

SENATE BILL NO. 405—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 29, 2005

Referred to Committee on Finance

SUMMARY—Makes various changes concerning mental health.
(BDR 38-1322)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included
in Executive Budget.

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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; making various changes concerning mental health services provided pursuant to the Medicaid program; making appropriations for mental health services, community triage centers and the support of the Mental Health Court in Clark County; directing the Legislative Committee on Health Care to study certain issues concerning the provision of mental health services in this State; and providing other matters properly relating thereto.

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 the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The Department, through the Division of Health Care Financing and Policy, shall, to the extent authorized by federal law, pay, under the State Plan for Medicaid, each person or governmental entity that provides inpatient psychiatric services to recipients of Medicaid pursuant to an agreement with the Department an amount for such services that is equal to or greater than the average amount paid for inpatient psychiatric services by the Medicaid programs operated in all other states covered by*



Region IX of the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services.

Sec. 3. 1. The Department shall include in the State Plan for Medicaid, to the extent authorized by federal law, presumptive eligibility for persons with mental illnesses.

2. The Department shall include in the State Plan for Medicaid, to the extent authorized by federal law, presumptive disability of persons with mental illnesses.

Sec. 4. 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 sections 2 and 3 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 sections 2 and 3 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. 5. 1. There is hereby appropriated from the State General Fund to the Division of Mental Health and Developmental Services of the Department of Human Resources for Southern Nevada Adult Mental Health Services:

For the Fiscal Year 2005-2006..... \$2,007,500

For the Fiscal Year 2006-2007..... \$2,007,500

2. The money appropriated by subsection 1 must be used by the Division to purchase additional acute psychiatric crisis placements if the capacity of the Division to provide those services is exhausted.

3. The Division shall not expend any of the money appropriated by subsection 1 until the Division has issued a request for proposals for the selection of one or more appropriate contractors to provide the placements.

4. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.

Sec. 6. 1. There is hereby appropriated from the State General Fund to the Division of Mental Health and Developmental



Services of the Department of Human Resources for Southern Nevada Adult Mental Health Services:

For the Fiscal Year 2005-2006..... \$6,000,000

For the Fiscal Year 2006-2007..... \$6,000,000

2. The money appropriated by subsection 1 must be used by the Division to purchase at least 40 but not more than 60 additional acute psychiatric crisis placements which include a medical clearance component if the capacity of the Division to provide those services is exhausted.

3. The Division shall not expend any of the money appropriated by subsection 1 until the Division has issued a request for proposals for the selection of one or more appropriate contractors to provide the placements.

4. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.

Sec. 7. 1. There is hereby appropriated from the State General Fund to WestCare Nevada, Inc., a nonprofit corporation, for the establishment of a mental health and substance abuse screening and stabilization component for a community triage center to be operated by WestCare Nevada in Clark County, the sum of \$500,000.

2. Any remaining balance of the sum appropriated by subsection 1 must not be committed for expenditure after June 30, 2006, and must be reverted to the State General Fund on or before September 15, 2006.

Sec. 8. 1. There is hereby appropriated from the State General Fund to the Division of Mental Health and Developmental Services of the Department of Human Resources for Southern Nevada Adult Mental Health Services for the support of a community triage center:

For the Fiscal Year 2005-2006..... \$916,000

For the Fiscal Year 2006-2007..... \$916,000

2. The Division shall not expend any of the money appropriated by subsection 1 until the Division has:

(a) Issued a request for proposals for the selection of one or more appropriate contractors to operate the center.

(b) Received an amount of money equal to the amount appropriated pursuant to subsection 1 from both local governments and hospitals. The money provided by local governments and hospitals may be combined so that the maximum expended by the Division equals one-half of the combined total of the amount



provided by the local governments and hospitals for the community triage center.

3. The Division shall not expend any amount of the money appropriated pursuant to subsection 1 that exceeds the difference between the amount of money appropriated pursuant to subsection 1 and any amount of money provided by the Bureau of Alcohol and Drug Abuse within the Health Division of the Department of Human Resources to the contractor or contractors which the Division of Mental Health and Developmental Services selects to operate the community triage center.

4. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.

Sec. 9. 1. There is hereby appropriated from the State General Fund to the Southern Nevada Adult Mental Health Services of the Division of Mental Health and Developmental Services of the Department of Human Resources for the support of the Mental Health Court in Clark County:

For the Fiscal Year 2005-2006..... \$1,000,000

For the Fiscal Year 2006-2007..... \$1,000,000

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.

Sec. 10. 1. The Legislative Committee on Health Care shall conduct an interim study of the community support services available to persons with mental illnesses in this State and evaluate the impact of such services on the treatment of persons with mental illnesses.

2. The study must include, without limitation:

(a) An evaluation of any databases maintained in this State concerning persons with mental illnesses, the manner in which such databases enable persons with mental illnesses to access mental health services easily, enable providers of services to track persons with mental illnesses and prevent any duplication in the delivery of mental health services;

(b) If the Committee determines that there are no existing databases described in subsection 1 in this State or that the existing databases are inadequate or could be improved, the manner in which such a database could be established or the manner in which any existing databases could be improved;



1 (c) An examination of the extent to which case management
2 services and outpatient mental health services are provided in a
3 centralized and coordinated manner to persons with mental illnesses
4 in this State;

5 (d) An examination of whether mobile crises units that are
6 capable of conducting medical assessments of persons with mental
7 illnesses to reduce the need to transport such persons to hospitals for
8 medical assessments are adequately funded and operated in this
9 State;

10 (e) An examination of the various housing options that are
11 available to persons with mental illnesses in this State;

12 (f) A review of the barriers that persons diagnosed with both a
13 mental illness and a substance abuse problem encounter in
14 attempting to receive appropriate treatment in this State; and

15 (g) An examination of whether medication clinics are
16 adequately funded and readily available to provide services to
17 persons with mental illnesses in this State.

18 3. The Legislative Committee on Health Care shall submit a
19 report of the results of the study and any recommendations for
20 legislation to the 74th Session of the Nevada Legislature.

21 **Sec. 11.** This act becomes effective on July 1, 2005.



