

Amendment No. 302

Senate Amendment to Senate Bill No. 164

(BDR 40-95)

Proposed by: Senate Committee on Human Resources and Education**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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.

SLP/KCR



Date: 4/15/2007

S.B. No. 164—Revises provisions governing the Task Force for the Fund for a Healthy Nevada. (BDR 40-95)



SENATE BILL NO. 164—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

FEBRUARY 26, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions governing the ~~[Task Force for the]~~ Fund for a Healthy Nevada. (BDR 40-95)

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; ~~revising provisions relating to the administrative support provided to the Task Force for the Fund for a Healthy Nevada;~~ revising provisions governing allocations for distributions from the Fund **for a Healthy Nevada; revising the membership and duties of the Grants Management Advisory Committee of the Department of Health and Human Services; repealing the Task Force for the Fund for a Healthy Nevada; and** providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law ~~[requires the Legislative Counsel Bureau and the Department of Health and Human Services to provide administrative support to]~~ establishes the Task Force for the Fund for a Healthy Nevada ~~[, which is responsible for the distribution of certain grants from the Fund for a Healthy Nevada. (NRS 439.625 [1], 439.630) [Section 1 of this bill removes the Legislative Counsel Bureau from that role and instead requires the Legislative Counsel Bureau to provide research and assistance on fiscal matters at the request of a member of the Task Force who is a Legislator.]~~

~~Section 2 of this bill sets out a procedure for the processing of grant applications by the Department on behalf of the Task Force.] This bill repeals the section creating the Task Force and transfers certain responsibilities of the Task Force to the Department of Health and Human Services.~~

Section 4 of this bill requires the Legislative Committee on Health Care to recommend to the Department priorities, which were previously set by the Task Force, for certain programs that receive an award of money from the Fund. (NRS 439B.220)

The Grants Management Advisory Committee provides assistance to the Department in the allocation and administration of certain grants administered by the Department. (NRS 232.383, 232.385) Section 5 of this bill revises the membership of the Advisory Committee to include a person with experience in administering tobacco cessation programs, a provider of health care, an appointment by the Majority Leader of the Senate and an appointment by the Speaker of the Assembly. Section 6 of this bill requires the Advisory Committee to make recommendations to the Department for awards of money from the Fund and to monitor the awards of money granted from the Fund.

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

Section 1. NRS 439.620 is hereby amended to read as follows:

439.620 1. The Fund for a Healthy Nevada is hereby created in the State Treasury. The State Treasurer shall deposit in the Fund:

(a) Fifty percent of all money received by this State pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products; and

(b) Fifty percent of all money recovered by this State from a judgment in a civil action against a manufacturer of tobacco products.

2. The State Treasurer shall administer the Fund. As administrator of the Fund, the State Treasurer:

(a) Shall maintain the financial records of the Fund;

(b) Shall invest the money in the Fund as the money in other state funds is invested;

(c) Shall manage any account associated with the Fund;

(d) Shall maintain any instruments that evidence investments made with the money in the Fund;

(e) May contract with vendors for any good or service that is necessary to carry out the provisions of this section; and

(f) May perform any other duties necessary to administer the Fund.

3. The interest and income earned on the money in the Fund must, after deducting any applicable charges, be credited to the Fund. All claims against the Fund must be paid as other claims against the State are paid.

4. ~~Upon receiving a request from the~~ The State Treasurer or the Department ~~may submit to the Interim Finance Committee a request~~ for an allocation for administrative expenses from the Fund pursuant to this section. ~~If the Task Force for the Fund for a Healthy Nevada shall consider the request within 45 days after receipt of the request. If the Task Force approves the amount requested for allocation, the Task Force shall notify the State Treasurer of the allocation. If the Task Force does not approve the requested allocation within 45 days after receipt of the request, the State Treasurer or the Department, as applicable, may submit its request for allocation to the Interim Finance Committee.~~ Except as otherwise limited by this subsection, the Interim Finance Committee may allocate all or part of the money so requested. The annual allocation for administrative expenses from the Fund ~~whether allocated by the Task Force or the Interim Finance Committee~~ must not exceed:

