

SENATE BILL NO. 24—COMMITTEE ON HEALTH AND EDUCATION

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 5, 2008

Referred to Committee on Health and Education

SUMMARY—Requires the Director of the Department of Health and Human Services to include in the State Plan for Medicaid a program to provide preliminary determinations of eligibility for certain assistance. (BDR 38-450)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 welfare; providing for the presumptive eligibility for Medicaid of certain applicants for assistance under the Supplemental Security Income Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Persons with disabilities who receive assistance pursuant to the Supplemental
2 Security Income Program are eligible for Medicaid coverage as well. **Section 1** of
3 this bill requires the Director of the Department of Health and Human Services to
4 include in the State Plan for Medicaid a program to provide a preliminary
5 determination of eligibility for a person with a disability who applies for assistance
6 under the Supplemental Security Income Program. If a preliminary determination is
7 made that the person is eligible for the Supplemental Security Income Program, the
8 person must be made eligible for Medicaid.

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

1 **Section 1.** Chapter 422 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. The Director shall include in the State Plan for Medicaid:***



(a) A program for making a preliminary determination about whether an applicant who is a person with a disability is eligible for assistance under the Supplemental Security Income Program; and

(b) A requirement that a person for whom a preliminary determination has been made that he is eligible for assistance under the Supplemental Security Income Program is eligible for Medicaid.

2. If a person is made eligible for Medicaid pursuant to subsection 1, he remains eligible for Medicaid if there is a final determination that he is eligible for the Supplemental Security Income Program. If it is determined that he is not eligible for the Supplemental Security Income Program, he is no longer eligible for Medicaid.

3. A person who is determined not eligible for the Supplemental Security Income Program must not be required to reimburse Medicaid for any expenses incurred by Medicaid in providing coverage to the person pending that determination.

Sec. 2. NRS 422.270 is hereby amended to read as follows:

422.270 The Department shall:

1. Administer all public welfare programs of this State, including:

- (a) State Supplementary Assistance;
- (b) Temporary Assistance for Needy Families;
- (c) Medicaid;
- (d) Food Stamp Assistance;
- (e) Low-Income Home Energy Assistance;
- (f) The Program for Child Care and Development;
- (g) The Program for the Enforcement of Child Support;
- (h) The Children's Health Insurance Program; and
- (i) Other welfare activities and services provided for by the laws of this State.

2. Act as the single state agency of the State of Nevada and its political subdivisions in the administration of any federal money granted to the State of Nevada to aid in the furtherance of any of the services and activities set forth in subsection 1.

3. Cooperate with the Federal Government in adopting state plans, in all matters of mutual concern, including adoption of methods of administration found by the Federal Government to be necessary for the efficient operation of welfare programs, and in increasing the efficiency of welfare programs by prompt and judicious use of new federal grants which will assist the Department in carrying out the provisions of this chapter.

4. Observe and study the changing nature and extent of welfare needs and develop through tests and demonstrations effective ways



1 of meeting those needs and employ or contract for personnel and
2 services supported by legislative appropriations from the State
3 General Fund or money from federal or other sources.

4 5. Enter into reciprocal agreements with other states relative to
5 public assistance, welfare services and institutional care, when
6 deemed necessary or convenient by the Director.

7 6. Make such agreements with the Federal Government as may
8 be necessary to carry out the Supplemental Security Income
9 Program ~~H~~, *including, without limitation, any agreement which*
10 *may be necessary to carry out the provisions of section 1 of this*
11 *act.*

12 7. As used in this section, "Program for the Enforcement of
13 Child Support" means the program established to locate absent
14 parents, establish paternity and obtain child support pursuant to Part
15 D of Title IV of the Social Security Act, 42 U.S.C. §§ 651 et seq.,
16 and any other provisions of that act relating to the enforcement of
17 child support.

18 **Sec. 3.** This act becomes effective on July 1, 2009.

