

ASSEMBLY BILL NO. 310—ASSEMBLYMEN MCCLAIN, PARKS,
HARDY, ANDERSON, ATKINSON, BOBZIEN, CLABORN,
CONKLIN, DENIS, GERHARDT, HOGAN, KIRKPATRICK,
KOIVISTO, LESLIE, MANENDO, MARVEL, MORTENSON,
MUNFORD, OHRENSCHALL, PARNELL, PIERCE AND
WOMACK

MARCH 14, 2007

Referred to Committee on Health and Human Services

SUMMARY—Revises certain provisions governing programs
which enable frail elderly persons to live
independently. (BDR 38-686)

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 aging persons; expanding the program of the
Aging Services Division of the Department of Health and
Human Services which provides community-based
services to enable frail elderly persons to live
independently to include frail elderly persons who have
certain higher incomes under certain circumstances; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Aging Services Division of the Department of Health
and Human Services is required to establish and administer a program to provide
community-based services to frail elderly persons to enable them to remain in their
own homes or with their families and to avoid placement in a facility for long-term
care. (NRS 427A.029, 427A.250-427A.280) Existing law further authorizes the
Division to adopt regulations to administer the program, and such regulations
establish the requirements for eligibility for community-based services, including,
without limitation, requirements for age, residency and income level. (NRS
427A.250; NAC 427A.402)

This bill expands the program to require the Division to provide community-
based services to frail elderly persons who meet certain income requirements and
who are limited due to one or more physical or mental limitations in at least two of
the activities of daily living.



* A B 3 1 0 *

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

Section 1. Chapter 427A of NRS is hereby amended by adding thereto a new section to read as follows:

1. To be eligible to participate in a program established by the Division pursuant to NRS 427A.250, a frail elderly person must satisfy the requirements established by the Division and:

(a) Meet one of the following income requirements for the year in which eligibility is assessed:

(1) The income of the frail elderly person does not exceed the requirements for monthly income and assets as set by Medicaid, as noted in the "Eligibility and Payment Manual" of the Division of Welfare and Supportive Services of the Department; or

(2) The income of the frail elderly person is not more than 200 percent of the level signifying poverty, as based on the guidelines designated by the United States Department of Health and Human Services; and

(b) Have one or more physical or mental limitations that restrict the ability of the person to perform at least two of the activities of daily living.

2. As used in this section, "activities of daily living" include, without limitation:

(a) The elimination of wastes from the body;

(b) Dressing and undressing;

(c) Bathing;

(d) Grooming;

(e) The preparation and eating of meals;

(f) Laundry;

(g) Shopping;

(h) Cleaning;

(i) Transportation; and

(j) Any other minor needs related to the maintenance of personal hygiene.

Sec. 2. NRS 427A.270 is hereby amended to read as follows:

427A.270 1. The Division may apply for, accept and expend any federal or private grant of money or other type of assistance that becomes available to carry out the provisions of NRS 427A.250 to 427A.280, inclusive **H**, and section 1 of this act. Any money received pursuant to this section must be deposited with the State Treasurer and accounted for separately in the State General Fund.

2. The Division shall, with the approval of the Commission and the Director, establish a schedule of fees to be charged and collected for any **community-based** service provided pursuant to NRS 427A.250 to 427A.280, inclusive **H**, and section 1 of this act.



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1 **Sec. 3.** This act becomes effective on July 1, 2007.

