

SENATE BILL NO. 413—SENATOR SCHNEIDER

MARCH 19, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to health care.
(BDR 57-1004)

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; providing that a provider of insurance shall, to the greatest extent practicable, use a new type of bill coding system relating to complementary and alternative medicine and adhere to certain requirements relating to reimbursement for certain health care services; requiring certain managed care organizations to meet certain requirements relating to contracting with homeopathic physicians; providing a statement of legislative intent regarding the encouragement, support and offering of health savings accounts as well as the duty of the State to protect the rights of persons to obtain freely any health care services not prohibited by law; prohibiting the Commissioner of Insurance from adopting rules or regulations that restrict the public's right to choose any form of health care that is not prohibited under Nevada law; providing that, notwithstanding any other provision of law, a complementary integrative medical screening practice may be created; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides for the practice and regulation of health insurance.
- 2 (Chapters 689A, 689B, 689C, 695A, 695B, 695C and 695G of NRS) **Sections 1-3**
- 3 of this bill provide that a provider of insurance shall, to the greatest extent
- 4 practicable, use a new type of bill coding system related to complementary and
- 5 alternative medicine and adhere to certain requirements relating to reimbursement
- 6 for health care services. **Section 4** of this bill requires certain managed care



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organizations to meet specified requirements relating to contracting with homeopathic physicians.

Existing law provides for health savings accounts. (NRS 689A.419, 689B.285, 689C.143, 695A.235, 695B.319, 695C.201, 695G.095) **Section 6** of this bill provides a statement of legislative intent regarding the encouragement, support and offering of health savings accounts. It also states that the State shall protect the rights of persons to obtain freely any health care services not prohibited by law.

Existing law provides for the powers and duties of the Commissioner of Insurance. (NRS 232.825) **Section 7** of this bill prohibits the Commissioner from adopting rules or regulations that restrict the public's right to choose any form of health care that is not prohibited under Nevada law.

Existing law provides for the practice and regulation of homeopathic medicine. (Chapter 630A of NRS) **Section 8** of this bill provides that, notwithstanding any other provision of law, a complementary integrative medical screening practice may be created pursuant to that section.

WHEREAS, Health freedom is desirable for health care practitioners; and

WHEREAS, Health freedom is desirable for Nevada residents; and

WHEREAS, There is a lack of procedures for bill coding, insurance coverage and reimbursement for complementary integrative medicine; and

WHEREAS, There is a lack of parity between complementary integrative medicine providers and providers of conventional medicine regarding recognition and reimbursement; now, therefore,

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

Section 1. Chapter 679A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *A provider of insurance shall, to the greatest extent practicable, use or authorize the use of ABC coding as a valid means for transacting the business of the provider of insurance, including, without limitation:*

(a) Establishing benefits for insurance, arrangements for managed care and filing claims for interventions that are not prohibited by this Code or any other law of this State;

(b) Documenting health care interventions used to treat diagnosed ailments;

(c) Providing expanded descriptions of procedures for health care administered to a patient; and

(d) Communicating with any insurer or payor through billing for health care.

2. As used in this section, "ABC coding" means a system of coding that uses five-character alphabetic symbols to represent the



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1 *practices, procedures and services provided by a homeopathic*
2 *physician, as defined in NRS 630A.050.*

3 **Sec. 3.** 1. *In addition to any provision of this Code relating*
4 *to the reimbursement or payment of a provider of health care, a*
5 *provider of insurance shall reimburse a provider of health care for*
6 *the services furnished by the provider of health care in accordance*
7 *with the plan or policy applicable to the provider of health care.*

8 2. *As used in this section, "provider of health care" has the*
9 *meaning ascribed to it in NRS 629.031.*

10 **Sec. 4.** Chapter 695G of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 1. *A managed care organization that delivers health care*
13 *services by using employed or independently contracted providers*
14 *of health care shall use its best efforts to contract with at least one*
15 *homeopathic physician to provide those services to insureds within*
16 *the scope of practice of the homeopathic physician if the*
17 *homeopathic physician:*

18 (a) *Meets all conditions imposed by the managed care*
19 *organization on similarly situated providers of health care that are*
20 *under contract with the managed care organization, including,*
21 *without limitation:*

22 (1) *Certification for participation in the Medicaid or*
23 *Medicare program, to the extent authorized pursuant to that*
24 *program; and*

25 (2) *Requirements relating to the appropriate credentials for*
26 *providers of health care; and*

27 (b) *Agrees to reasonable reimbursement rates that are*
28 *generally consistent with those offered by the managed care*
29 *organization to similarly situated providers of health care that are*
30 *under contract with the managed care organization.*

31 2. *As used in this section, "homeopathic physician" has the*
32 *meaning ascribed to it in NRS 630A.050.*

33 **Sec. 5.** Chapter 629 of NRS is hereby amended by adding
34 thereto the provisions set forth as sections 6 and 7 of this act.

35 **Sec. 6.** *The Legislature hereby finds and declares that:*

36 1. *Notwithstanding any other provision of law, the State of*
37 *Nevada shall protect the rights of persons to obtain freely any*
38 *health care services not prohibited by law.*

39 2. *The State of Nevada encourages and supports health care*
40 *savings accounts as a means of alleviating the demand for*
41 *diminishing state resources, to alleviate the possible*
42 *impoverishment of residents requiring long-term care, and to*
43 *provide incentives for persons to protect themselves from financial*
44 *hardship due to a long-term health care need.*



3. *Health care savings accounts may be offered as health benefit options to all employers and residents as incentives to reduce unnecessary health services utilization, administration, and paperwork, and to encourage persons to be in charge of, and participate directly in, their use of health care services and health care spending.*

Sec. 7. *The Commissioner of Insurance is prohibited from adopting rules or regulations that restrict the public's right to choose any form of health care that is not prohibited under Nevada law.*

Sec. 8. Chapter 630A of NRS is hereby amended by adding thereto a new section to read as follows:

Notwithstanding any other provision of law:

1. *A complementary integrative medical screening practice may be created and:*

(a) *Directed by any provider of health care or advanced practitioner of homeopathy and may be owned by any provider of health care or advanced practitioner of homeopathy; and*

(b) *May provide the services described in subsection 2.*

2. *A complementary integrative medical screening practice may offer health care screening services that include, but are not limited to, screening services related to:*

(a) *Pulse;*

(b) *Blood pressure;*

(c) *Height;*

(d) *Weight;*

(e) *Body fat analysis;*

(f) *Various laboratory tests, including, without limitation, tests related to blood, urine or saliva;*

(g) *Heart rate variability;*

(h) *Electrodermal testing;*

(i) *Biofeedback;*

(j) *Oxygen inhalation therapies;*

(k) *Homeopathics;*

(l) *Nutriceuticals;*

(m) *Biofermentics;*

(n) *Massage;*

(o) *Colonics;*

(p) *Lifestyle modification counseling; and*

(q) *Subsequent referrals to homeopathic physicians, allopathic physicians, osteopathic physicians, hospital emergency rooms or other community services.*

3. *As used in this section:*

(a) *"Advanced practitioner of homeopathy" has the meaning ascribed to it in NRS 630A.015.*



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- 1 ***(b) “Provider of health care” has the meaning ascribed to it in***
- 2 ***NRS 629.031.***

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