(a) Not more than 2 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the State Treasurer to administer the Fund;

(b) Not more than 2.025 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the Department, including, without limitation, the Aging Services Division of the Department, to carry out its duties set forth in NRS ~~439.625 and~~ 439.630;

(c) Not more than 1.5 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the Department to administer the provisions of NRS 439.635 to 439.690, inclusive; and

(d) Not more than 0.125 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the Department to administer the provisions of NRS 439.705 to 439.795, inclusive.

➤ For the purposes of this subsection, the amount of money available for allocation to pay for the administrative costs must be calculated at the beginning of each fiscal

1 year based on the total amount of money anticipated by the State Treasurer to be deposited in the Fund during that fiscal year.

2 5. The money in the Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year.

3 6. All money that is deposited or paid into the Fund is hereby appropriated to the Department ~~and, except as otherwise provided in paragraphs (e) to (f), inclusive, and (j) of subsection 1 of NRS 439.630, may only be expended pursuant to an~~ for expenditure or allocation ~~made by the Task Force for the Fund for a Healthy Nevada~~ in accordance with the provisions of NRS 439.630. Money expended from the Fund for a Healthy Nevada must not be used to supplant existing methods of funding that are available to public agencies.

4 ~~[Section 1.]~~ Sec. 2. [NRS 439.625 is hereby amended to read as follows:

5 ~~439.625 1. The Task Force for the Fund for a Healthy Nevada is hereby created. The membership of the Task Force consists of:~~

6 ~~(a) Three members appointed by the Majority Leader of the Senate, one of whom must be a Senator and one of whom must be a member of a nonprofit organization dedicated to health issues in this State;~~

7 ~~(b) Three members appointed by the Speaker of the Assembly, one of whom must be an Assemblyman and one of whom must be a member of a nonprofit organization dedicated to health issues in this State; and~~

8 ~~(c) Three members appointed by the Governor, one of whom must have experience with and knowledge of matters relating to health care.~~

9 ~~Each member appointed pursuant to this subsection must be a resident of this State and must not be employed in the Executive or Judicial Branch of State Government. Each person who appoints members pursuant to this subsection shall ensure that insofar as practicable, the members whom he appoints reflect the ethnic and geographical diversity of this State.~~

10 ~~2. At its first meeting on or after July 1 of each odd-numbered year, the Task Force shall select the Chairman and Vice Chairman of the Task Force from among the legislative members of the Task Force. Each such officer shall hold office for a term of 2 years or until his successor is selected. The chairmanship of the Task Force must alternate each biennium between the houses of the Legislature.~~

11 ~~3. For each day or portion of a day during which a member of the Task Force who is a Legislator attends a meeting of the Task Force or is otherwise engaged in the work of the Task Force, except during a regular or special session of the Legislature, he is entitled to receive the:~~

12 ~~(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;~~

13 ~~(b) Per diem allowance provided for state officers and employees generally; and~~

14 ~~(c) Travel expenses provided pursuant to NRS 218.2207.~~

15 ~~The compensation, per diem allowances and travel expenses of the legislative members of the Task Force must be paid from the Legislative Fund.~~

16 ~~4. Members of the Task Force who are not Legislators serve without salary, except that they are entitled to receive travel expenses provided for state officers and employees generally. The travel expenses of:~~

17 ~~(a) A member of the Task Force who is an officer or employee of a local government thereof must be paid by the local government that employs him;~~

18 ~~(b) Each remaining member of the Task Force must be paid from the Legislative Fund.~~

19 ~~5. Each member of the Task Force who is an officer or employee of a local government must be relieved from his duties without loss of his regular compensation so that he may perform his duties relating to the Task Force in the~~

