

SENATE BILL NO. 286—SENATORS CEGAVSKE,
HARDY; LEE, PARKS AND RAGGIO

MARCH 16, 2009

JOINT SPONSORS: ASSEMBLYMEN PARNELL AND SETTELMAYER

Referred to Committee on Health and Education

SUMMARY—Establishes provisions relating to early intervention services. (BDR 40-637)

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 children; designating the Health Division of the Department of Health and Human Services as the agency to cooperate with the federal authorities to administer early intervention services; requiring the Legislative Auditor to conduct an audit of programs of early intervention services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Federal law authorizes states to provide early intervention services to infants and toddlers with disabilities or who are at risk of experiencing substantial developmental delays and provides grants to states that provide such services. (20 U.S.C. §§ 1431 et seq.) The Health Division of the Department of Health and Human Services makes provision for early intervention services to infants and toddlers in this State through its Bureau of Early Intervention Services. **Section 1** of this bill designates the Health Division as the agency in this State to cooperate with the Federal Government for the provision of early intervention services to infants and toddlers with disabilities. **Section 1** also prescribes certain requirements for providing those services.

Section 2 of this bill requires the Legislative Auditor to conduct an audit of early intervention services provided by the Health Division and to submit a report of the audit to the Legislative Commission's Audit Subcommittee and to the Health Division not later than February 7, 2011.



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

Section 1. Chapter 442 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department, through the Health Division, is hereby designated as the agency of this State to cooperate with the duly constituted federal authorities in the administration of Part C of the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1431 et seq., which relates to the provision of early intervention services to infants and toddlers with disabilities and their families.

2. The Department, through the Health Division, shall ensure that the services provided pursuant to this section:

(a) Enhance the development of infants and toddlers with disabilities;

(b) Reduce the need for special services, including, without limitation, special education and related services, for infants and toddlers with disabilities after they attain 3 years of age;

(c) Increase the likelihood that infants and toddlers with disabilities will live independently in the community when they become adults and not require institutional care;

(d) Enhance the capacity of families of infants and toddlers with disabilities to meet the needs of those infants and toddlers;

(e) Strengthen and promote the ability of families to determine the most appropriate use of resources to address the unique needs of those families and empower families to make such determinations; and

(f) Enhance the capacity of the State, local governments and other providers of early intervention services to identify, evaluate and meet the needs of infants and toddlers with disabilities from underserved populations and areas, including, without limitation, ethnic minorities, low-income families and rural areas of this State.

3. The Department shall provide early intervention services to infants and toddlers with disabilities and their families through the direct provision of services by the Health Division and through the use of other providers of early intervention services that the Department determines are qualified to provide those services.

4. The Department, through the Health Division, shall request that a family authorize the Health Division to bill the health insurer of the family to pay for services. The Health Division shall not discriminate against or otherwise reduce services provided to a family if the family declines to have its health insurer billed by the Health Division.



* S B 2 8 6 R 1 *

1 **5. As used in this section:**
2 **(a) "Early intervention services" has the meaning ascribed to**
3 **it in 20 U.S.C. § 1432.**

4 **(b) "Infant or toddler with a disability" has the meaning**
5 **ascribed to it in 20 U.S.C. § 1432.**

6 **Sec. 2.** 1. The Legislative Auditor shall conduct a
7 performance audit of the early intervention services provided by the
8 Health Division of the Department of Health and Human Services.

9 2. The audit must include, without limitation, an analysis of:

10 (a) The sources and uses of money in providing early
11 intervention services;

12 (b) The cost of administering the provision of early intervention
13 services; and

14 (c) The validity and reliability of data used in measuring the
15 performance of programs of early intervention services.

16 3. The Legislative Auditor shall present a final written report
17 of the audit to the Audit Subcommittee of the Legislative
18 Commission not later than February 7, 2011. A copy of the final
19 written report must be provided to the Health Division not later than
20 February 7, 2011.

21 4. The provisions of NRS 218.737 to 218.893, inclusive, apply
22 to the audit conducted pursuant to this section.

23 5. The Health Division shall use the results of the audit to
24 improve the efficiency and effectiveness of early intervention
25 services provided by the Health Division and any other provider of
26 early intervention services and to identify additional funding sources
27 for early intervention services.

