

Amendment No. 416

Senate Amendment to Senate Bill No. 221

(BDR 40-307)

Proposed by: Senate Committee on Human Resources and Education**Amends:** Summary: No 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.

LJM/BJE



Date: 4/18/2007

S.B. No. 221—Revises provisions relating to the development and implementation of health care policy in this State. (BDR 40-307)



SENATE BILL NO. 221—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON HEALTH CARE)

MARCH 6, 2007

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions relating to the development and implementation of health care policy in this State. (BDR 40-307)

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; creating the Office of Health Planning, Analysis and Policy Support in the Department of Health and Human Services and establishing its duties; ~~creating an Advisory Committee to the Office and establishing its duties;~~ requiring the Office to conduct certain research concerning health care; ~~creating the Steering Committee for e Health and establishing its duties; creating the Advisory Committee on the Regulation of Providers of Health Care in Nevada;~~ **requiring the Legislative Committee on Health Care to appoint a subcommittee to conduct a study of the regulation of providers of health care in Nevada;** making appropriations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 2 of this bill creates the Office of Health Planning, Analysis and Policy Support in the Department of Health and Human Services. The Office is responsible for ~~coordinating~~ **providing information to assist in** the development of health policy for this State by: (1) conducting policy analysis on health care issues; (2) collecting and disseminating information concerning the quality and cost of health care; and (3) conducting community needs analyses. ~~[Section 3 of this bill creates an Advisory Committee to provide technical expertise and consumer advice and recommendations to the Office.]~~

Section 5 of this bill makes an appropriation of ~~[\$2,230,000 to the Department of Health and Human Services to support the activities of the Office and the Advisory Committee.]~~ **\$2,177,006 to the Department of Administration to pay the costs of establishing a medical and health records storage data warehouse.**

Section 6 of this bill makes an appropriation of ~~[\$2,400,000]~~ **\$1,000,000** to the Nevada System of Higher Education to support ~~activities to enhance the development of the health care workforce and to provide incentives to attract and retain health care professionals;~~ **the program to provide loans to nursing students and the Nevada Health Service Corps.**

Section 7 of this bill ~~requires the Office of Health Planning, Analysis and Policy Support to conduct investigations concerning certain health care issues and to report the results to the Legislative Committee on Health Care.~~ **appropriates \$270,163 to the Health Division of the Department of Health and Human Services for staff to support the medical and health records data warehouse.**

~~[Section 8 of this bill creates a Steering Committee for e Health which is required to establish a plan for the development of health information technology and health information exchange in this State.]~~

Section 9 of this bill ~~creates an Advisory Committee on the Regulation of Providers of Health Care in Nevada~~ **requires the Legislative Committee on Health Care to appoint a subcommittee** to conduct: (1) a review of the laws of this State that establish the scope of practice authorized for providers of health care; and (2) a study concerning the operation of the professional licensing boards for providers of health care with respect to barriers to licensing.

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

Section 1. Chapter 439A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The Office of Health Planning, Analysis and Policy Support is hereby created in the Department. The Office shall:*

1. ~~[Coordinate]~~ Provide information to assist in the development of health care policy for this State by:

(a) Conducting policy analysis on issues relating to health care; and

(b) ~~[Preparing, at least biennially, a]~~ Updating the state health plan.

2. Collect and disseminate information concerning the quality and cost of health care.

3. Conduct analyses of community health care needs to assess the general health of specific populations in communities throughout this State and develop benchmarks for community health care to measure changes in the health care system in those communities.