1 ~~most timely manner practicable. A local government shall not require an officer or~~
2 ~~employee who is a member of the Task Force to:~~

3 ~~(a) Make up the time he is absent from work to fulfill his obligations as a~~
4 ~~member of the Task Force; or~~

5 ~~(b) Take annual leave or compensatory time for the absence.~~

6 ~~6. The Legislative Counsel Bureau and the Department shall provide such~~
7 ~~administrative support to the Task Force as is required to carry out the duties of the~~
8 ~~Task Force. The State Health Officer shall provide such technical advice and~~
9 ~~assistance to the Task Force as is requested by the Task Force. The Legislative~~
10 ~~Counsel Bureau shall provide research and assistance with fiscal matters at the~~
11 ~~request of a member of the Task Force who is a Legislator.] (Deleted by~~
12 ~~amendment.) (Deleted by amendment.)~~

13 ~~[Sec. 2.]~~ Sec. 3. NRS 439.630 is hereby amended to read as follows:

14 439.630 1. The ~~[Task Force for the Fund for a Healthy Nevada]~~
15 ~~Department~~ shall:

16 (a) Conduct ,or require the Grants Management Advisory Committee created
17 by NRS 232.383 to conduct, public hearings to accept public testimony from a
18 wide variety of sources and perspectives regarding existing or proposed programs
19 that:

20 (1) Promote public health;
21 (2) Improve health services for children, senior citizens and persons with
22 disabilities;

23 (3) Reduce or prevent the use of tobacco;
24 (4) Reduce or prevent the abuse of and addiction to alcohol and drugs; and
25 (5) Offer other general or specific information on health care in this State.

26 (b) Establish a process to evaluate the health and health needs of the residents
27 of this State and a system to rank the health problems of the residents of this State,
28 including, without limitation, the specific health problems that are endemic to urban
29 and rural communities.

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

46 (d) Reserve not more than 30 percent minus \$350,000 of all revenues deposited
47 in the Fund for a Healthy Nevada each year for allocation by the Aging Services
48 Division of the Department in the form of grants for existing or new programs that
49 assist senior citizens with independent living, including, without limitation,
50 programs that provide:

51 (1) Respite care or relief of family caretakers;
52 (2) Transportation to new or existing services to assist senior citizens in
53 living independently; and

(3) Care in the home which allows senior citizens to remain at home instead of in institutional care.

➤ The Aging Services Division of the Department shall consider recommendations from the ~~{Task Force for the Fund for a Healthy Nevada}~~ Legislative Committee on Health Care concerning the independent living needs of senior citizens.

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

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

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

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

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

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

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

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

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

(i) Allocate, by contract or grant, for expenditure not more than 7.5 percent of all revenues deposited in the Fund for a Healthy Nevada each year for programs that improve the health and well-being of persons with disabilities. In making allocations pursuant to this paragraph, the ~~{Task Force}~~ Department shall, to the extent practicable, allocate the money evenly among the following three types of programs:

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

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

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

(j) Reserve not more than 2.5 percent of all revenues deposited in the Fund for a Healthy Nevada each year for direct expenditure by the Department to subsidize any portion of the cost of providing prescription drugs and pharmaceutical services to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive. The Department shall consider recommendations from the ~~{Task Force for the Fund for a Healthy Nevada}~~ Legislative Committee on Health Care in carrying out the provisions of NRS 439.705 to 439.795, inclusive.

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

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

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

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

(1) ~~Prioritize and quantify~~ Review and consider the prioritized list of the needs for these programs ~~and submit those applications to the Department for processing pursuant to subsection 6;~~ submitted by the Legislative Committee on Health Care pursuant to NRS 439B.220;

(2) Develop, solicit and accept applications for allocations; ~~and submit those applications to the Department for processing pursuant to subsection 6;~~

(3) Review and consider the recommendations of the Grants Management Advisory Committee submitted pursuant to NRS 232.385;

(4) Conduct annual evaluations of programs to which allocations have been awarded; and

~~and~~ (5) Submit annual reports concerning the programs to the Legislative Committee on Health Care, the Governor and the Interim Finance Committee.

