Amendment No. 107

Assembly Amendment to Assembly Bill No. 168	(BDR 38-1144)
Proposed by: Assembly Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	______________	Adopted	☐	Lost	☐	______________
Concurred In	☐	Not	☐	______________	Concurred In	☐	Not	☐	______________
Receded	☐	Not	☐	______________	Receded	☐	Not	☐	______________

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold** is newly added transitory language.

TMC/BJE Date: 4/22/2007

A.B. No. 168—Makes various changes concerning expanding health insurance to make health insurance available to more residents of Nevada. (BDR 38-1144)

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Assembly Bill No. 168–Assemblymen Buckley, Leslie, Parks, Gerhardt, Conklin, Anderson, Arberry, Atkinson, Beers, Bobzien, Carpenter, Claborn, Denis, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Manendo, **Marvel,** McClain, Munford, Oceguera, Ohrenschall, Parnell, Pierce, Segerblom, Smith, Stewart and Womack

February 23, 2007

Joint Sponsors: Senators Wiener, Washington and Woodhouse

Referred to Concurrent Committees on Health and Human Services and Ways and Means

SUMMARY—Makes various changes concerning expanding health insurance to make health insurance available to more residents of Nevada. (BDR 38-1144)

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; increasing the income threshold used to establish eligibility of pregnant women for certain programs that provide health care; providing for a subsidy to be made available to certain employees or their spouses toward health insurance; **authorizing the use of money that is reverted from the Health Insurance Flexibility and Accountability Holding Account in the State General Fund to the Fund for Hospital Care to Indigent Persons at the end of each fiscal year to pay claims for any previous fiscal years;** making appropriations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Health and Human Services to apply to the Federal Government for a waiver pursuant to the Health Insurance Flexibility and Accountability demonstration initiative to provide certain health care benefits to more residents of Nevada for which matching funds are available from the Federal Government. (NRS 422.2726) Existing law further provides that the waiver is to provide coverage for services to pregnant women whose income is not more than 185 percent of the federally designated level signifying poverty. (NRS 422.2727) **Section 1** of this bill increases that income threshold to 200 percent of the federally designated level signifying poverty. Existing law further provides that the waiver is to provide a monthly subsidy of up to $100 toward a policy of insurance purchased by an employee or the spouse of an employee who works for certain small employers if the employee or spouse meet certain requirements. **Section 1** requires the Director, if the waiver is authorized only for employees or the spouses of employees who have children, to **establish a program to provide such a subsidy to an employee or spouse of an employee who does not have a child which must** include the subsidy in ~~[its state plan,]~~ **that program,** to the extent that money is available for that purpose, for employees or their spouses who do not have children but would otherwise qualify for the subsidy pursuant to the waiver.

Section 2 of this bill provides an appropriation in the amount of $4,500,000 for each fiscal year of the biennium to pay for the cost of increasing the income threshold for making pregnant women eligible for coverage through the waiver. **Section 3** of this bill provides an appropriation in the amount of $6,000,000 for each fiscal year to pay for the cost of providing the subsidy toward a policy of insurance provided to employees or their spouses who do not have children. **Section 4** of this bill provides an appropriation in the amount of $4,500,000 for each fiscal year to allow the Department of Health and Human Services to provide insurance to more children through the Children's Health Insurance Program.

Existing law provides that any money remaining in the Health Insurance Flexibility and Accountability Holding Account in the State General Fund at the end of each fiscal year reverts to the Fund for Hospital Care to Indigent Persons and to the State General Fund in equal amounts. (NRS 428.305) Section 5 of this bill provides that any such money that is reverted from the Health Insurance Flexibility and Accountability Holding Account to the Fund for Hospital Care to Indigent Persons at the end of each fiscal year may be used to pay claims for any previous fiscal years.

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

Section 1. NRS 422.2727 is hereby amended to read as follows:

422.2727 ***1.*** The Director shall include in the application for the Medicaid waiver pursuant to NRS 422.2726, to the extent authorized by federal law, that the waiver is to:

~~[1.]~~ ***(a)*** Provide coverage for medical services to pregnant women who have household incomes that are more than 133 percent of the federally designated level signifying poverty but not more than ~~[185]~~ ***200*** percent of the federally designated level signifying poverty.

~~[2.]~~ ***(b)*** Provide a monthly subsidy of up to $100 toward a policy of insurance purchased by an employee or the spouse of an employee:

~~[(a)]~~ ***(1)*** Who works for an employer that employs at least 2 but not more than 50 employees;

~~[(b)]~~ ***(2)*** Whose household income is less than 200 percent of the federally designated level signifying poverty; and

~~[(c)]~~ ***(3)*** Who is otherwise ineligible for Medicaid.

~~[3.]~~ ***(c)*** Provide coverage for hospital care to persons who have low incomes, ***who*** are otherwise ineligible for Medicaid and who have a catastrophic illness or injury which results in unpaid charges for hospital care. As used in this subsection, "hospital care" has the meaning ascribed to it in NRS 428.155.

2. If a waiver obtained to provide the subsidy set forth in paragraph (b) of subsection 1 is only authorized for an employee or spouse of an employee who has a child, the Director shall establish a program to provide such a subsidy to an employee or spouse of an employee who does not have a child which must include in ~~[the State Plan for Medicaid,]~~ that program, to the extent that money is available for that purpose, such a monthly subsidy which is made available to an employee or the spouse of an employee who does not have a child if the employee would otherwise qualify for such a subsidy.

Sec. 2. 1. There is hereby appropriated from the State General Fund to the Department of Health and Human Services for the cost of making additional pregnant women eligible for medical services through the waiver applied for pursuant to NRS 422.2727 by increasing the income threshold for eligibility for such services to not more than 200 percent of the federally designated level signifying poverty:

For the Fiscal Year 2007-2008 ....$4,500,000
For the Fiscal Year 2008-2009 ....$4,500,000

2. The sums appropriated by subsection 1 are available for either fiscal year. Any remaining balance of those sums must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 3. 1. There is hereby appropriated from the State General Fund to the Department of Health and Human Services to include in the ~~[state plan]~~ **program described in subsection 2 of NRS 422.2727, as amended by section 1 of this act,** a subsidy of up to $100 toward a policy of insurance purchased by an employee or the spouse of an employee who does not have a child and who would otherwise qualify for such a subsidy pursuant to paragraph (b) of subsection 1 of NRS 422.2727 ~~[:]~~ **, as amended by section 1 of this act:**

For the Fiscal Year 2007-2008 ....$6,000,000
For the Fiscal Year 2008-2009 ....$6,000,000

2. The sums appropriated by subsection 1 are available for either fiscal year. Any remaining balance of those sums must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 4. 1. There is hereby appropriated from the State General Fund to the Department of Health and Human Services to allow the Department to provide insurance to additional children through the Children's Health Insurance Program:

For the Fiscal Year 2007-2008 ....$4,500,000
For the Fiscal Year 2008-2009 ....$4,500,000

2. The sums appropriated by subsection 1 are available for either fiscal year. Any remaining balance of those sums must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 5. **Any money that is reverted from the Health Insurance Flexibility and Accountability Holding Account in the State General Fund to the Fund for Hospital Care to Indigent Persons at the end of each fiscal year may be used to**

pay claims for any previous fiscal years, including, without limitation, claims incurred before July 1, 2005.

~~[Sec. 5.]~~ ***Sec. 6.*** This act becomes effective **on** July 1, 2007.