Sec. 3 ~~[1. The Advisory Committee for the Office of Health Planning, Analysis and Policy Support is hereby created. The Advisory Committee consists of seven members who are appointed as follows:~~

~~(a) Three members appointed by the Governor;~~

~~(b) Two members appointed by the Majority Leader of the Senate; and~~

~~(c) Two members appointed by the Speaker of the Assembly.~~

~~2. Members appointed to the Advisory Committee must, to the extent practicable, reflect the ethnic, racial and geographical diversity of this State and include at least two members who represent the interests of medically underserved populations.~~

~~3. One member of the Advisory Committee must be a provider of health care who has knowledge or expertise in one or more of the following:~~

~~(a) The planning and analysis of health care policy;~~

~~(b) Planning relating to public health;~~

~~(c) Medical quality assurance;~~

~~(d) The analysis of issues concerning disparities in the delivery of health care to specific populations; or~~

~~(e) The analysis of issues relating to the health care workforce.~~

~~4. After the initial terms, the term of a member of the Advisory Committee is 2 years. A member may be reappointed. A vacancy on the Advisory Committee~~

~~must be filled for the remainder of the unexpired term in the same manner as the original appointment.~~

~~5. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of the members of a quorum present at any meeting is sufficient for any official action taken by the Advisory Committee.~~

~~6. The Advisory Committee shall:~~

~~(a) At its first meeting and annually thereafter, elect one of its members to serve as Chairman; and~~

~~(b) Meet four times a year at the call of the Chairman.~~

~~7. The members of the Advisory Committee serve without compensation, but while engaged in the business of the Advisory Committee are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.~~

~~8. A member of the Advisory Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his duties without loss of his regular compensation so that he may prepare for and attend meetings of the Advisory Committee and perform any work necessary to carry out the duties of the Advisory Committee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Advisory Committee to make up the time he is absent from work to carry out his duties as a member of the Advisory Committee or use annual vacation or compensatory time for the absence.~~

~~9. The Advisory Committee shall provide to the Office of Health Planning, Analysis and Policy Support:~~

~~(a) Technical expertise in matters relating to health care; and~~

~~(b) Advice and recommendations from consumers of health care.] (Deleted by amendment.)~~

Sec. 4. NRS 439A.081 is hereby amended to read as follows:

439A.081 1. The Department is the agency of the State of Nevada for health planning and development, and shall carry out the state administrative program and perform the functions of health planning and development for the State in accordance with the following priorities:

(a) Providing for the effective use of methods for controlling increases in the cost of health care;

(b) Providing for the adequate supply and distribution of health resources;

(c) Providing for equal access to health care of good quality at a reasonable cost; and

(d) Providing education to the public regarding proper personal health care and methods for the effective use of available health services.

2. In order to carry out the provisions of this chapter, the Director may:

(a) Delegate the duties of the Director and the Department pursuant to this chapter to any of the divisions of the Department ~~or~~ **or the Office of Health Planning, Analysis and Policy Support;**

(b) Hire employees in the classified service;

(c) Adopt such regulations as are necessary; and

(d) Apply for, accept and disburse money granted by the Federal Government for the purposes of health planning and development.

3. The Department may, by regulation, fix fees to be collected from applicants seeking approval of proposed health facilities or services. The amounts of such fees must be based upon the Department's costs of examining and acting upon the applications.

4. In developing and revising any state plan for health planning and development, the Department shall consider, among other things, the amount of money available from the Federal Government for health planning and development and the conditions attached to the acceptance of that money, and the limitations of legislative appropriations for health planning and development.

Sec. 5. 1. There is hereby appropriated from the State General Fund to the Department of ~~[Health and Human Services the sum of \$2,230,000 to be allocated as follows:~~

~~(a) For the support of the Office of Health Planning, Analysis and Policy Support created pursuant to section 2 of this act:~~

~~For the Fiscal Year 2007-2008 \$1,040,000~~

~~For the Fiscal Year 2008-2009 \$1,040,000~~

~~(b) To carry out the duties of the Office of Health Planning, Analysis and Policy Support set forth in section 7 of this act, the sum of \$800,000.~~

~~(c) For the support of the Steering Committee for a Health created pursuant to section 8 of this act, the sum of \$350,000.]~~ **Administration the sum of \$2,177,006 to pay the costs of establishing a medical and health records storage data warehouse.**

2. Any ~~[balance of the sums appropriated by paragraph (a) of subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years 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 19, 2008, and September 18, 2009, respectively, 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 19, 2008, and September 18, 2009, respectively.]~~