(o) Transmit a report of all findings, recommendations and expenditures to the Governor, the Legislative Committee on Health Care and each regular session of the Legislature.

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

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

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

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

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

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

(d) Award grants, contracts or other allocations;

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

(f) Submit annual reports concerning the allocations made by the Aging Services Division pursuant to paragraphs (d) and (f) of subsection 1 to the Governor, the Legislative Committee on Health Care and the Interim Finance Committee.

~~5.~~ 4. The Aging Services Division of the Department shall submit each proposed grant or contract which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the grant or contract is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money. The Aging Services Division of the Department shall not expend or transfer any money allocated to the Aging Services Division pursuant to this section to subsidize any portion of the cost of providing prescription drugs and pharmaceutical services to senior citizens pursuant to NRS 439.635 to 439.690, inclusive, or to subsidize any portion of the cost of providing prescription drugs and

pharmaceutical services to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive.

~~6. The Department, on behalf of the Task Force, shall process each application for an allocation pursuant to paragraph (g), (h) or (i) of subsection 1 and make recommendations to the Task Force for awards of money. Such recommendations must be based upon the priorities set by the Task Force pursuant to paragraph (a) of subsection 1. The Task Force may:~~

~~(a) Approve or deny a recommendation made by the Department;~~

~~(b) Allocate, from any unexpended funds available pursuant to paragraph (g), (h) or (i) of subsection 1, money for a program, study or evaluation that was not funded through the grant process or not recommended for funding by the Department.~~

~~7. 5. The Department, on behalf of the Task Force,~~ shall submit each allocation proposed pursuant to paragraph (g), (h) or (i) of subsection 1 which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the contract or grant is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money.

Sec. 4. NRS 439B.220 is hereby amended to read as follows:

439B.220 1. The Committee may:

~~1. (a)~~ (a) Review and evaluate the quality and effectiveness of programs for the prevention of illness.

~~2. (b)~~ (b) Review and compare the costs of medical care among communities in Nevada with similar communities in other states.

~~3. (c)~~ (c) Analyze the overall system of medical care in the State to determine ways to coordinate the providing of services to all members of society, avoid the duplication of services and achieve the most efficient use of all available resources.

~~4. (d)~~ (d) Examine the business of providing insurance, including the development of cooperation with health maintenance organizations and organizations which restrict the performance of medical services to certain physicians and hospitals, and procedures to contain the costs of these services.

~~5. (e)~~ (e) Examine hospitals to:

~~1. (1)~~ (1) Increase cooperation among hospitals;

~~2. (2)~~ (2) Increase the use of regional medical centers; and

~~3. (3)~~ (3) Encourage hospitals to use medical procedures which do not require the patient to be admitted to the hospital and to use the resulting extra space in alternative ways.

~~6. (f)~~ (f) Examine medical malpractice.

~~7. (g)~~ (g) Examine the system of education to coordinate:

~~1. (1)~~ (1) Programs in health education, including those for the prevention of illness and those which teach the best use of available medical services; and

~~2. (2)~~ (2) The education of those who provide medical care.

~~8. (h)~~ (h) Review competitive mechanisms to aid in the reduction of the costs of medical care.

~~9. (i)~~ (i) Examine the problem of providing and paying for medical care for indigent and medically indigent persons, including medical care provided by physicians.

~~10. (j)~~ (j) Examine the effectiveness of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services, and its effect on the subjects listed in ~~subsections 1 to 9,~~ paragraphs (a) to (i), inclusive.

~~11. (k)~~ (k) Determine whether regulation by the State will be necessary in the future by examining hospitals for evidence of:

~~(1)~~ (1) Degradation or discontinuation of services previously offered, including without limitation, neonatal care, pulmonary services and pathology services; or

~~(2)~~ (2) A change in the policy of the hospital concerning contracts, as a result of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services.

