insurer or provider of health care.
- 4 **Sec. 4.** This act becomes effective on July 1, 2005.