~~3. Any]~~ remaining balance of the ~~[appropriations]~~ **appropriation** made by ~~[paragraphs (b) and (c) of]~~ subsection 1 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. 6. 1. There is hereby appropriated from the State General Fund to the Nevada System of Higher Education, the sum of ~~[\$2,400,000]~~ **\$1,000,000** to be allocated as follows:

(a) To support ~~[activities to enhance the development of the health care workforce.]~~ **the program to provide loans to nursing students pursuant to NRS 396.890 to 396.898, inclusive:**

For the Fiscal Year 2007-2008 ~~[\$1,200,000]~~ **\$250,000**

For the Fiscal Year 2008-2009 ~~[\$1,200,000]~~ **\$250,000**

(b) To ~~[conduct activities concerning incentives to attract and retain health care professionals.]~~ **support the Nevada Health Service Corps established pursuant to NRS 396.899 to 396.903, inclusive:**

For the Fiscal Year 2007-2008 ~~[\$500,000]~~ **\$250,000**

For the Fiscal Year 2008-2009 ~~[\$500,000]~~ **\$250,000**

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years 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 19, 2008, and September 18, 2009, respectively, 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 19, 2008, and September 18, 2009, respectively.

Sec. 7. ~~[The Office of Health Planning, Analysis and Policy Support created pursuant to section 2 of this act shall:~~

~~1. Conduct an examination of the federal Deficit Reduction Act of 2005, Public Law 109-171, to identify opportunities to improve the delivery of health care to:~~

~~(a) Persons who require long-term care;~~

~~(b) Persons with serious mental illness; and~~

~~(c) Children with serious emotional disturbances;~~

~~2. Create a task force to study issues relating to the redesign of the system for providing long-term health care. The task force must, not later than May 1, 2008, submit a report of the results of its study and any recommendations for legislation to the Office of Health Planning, Analysis and Policy Support;~~

~~3. Conduct an examination of the available methods for restructuring the system for providing appropriate health care to persons with mental, emotional or behavioral disorders;~~

~~4. Not later than June 30, 2008, submit to the Legislative Committee on Health Care the report of the task force, the results of the examinations conducted pursuant to this section and any recommendations for legislation.]~~

1. There is hereby appropriated from the State General Fund to the Health Division of the Department of Health and Human Services to hire staff to administer the medical and health records storage data warehouse established pursuant to section 5 of this act:

For the Fiscal Year 2007-2008 \$58,699

For the Fiscal Year 2008-2009 \$211,464

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years 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 19, 2008, and September 18, 2009, respectively, by 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 19, 2008, and September 18, 2009, respectively.

Sec. 8. ~~[1. The Steering Committee for e-Health is hereby created;~~

~~2. The Governor shall establish the membership of the Steering Committee and, as soon as practicable after July 1, 2007, appoint its members. The members of the Steering Committee must, to the extent practicable, represent the interests of:~~

~~(a) Physicians, nurses and other providers of health care;~~

~~(b) Hospitals and other health care facilities;~~

~~(c) The pharmaceutical industry;~~

~~(d) Consumers of health care;~~

~~(e) Employers and unions;~~

~~(f) The scientific and academic community; and~~

~~(g) The State of Nevada, its political subdivisions and agencies, including, without limitation, the Office of Health Planning, Analysis and Policy Support created pursuant to section 2 of this act and the Department of Information Technology;~~

~~3. The members of the Steering Committee serve without compensation, but while engaged in the business of the Steering Committee are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally;~~

~~4. A member of the Steering Committee who is an officer or employee of this State or a political subdivision of this State must be relieved from his duties without loss of his regular compensation so that he may prepare for and attend meetings of the Steering Committee and perform any work necessary to carry out the duties of the Steering Committee in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the Steering Committee to make up the time he is absent from work to carry out his duties as a member of the Steering Committee or use annual vacation or compensatory time for the absence;~~

~~5. The Steering Committee shall establish a plan for the development of health information technology and health information exchange. The plan must include, without limitation:~~

~~(a) Recommendations for a permanent governing body to supervise the development of health information technology and health information exchange in this State, and the implementation of the plan;~~