~~(3)~~ (3) Study the effect of the acuity of the care provided by a hospital upon the revenues of the hospital and upon limitations upon that revenue.

~~(4)~~ (4) Review the actions of the Director in administering the provisions of this chapter and adopting regulations pursuant to those provisions. The Director shall report to the Committee concerning any regulations proposed or adopted pursuant to this chapter.

~~(5)~~ (5) Identify and evaluate, with the assistance of an advisory group, the alternatives to institutionalization for providing long-term care, including, without limitation:

~~(a)~~ (a) An analysis of the costs of the alternatives to institutionalization and the costs of institutionalization for persons receiving long-term care in this State;

~~(b)~~ (b) A determination of the effects of the various methods of providing long-term care services on the quality of life of persons receiving those services in this State;

~~(c)~~ (c) A determination of the personnel required for each method of providing long-term care services in this State; and

~~(d)~~ (d) A determination of the methods for funding the long-term care services provided to all persons who are receiving or who are eligible to receive those services in this State.

~~(e)~~ (e) Evaluate, with the assistance of an advisory group, the feasibility of obtaining a waiver from the Federal Government to integrate and coordinate acute care services provided through Medicare and long-term care services provided through Medicaid in this State.

~~(f)~~ (f) Evaluate, with the assistance of an advisory group, the feasibility of obtaining a waiver from the Federal Government to eliminate the requirement that elderly persons in this State impoverish themselves as a condition of receiving assistance for long-term care.

~~(g)~~ (g) Conduct investigations and hold hearings in connection with its review and analysis.

~~(h)~~ (h) Apply for any available grants and accept any gifts, grants or donations to aid the Committee in carrying out its duties pursuant to this chapter.

~~(i)~~ (i) Direct the Legislative Counsel Bureau to assist in its research, investigations, review and analysis.

~~(j)~~ (j) Recommend to the Legislature as a result of its review any appropriate legislation.

2. The Committee shall:

(a) Prioritize the needs for programs for the receipt of awards of money pursuant to paragraphs (g), (h) and (i) of subsection 1 of NRS 439.630 and deliver to the Department and the Grants Management Advisory Committee created by NRS 232.383 a list of those priorities; and

(b) Make recommendations to the Aging Services Division of the Department concerning the independent living needs of senior citizens for purposes of allocating money pursuant to paragraph (d) of subsection 1 of NRS 439.630.

Sec. 5. NRS 232.383 is hereby amended to read as follows:

