

SENATE BILL NO. 65—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE TASK FORCE FOR THE FUND
FOR A HEALTHY NEVADA)

PREFILED FEBRUARY 2, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions governing the allocation of money from the Fund for a Healthy Nevada. (BDR 40-242)

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 public health; exempting certain allocations of money from the Fund for a Healthy Nevada from the requirement that they be approved by the Interim Finance Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, the Task Force for the Fund for a Healthy Nevada is
- 2 required to allocate, by contract or grant, for expenditure a certain amount of
- 3 money in the Fund for a Healthy Nevada for programs related to the use of tobacco,
- 4 programs that improve health services for children and programs that improve the
- 5 health and well-being of persons with disabilities. (NRS 439.630) This bill removes
- 6 the requirement that the Department of Health and Human Services submit each
- 7 such proposed allocation which would be used to expand or augment an existing
- 8 state program to the Interim Finance Committee for approval before a contract or
- 9 grant is awarded.



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

1 **Section 1.** NRS 439.630 is hereby amended to read as follows:
2 439.630 1. The Task Force for the Fund for a Healthy
3 Nevada shall:

4 (a) Conduct public hearings to accept public testimony from a
5 wide variety of sources and perspectives regarding existing or
6 proposed programs that:

7 (1) Promote public health;

8 (2) Improve health services for children, senior citizens and
9 persons with disabilities;

10 (3) Reduce or prevent the use of tobacco;

11 (4) Reduce or prevent the abuse of and addiction to alcohol
12 and drugs; and

13 (5) Offer other general or specific information on health care
14 in this State.

15 (b) Establish a process to evaluate the health and health needs of
16 the residents of this State and a system to rank the health problems
17 of the residents of this State, including, without limitation, the
18 specific health problems that are endemic to urban and rural
19 communities.

20 (c) Reserve not more than 30 percent of all revenues deposited
21 in the Fund for a Healthy Nevada each year for direct expenditure
22 by the Department to pay for prescription drugs, pharmaceutical
23 services and, to the extent money is available, other benefits,
24 including, without limitation, dental and vision benefits for senior
25 citizens pursuant to NRS 439.635 to 439.690, inclusive. From the
26 money reserved to the Department pursuant to this paragraph, the
27 Department may subsidize any portion of the cost of providing
28 prescription drugs, pharmaceutical services and, to the extent money
29 is available, other benefits, including, without limitation, dental and
30 vision benefits to senior citizens pursuant to NRS 439.635 to
31 439.690, inclusive. The Department shall consider recommendations
32 from the Task Force for the Fund for a Healthy Nevada in carrying
33 out the provisions of NRS 439.635 to 439.690, inclusive. The
34 Department shall submit a quarterly report to the Governor, the Task
35 Force for the Fund for a Healthy Nevada and the Interim Finance
36 Committee regarding the general manner in which expenditures
37 have been made pursuant to this paragraph and the status of the
38 program.

39 (d) Reserve not more than 30 percent minus \$350,000 of all
40 revenues deposited in the Fund for a Healthy Nevada each year for
41 allocation by the Aging Services Division of the Department in the
42 form of grants for existing or new programs that assist senior



1 citizens with independent living, including, without limitation,
2 programs that provide:

- 3 (1) Respite care or relief of family caretakers;
- 4 (2) Transportation to new or existing services to assist senior
5 citizens in living independently; and
- 6 (3) Care in the home which allows senior citizens to remain
7 at home instead of in institutional care.

8 ➔ The Aging Services Division of the Department shall consider
9 recommendations from the Task Force for the Fund for a Healthy
10 Nevada concerning the independent living needs of senior citizens.

11 (e) Reserve not more than \$200,000 of all revenues deposited in
12 the Fund for a Healthy Nevada each year for allocation by the
13 Director to:

14 (1) Provide guaranteed funding to finance assisted living
15 facilities that satisfy the criteria for certification set forth in NRS
16 319.147; and

17 (2) Fund assisted living facilities that satisfy the criteria for
18 certification set forth in NRS 319.147 and assisted living supportive
19 services that are provided pursuant to the provisions of the home
20 and community-based services waiver which are amended pursuant
21 to NRS 422.2708.

22 ➔ The Director shall develop policies and procedures for allocating
23 money which is reserved pursuant to this paragraph.

24 (f) Reserve \$150,000 of all revenues deposited in the Fund for a
25 Healthy Nevada each year, if available, for allocation by the Aging
26 Services Division of the Department in the form of contracts or
27 grants for existing or new programs that provide dental benefits to
28 persons who are domiciled in this State and are 62 years of age or
29 older:

30 (1) Who satisfy the residency requirement set forth in
31 subsection 2 of NRS 439.665; and

32 (2) Whose incomes are not over the amounts set forth in
33 subsection 2 of NRS 439.665, as adjusted pursuant to the provisions
34 of that section.