~~(b) Priorities for health information technology and health information exchange;~~

~~(c) The identification of financial barriers and other barriers that may prevent the implementation of the plan and any recommendations for overcoming those barriers;~~

~~(d) Recommendations for legislation to protect the privacy of persons and the security of health information;~~

~~(e) Methods for including existing initiatives for health information technology and health information exchange in the plan; and~~

~~(f) A preliminary program for implementing the plan that establishes goals and timetables and identifies the persons, agencies and organizations that are responsible for achieving those goals;~~

~~6. The Office of Health Planning, Analysis and Policy Support shall provide such staff and other support as is necessary for the Steering Committee to carry out the provisions of this section.~~

~~7. The Steering Committee shall, not later than May 1, 2008, submit its plan and any recommendations for legislation to the Office of Health Planning, Analysis and Policy Support. (Deleted by amendment.)~~

Sec. 9. 1. [There is hereby created the Advisory Committee on the Regulation of Providers of Health Care in Nevada. The Advisory Committee consists.] The Legislative Committee on Health Care shall appoint a subcommittee to review the regulation of providers of health care in Nevada. The subcommittee must consist of:

(a) Two members of the Legislative Committee on Health Care appointed by the Chairman of that Committee;

(b) The Chairman of the Senate Standing Committee on Human Resources and Education;

(c) A member of the Senate Standing Committee on Commerce and Labor who served during the 74th Session of the Nevada Legislature appointed by the Chairman of that Committee;

(d) The Chairman of the Assembly Standing Committee on Health and Human Services; and

(e) A member of the Assembly Standing Committee on Commerce and Labor during the 74th Session of the Nevada Legislature appointed by the Chairman of that Committee.

2. The Chairman of the Legislative Committee on Health Care shall designate a member of the ~~[Advisory Committee]~~ **subcommittee** to serve as Chairman.

~~3. [Except during a regular or special session of the Legislature, for each day or portion of a day during which a member of the Advisory Committee attends a meeting of the Advisory Committee or is otherwise engaged in the work of the Advisory Committee, 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.~~

~~4. The compensation, per diem allowances and travel expenses of the members of the Advisory Committee must be paid from the Legislative Fund.~~

~~5. The Advisory Committee.]~~ **The subcommittee shall:**

(a) Conduct:

(1) A review of the laws of this State relating to the scope of practice authorized for providers of health care.

(2) A study concerning the operation of the professional licensing boards for providers of health care with respect to barriers to licensing.

(b) Not later than June 30, 2008, submit a report of the results of its review and study and any recommendations for legislation to the Legislative Committee on Health Care.

~~[6. The Advisory Committee]~~

4. The subcommittee may contract with such experts, researchers and consultants as may be necessary for the ~~[Advisory Committee]~~ **subcommittee** to carry out its duties.

Sec. 10. ~~[As soon as practicable after July 1, 2007, the members of the Advisory Committee for the Office of Health Planning, Analysis and Policy Support created pursuant to section 3 of this act must be appointed as follows:~~

~~1. The Governor shall appoint:~~

~~(a) One member to serve an initial term that expires on June 30, 2008;~~

~~(b) Two members to serve initial terms that expire on June 30, 2009;~~

~~2. The Majority Leader of the Senate shall appoint:~~

~~(a) One member to serve an initial term that expires on June 30, 2008;~~

~~(b) One member to serve an initial term that expires on June 30, 2009;~~

~~3. The Speaker of the Assembly shall appoint:~~

~~(a) One member to serve an initial term that expires on June 30, 2008;~~

~~(b) One member to serve an initial term that expires on June 30, 2009.]~~

(Deleted by amendment.)

Sec. 11. 1. This ~~fact becomes effective on July 1, 2007;~~

~~2. Sections 8 and 9 of this act expire by limitation on June 30, 2008.]~~ **section and section 5 of this act become effective upon passage and approval.**

2. Sections 1 to 4, inclusive, and 6 to 10, inclusive, of this act become effective on July 1, 2007.