1. The Grants Management Advisory Committee, consisting of 15 members, is hereby created within the Department.

2. The Advisory Committee consists of ~~the following 11~~ :

- 1 (a) The following 13 members appointed by the Director:
- 2 ~~(1)~~ (1) A superintendent of a county school district;
- 3 ~~(2)~~ (2) A director of a local agency providing services for abused or
- 4 neglected children;
- 5 ~~(3)~~ (3) A representative of a community organization involved with children;
- 6 ~~(4)~~ (4) A representative of a department of juvenile justice services;
- 7 ~~(5)~~ (5) A member who possesses knowledge, skill and experience in the
- 8 provision of services to senior citizens;
- 9 ~~(6)~~ (6) Two members who possess knowledge, skill and experience in finance
- 10 or in business generally;
- 11 ~~(7)~~ (7) A representative of the Nevada Association of Counties;
- 12 ~~(8)~~ (8) A representative of a broad-based nonprofit organization who
- 13 possesses knowledge, skill and experience in collaborating with the community and
- 14 in building partnerships between the public sector and the private sector; ~~and~~
- 15 ~~(9)~~ (9) Two members of the public who possess knowledge of or experience in
- 16 the provision of services to persons or families who are disadvantaged or at risk ~~;~~ ;
- 17 (10) A member who possesses knowledge, skill and experience in the
- 18 provision of services relating to the cessation of the use of tobacco; and
- 19 (11) A provider of health care, as that term is defined in NRS 629.031.
- 20 (b) One member appointed by the Majority Leader of the Senate who must
- 21 not be a member of the Legislature.
- 22 (c) One member appointed by the Speaker of the Assembly who must not be a
- 23 member of the Legislature.
- 24 3. ~~The Director~~ Each person who appoints members pursuant to
- 25 subsection 2 shall ensure that, insofar as practicable, the members whom he
- 26 appoints reflect the ethnic and geographical diversity of this State.
- 27 4. After the initial terms, each member of the Advisory Committee serves for
- 28 a term of 2 years. Each member of the Advisory Committee continues in office
- 29 until his successor is appointed.
- 30 5. Each member of the Advisory Committee who is not an officer or
- 31 employee of this State or a political subdivision of this State is entitled to receive a
- 32 salary of not more than \$80 per day, fixed by the Director, while engaged in the
- 33 business of the Advisory Committee.
- 34 6. While engaged in the business of the Advisory Committee, each member of
- 35 the Advisory Committee is entitled to receive the per diem allowance and travel
- 36 expenses provided for state officers and employees generally.
- 37 7. A majority of the members of the Advisory Committee constitutes a
- 38 quorum for the transaction of business, and a majority of a quorum present at any
- 39 meeting is sufficient for any official action taken by the Advisory Committee.
- 40 8. A member of the Advisory Committee who is an officer or employee of
- 41 this State or a political subdivision of this State must be relieved from his duties
- 42 without loss of his regular compensation so that he may prepare for and attend
- 43 meetings of the Advisory Committee and perform any work necessary to carry out
- 44 the duties of the Advisory Committee in the most timely manner practicable. A
- 45 state agency or political subdivision of this State shall not require an officer or
- 46 employee who is a member of the Advisory Committee to:
- 47 (a) Make up the time he is absent from work to carry out his duties as a
- 48 member of the Advisory Committee; or
- 49 (b) Take annual leave or compensatory time for the absence.
- 50 9. The Advisory Committee shall:
- 51 (a) At its first meeting and annually thereafter, elect a Chairman from among
- 52 its members;

(b) Meet at the call of the Director, the Chairman or a majority of its members as necessary, within the budget of the Advisory Committee, but not to exceed six meetings per year; and

(c) Adopt rules for its own management and government.

Sec. 6. NRS 232.385 is hereby amended to read as follows:

232.385 The Grants Management Advisory Committee created by NRS 232.383 shall:

1. Review all requests received by the Department for awards of money from agencies of the State or its political subdivisions and nonprofit community organizations or educational institutions which provide or will provide services to persons served by the programs administered by the Department;

2. Submit recommendations to the Director concerning each request for an award of money that the Advisory Committee ~~believes~~ determines should be granted, including, without limitation, the name of the agency, nonprofit community organization or educational institution that submitted the request;

3. Adopt policies setting forth criteria to determine which agencies, organizations and institutions to recommend for an award of money;

4. Monitor awards of money granted by the Department to agencies of the State or its political subdivisions, and nonprofit community organizations or educational institutions which provide or will provide services to persons served by the programs administered by the Department ~~and~~ , including, without limitation, awards of money granted pursuant to NRS 439.630;

5. Assist the staff of the Department in determining the needs of local communities and in setting priorities for funding programs administered by the Department; ~~and~~

6. Consider funding strategies for the Department, including, without limitation, seeking ways to avoid unnecessary duplication of the services for which awards of money to agencies of the State or its political subdivisions and nonprofit community organizations or educational institutions are granted, and make recommendations concerning funding strategies to the Director ~~and~~ ; and

7. Review and consider the list of priorities submitted by the Legislative Committee on Health Care pursuant to NRS 439B.220 and submit recommendations to the Department concerning each request for an award of money from the Fund for a Healthy Nevada submitted pursuant to paragraphs (g), (h) and (i) of subsection 1 of NRS 439.630 that the Advisory Committee determines should be granted.

