

ASSEMBLY BILL NO. 286—ASSEMBLYMEN HARDY, GOEDHART, HAMBRICK; AIZLEY, ANDERSON, BUSTAMANTE ADAMS, ELLISON, GOICOECHEA, GRADY, HAMMOND, HANSEN, HICKEY, HOGAN, KIRNER, KITE, LIVERMORE, MUNFORD, NEAL, SHERWOOD, STEWART AND WOODBURY

MARCH 16, 2011

JOINT SPONSORS: SENATORS PARKS, HARDY, SCHNEIDER, CEGAVSKE; DENIS, LEE, MANENDO, RHOADS, ROBERSON AND SETTELMAYER

Referred to Committee on Health and Human Services

SUMMARY—Establishes the Advisory Committee on Medicaid Fraud. (BDR S-693)

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 Medicaid; establishing the Advisory Committee on Medicaid Fraud to conduct a study of Medicaid fraud in this State and make certain recommendations to the Legislature; requiring the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services, the Administrator of the Division of Health Care Financing and Policy of the Department and the Attorney General to each appoint three members to the Advisory Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 1** of this bill establishes the Advisory Committee on Medicaid Fraud to
- 2 conduct a study of Medicaid fraud in this State and to make certain
- 3 recommendations to the Legislature for reducing the incidence of Medicaid fraud in
- 4 this State. **Section 1** requires the Administrator of the Division of Welfare and
- 5 Supportive Services of the Department of Health and Human Services, the
- 6 Administrator of the Division of Health Care Financing and Policy of the
- 7 Department and the Attorney General to each appoint three members to the



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8 Advisory Committee. **Section 1** further requires the Advisory Committee: (1) on or
9 before December 31, 2011, to submit to the Interim Finance Committee a
10 preliminary report on the results of the study; and (2) on or before June 30, 2012, to
11 submit to the Director of the Legislative Counsel Bureau for transmittal to the 77th
12 Session of the Nevada Legislature a final report on the results of the study.

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

1 **Section 1.** 1. There is hereby created the Advisory
2 Committee on Medicaid Fraud to conduct a study of Medicaid fraud
3 in this State and make recommendations to the Legislature for
4 reducing the incidence of Medicaid fraud in this State.

5 2. The Administrator of the Division of Welfare and
6 Supportive Services of the Department of Health and Human
7 Services, the Administrator of the Division of Health Care
8 Financing and Policy of the Department of Health and Human
9 Services and the Attorney General shall each appoint three members
10 to the Advisory Committee.

11 3. Members of the Advisory Committee serve without
12 compensation, except that each member is entitled, while engaged in
13 the business of the Advisory Committee, to the per diem allowance
14 and travel expenses provided for state officers and employees
15 generally.

16 4. Any member of the Advisory Committee who is a public
17 employee must be granted administrative leave from his or her
18 duties to engage in the business of the Advisory Committee without
19 loss of his or her regular compensation. Such leave does not reduce
20 the amount of any other accrued leave of the member.

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

25 6. The Advisory Committee shall, at its first meeting, elect a
26 Chair from among its members.

27 7. The Advisory Committee shall meet at the call of the Chair
28 or a majority of its members.

29 8. The study conducted by the Advisory Committee pursuant to
30 subsection 1 must include, without limitation:

31 (a) A review of the laws, regulations and policies of this State
32 with respect to Medicaid fraud and the implementation and
33 effectiveness of those laws, regulations and policies;

34 (b) A review of the imposition and effectiveness of penalties for
35 committing Medicaid fraud;



(c) A review of existing information, policies or studies, or the laws of other states or territories of the United States, which may assist the Advisory Committee in developing a strategy to reduce the incidence of Medicaid fraud;

(d) The development of strategies to increase the detection of Medicaid fraud;

(e) The development of strategies to recoup revenue lost as the result of Medicaid fraud;

(f) The development of strategies to increase public awareness of Medicaid fraud and the penalties for committing Medicaid fraud;

(g) The development of strategies to encourage the reporting of Medicaid fraud;

(h) The development of recommendations for legislation concerning appropriate statutory provisions, amendments and penalties to reduce the incidence of Medicaid fraud; and

(i) The development of criteria to measure the performance or success of any strategy developed by or any recommendation of the Advisory Committee.

9. The Advisory Committee shall:

(a) On or before December 31, 2011, submit to the Interim Finance Committee a preliminary report on the results of the study; and

(b) On or before June 30, 2012, submit to the Director of the Legislative Counsel Bureau for transmittal to the 77th Session of the Nevada Legislature a final report on the results of the study which includes, without limitation:

(1) Any recommendations by the Advisory Committee for legislation;

(2) A summary of the collaboration and deliberation of the Advisory Committee; and

(3) A summary of the criteria developed to measure the performance or success of any strategy developed by or any recommendation of the Advisory Committee.

Sec. 2. This act becomes effective upon passage and approval and expires by limitation on July 1, 2012.