35 (g) Allocate, by contract or grant, for expenditure not more than
36 20 percent of all revenues deposited in the Fund for a Healthy
37 Nevada each year for programs that prevent, reduce or treat the use
38 of tobacco and the consequences of the use of tobacco.

39 (h) Allocate, by contract or grant, for expenditure not more than
40 10 percent of all revenues deposited in the Fund for a Healthy
41 Nevada each year for programs that improve health services for
42 children.

43 (i) Allocate, by contract or grant, for expenditure not more than
44 7.5 percent of all revenues deposited in the Fund for a Healthy
45 Nevada each year for programs that improve the health and



1 well-being of persons with disabilities. In making allocations
2 pursuant to this paragraph, the Task Force shall, to the extent
3 practicable, allocate the money evenly among the following three
4 types of programs:

5 (1) Programs that provide respite for persons caring for
6 persons with disabilities;

7 (2) Programs that provide positive behavioral supports to
8 persons with disabilities; and

9 (3) Programs that assist persons with disabilities to live
10 safely and independently in their communities outside of an
11 institutional setting.

12 (j) Reserve not more than 2.5 percent of all revenues deposited
13 in the Fund for a Healthy Nevada each year for direct expenditure
14 by the Department to subsidize any portion of the cost of providing
15 prescription drugs and pharmaceutical services to persons with
16 disabilities pursuant to NRS 439.705 to 439.795, inclusive. The
17 Department shall consider recommendations from the Task Force
18 for the Fund for a Healthy Nevada in carrying out the provisions of
19 NRS 439.705 to 439.795, inclusive.

20 (k) Maximize expenditures through local, federal and private
21 matching contributions.

22 (l) Ensure that any money expended from the Fund for a
23 Healthy Nevada will not be used to supplant existing methods of
24 funding that are available to public agencies.

25 (m) Develop policies and procedures for the administration and
26 distribution of contracts, grants and other expenditures to state
27 agencies, political subdivisions of this State, nonprofit
28 organizations, universities, state colleges and community colleges.
29 A condition of any such contract or grant must be that not more than
30 8 percent of the contract or grant may be used for administrative
31 expenses or other indirect costs. The procedures must require at
32 least one competitive round of requests for proposals per biennium.

33 (n) To make the allocations required by paragraphs (g), (h)
34 and (i):

35 (1) Prioritize and quantify the needs for these programs;

36 (2) Develop, solicit and accept applications for allocations;

37 (3) Conduct annual evaluations of programs to which
38 allocations have been awarded; and

39 (4) Submit annual reports concerning the programs to the
40 Governor and the Interim Finance Committee.

41 (o) Transmit a report of all findings, recommendations and
42 expenditures to the Governor and each regular session of the
43 Legislature.

44 2. The Task Force may take such other actions as are necessary
45 to carry out its duties.



1 3. The Department shall take all actions necessary to ensure
2 that all allocations for expenditures made by the Task Force are
3 carried out as directed by the Task Force.

4 4. To make the allocations required by paragraphs (d) and (f)
5 of subsection 1, the Aging Services Division of the Department
6 shall:

7 (a) Prioritize and quantify the needs of senior citizens for these
8 programs;

9 (b) Develop, solicit and accept grant applications for allocations;

10 (c) As appropriate, expand or augment existing state programs
11 for senior citizens upon approval of the Interim Finance Committee;

12 (d) Award grants, contracts or other allocations;

13 (e) Conduct annual evaluations of programs to which grants or
14 other allocations have been awarded; and

15 (f) Submit annual reports concerning the allocations made by
16 the Aging Services Division pursuant to paragraphs (d) and (f) of
17 subsection 1 to the Governor and the Interim Finance Committee.

18 5. The Aging Services Division of the Department shall submit
19 each proposed grant or contract which would be used to expand or
20 augment an existing state program to the Interim Finance
21 Committee for approval before the grant or contract is awarded. The
22 request for approval must include a description of the proposed use
23 of the money and the person or entity that would be authorized to
24 expend the money. The Aging Services Division of the Department
25 shall not expend or transfer any money allocated to the Aging
26 Services Division pursuant to this section to subsidize any portion of
27 the cost of providing prescription drugs and pharmaceutical services
28 to senior citizens pursuant to NRS 439.635 to 439.690, inclusive, or
29 to subsidize any portion of the cost of providing prescription drugs
30 and pharmaceutical services to persons with disabilities pursuant to
31 NRS 439.705 to 439.795, inclusive.

32 ~~6. The Department, on behalf of the Task Force, shall submit~~
33 ~~each allocation proposed pursuant to paragraph (g), (h) or (i) of~~
34 ~~subsection 1 which would be used to expand or augment an existing~~
35 ~~state program to the Interim Finance Committee for approval before~~
36 ~~the contract or grant is awarded. The request for approval must~~
37 ~~include a description of the proposed use of the money and the~~
38 ~~person or entity that would be authorized to expend the money.]~~

39 **Sec. 2.** This act becomes effective upon passage and approval.

