

CHAPTER.....

AN ACT relating to public welfare; requiring the Director of the Department of Human Resources or his designee to adopt any state plan required by the Federal Government as a condition of the receipt of federal money for a program administered by the Department or any of the divisions of the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Department of Human Resources, divisions of the Department and the position of Director of the Department (NRS 232.290-232.465). Existing law also requires the Director to adopt state plans mandated as a condition for receiving federal money for programs that the Welfare Division or the Division of Health Care Financing and Policy are responsible for administering (NRS 422.271). There is no general law requiring the adoption of similar state plans for programs administered by other divisions of the Department of Human Resources.

This bill would require the Director to adopt state plans mandated by the Federal Government as a condition for receiving federal money for programs that any division of the Department administers.

This bill also allows the Director to determine the formula for distributing federal money for programs that are mandated to be applied statewide. The bill also permits the Director to determine the formula for assessing any penalties and sanctions imposed on a federal program.

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 a new section to read as follows:

1. In addition to the adoption of any state plan required pursuant to NRS 422.271 and except as otherwise provided in NRS 427A.040, 432.0305, 432A.090, 439.150, 439A.081, 442.140, 442.190 and 458.025, the Director or his designee shall adopt each state plan required by the Federal Government, either directly or as a condition to the receipt of federal money, for the administration of any program for which the Department or any of the appropriate divisions of the Department is responsible. Such a plan must set forth, regarding the particular program to which the plan applies:

- (a) The requirements for eligibility;*
- (b) The nature and amounts of grants and other assistance which may be provided;*
- (c) The conditions imposed; and*

(d) Such other provisions relating to the development and administration of the program as the Director or his designee deems necessary.

2. In developing and revising such a plan, the Director or his designee shall consider, without limitation:

(a) The amount of money available from the Federal Government;

(b) The conditions attached to the acceptance of that money; and

(c) The limitations of legislative appropriations and authorizations,

↳ for the particular program to which the plan applies.

3. If a condition to the receipt of federal money is that the program for which the money is received must apply statewide and except as otherwise required by federal law or regulation, the Director may adopt regulations establishing formulas for the:

(a) Distribution of the federal money; and

(b) Assessment of any penalties or other sanctions imposed on the program.

Sec. 2. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.465, inclusive, **and section 1 of this act**, unless the context requires otherwise:

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

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

Sec. 3. This act becomes effective upon passage and approval.