Sec. 7. NRS 439.625 is hereby repealed.

Sec. 8. As soon as practicable after the effective date of this act, and pursuant to NRS 232.383, as amended by section 5 of this act:

1. The Majority Leader of the Senate shall appoint one member to the Grants Management Advisory Committee whose term begins on July 1, 2007, and expires on June 30, 2009.

2. The Speaker of the Assembly shall appoint one member to the Grants Management Advisory Committee whose term begins on July 1, 2007, and expires on June 30, 2009.

3. The Director of the Department of Health and Human Services shall appoint one member to the Grants Management Advisory Committee who possesses knowledge, skills and experience in the provision of services relating to the cessation of the use of tobacco and one member to the Advisory Committee who is a provider of health care whose terms begin on July 1, 2007, and expire on June 30, 2008.

1 ~~Sec. 3.~~ **Sec. 9.** This act becomes effective upon passage and approval
2 for the purpose of making appointments pursuant to section 8 of this act and
3 on July 1, 2007 ~~§~~, for all other purposes.

TEXT OF REPEALED SECTION

439.625 Task Force for Fund: Creation; membership; selection and term of Chairman and Vice Chairman; compensation of members; relief from regular duties of member who is officer or employee of local government; administrative support and technical assistance.

1. The Task Force for the Fund for a Healthy Nevada is hereby created. The membership of the Task Force consists of:

(a) Three members appointed by the Majority Leader of the Senate, one of whom must be a Senator and one of whom must be a member of a nonprofit organization dedicated to health issues in this State;

(b) Three members appointed by the Speaker of the Assembly, one of whom must be an Assemblyman and one of whom must be a member of a nonprofit organization dedicated to health issues in this State; and

(c) Three members appointed by the Governor, one of whom must have experience with and knowledge of matters relating to health care.

↪ Each member appointed pursuant to this subsection must be a resident of this State and must not be employed in the Executive or Judicial Branch of State Government. Each person who appoints members pursuant to this subsection shall ensure that insofar as practicable, the members whom he appoints reflect the ethnic and geographical diversity of this State.

2. At its first meeting on or after July 1 of each odd-numbered year, the Task Force shall select the Chairman and Vice Chairman of the Task Force from among the legislative members of the Task Force. Each such officer shall hold office for a term of 2 years or until his successor is selected. The chairmanship of the Task Force must alternate each biennium between the houses of the Legislature.

3. For each day or portion of a day during which a member of the Task Force who is a Legislator attends a meeting of the Task Force or is otherwise engaged in the work of the Task Force, except during a regular or special session of the Legislature, he is entitled to receive the:

(a) Compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to NRS 218.2207.

↪ The compensation, per diem allowances and travel expenses of the legislative members of the Task Force must be paid from the Legislative Fund.

4. Members of the Task Force who are not Legislators serve without salary, except that they are entitled to receive travel expenses provided for state officers and employees generally. The travel expenses of:

(a) A member of the Task Force who is an officer or employee of a local government thereof must be paid by the local government that employs him.

(b) Each remaining member of the Task Force must be paid from the Legislative Fund.

5. Each member of the Task Force who is an officer or employee of a local government must be relieved from his duties without loss of his regular compensation so that he may perform his duties relating to the Task Force in the most timely manner practicable. A local government shall not require an officer or employee who is a member of the Task Force to:

(a) Make up the time he is absent from work to fulfill his obligations as a member of the Task Force; or

(b) Take annual leave or compensatory time for the absence.

6. The Legislative Counsel Bureau and the Department shall provide such administrative support to the Task Force as is required to carry out the duties of the Task Force. The State Health Officer shall provide such technical advice and assistance to the Task Force as is requested by the Task Force.