

Amendment No. 38

Assembly Amendment to Assembly Bill No. 36 (BDR 38-282)

Proposed by: Assembly Committee on Health and Human Services**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

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 underlining*** is newly added transitory language.

RBL



Date: 4/10/2011

A.B. No. 36—Makes various changes concerning the Fund for Hospital Care to Indigent Persons. (BDR 38-282)



ASSEMBLY BILL NO. 36—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED DECEMBER 14, 2010

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes concerning the Fund for Hospital Care to Indigent Persons. (BDR 38-282)

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 indigent persons; revising provisions governing the Fund for Hospital Care to Indigent Persons; revising the membership of the Board of Trustees of the Fund; ~~requiring the Nevada Association of Counties to provide administrative support to the Board, authorizing payment for certain administrative expenses;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Fund for Hospital Care to Indigent Persons to pay certain costs of hospital care provided to persons injured in motor vehicle accidents who are indigent. The Fund is composed of money collected or recovered from certain taxes and from certain charges against a county for unpaid charges for hospital care not greater than \$3,000. (NRS 428.115-428.255)

Section 2 of this bill changes the membership of the Board of Trustees of the Fund to ~~authorize~~ **require** the Governor to appoint a director of a social services agency of a county as one of the five members of the Board. **Section 2 further authorizes such a director of a social services agency to designate another person to carry out his or her duties on the Board when the director is unavailable.**

~~Section 3 of this bill requires the Nevada Association of Counties to provide administrative support to the Board in carrying out the duties of the Board in administering the Fund. Section 3 also authorizes the Nevada Association of Counties to be reimbursed from the Fund for the costs associated with providing administrative support to the Board. The Board is required to determine the costs for which the Nevada Association of Counties is entitled to be reimbursed.~~

Sections 1 and 4 of this bill require the money deposited in the Fund by a county for unpaid hospital charges not exceeding \$3,000 to be accounted for separately in the Fund and used to reimburse ~~the Nevada Association of Counties for the costs associated with providing administrative support to the Board and for the reimbursement of~~ **or partially reimburse a hospital for** unpaid hospital charges.

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

Section 1. NRS 428.175 is hereby amended to read as follows:

428.175 1. The Fund for Hospital Care to Indigent Persons is hereby created as a special revenue fund for the purposes described in NRS 428.115 to 428.255, inclusive.

2. ~~{All}~~ *Except as otherwise provided in subsection 3*, money collected or recovered pursuant to NRS 428.115 to 428.255, inclusive, and the interest earned on the money in the Fund must be deposited for credit to the Fund.

3. *Any money paid by a county pursuant to NRS 428.255 must be accounted for separately in the Fund and must be used to reimburse the Nevada Association of Counties for costs associated with providing administrative support to the Board to carry out the provisions of NRS 428.115 to 428.255, inclusive. Any money remaining after the Nevada Association of Counties has been reimbursed for administrative costs may be used to reimburse or partially reimburse a hospital for unpaid charges for hospital care pursuant to NRS 428.115 to 428.255, inclusive, as other claims against the Fund are paid.*

4. Claims against the Fund must be paid on claims approved by the Board.

Sec. 2. NRS 428.195 is hereby amended to read as follows:

428.195 1. The Fund must be administered by a Board of Trustees composed of five *members appointed by the Governor as follows*:

(a) ~~{Five}~~ *Four* county commissioners ; ~~for~~ *and*

(b) ~~{Four county commissioners and one}~~ *One director of a social services agency of a county.*

2. *The members of the Board of Trustees must be* appointed by the Governor from a list of ~~{ten}~~ nominees submitted by the Board of Directors of the Nevada Association of Counties.

~~{2}~~ *The list of nominees must include six nominees who are county commissioners and three nominees who are directors of a social services agency of a county.*

3. Each member of the Board of Trustees shall serve a term of ~~{1 year}~~ *2 years* or until a successor has been appointed and has qualified.

~~{3}~~ 4. The position of a member of the Board of Trustees shall be considered vacated upon the loss of any of the qualifications required for the appointment of the member and in that event the Governor shall appoint a successor from a list of ~~{two}~~ nominees submitted by the Board of Directors of the Nevada Association of Counties. *The list of nominees must include two county commissioners ~~and~~ if ~~one~~ the member of the Board is ~~not~~ a ~~director~~ county commissioner or two directors of a social services agency ~~one nominee who~~ if the member of the board is the director of a social services agency of a county.*

5. *The director of a social services agency who is appointed to the Board of Trustees may designate a person to carry out his or her duties on the Board of Trustees when the director is unavailable, and any such designee has the same power as any other member of the Board of Trustees for the period in which he or she is designated to act on behalf of the director.*

6. *As used in this section, "social services agency" means any public agency or organization that provides social services in this State, including, without limitation, providing welfare and health care services.*

Sec. 3. ~~{NRS 428.205 is hereby amended to read as follows:~~

~~428.205 1. The Board shall administer the Fund and for that purpose may:~~

~~{1.} (a) Enter into all necessary contracts and agreements.~~

~~[2.] (b) Purchase appropriate insurance to cover that portion of a claim for which the Fund is liable and which exceeds an amount agreed upon by the Board and the insurer.~~

~~[3.] (c) Employ personnel as necessary and prescribe their compensation and working conditions.~~

~~[4.] (d) Enter into agreements with the Department of Administration to obtain the services of consultants, attorneys, auditors, accountants, actuaries and managers of risk.~~

~~[5.] (e) Rent, lease, purchase or otherwise procure or receive real or personal property.~~

~~[6.] (f) Adopt regulations necessary for carrying out the provisions of NRS 428.115 to 428.255, inclusive.~~

~~2. The Nevada Association of Counties shall provide administrative support for the Board and may be reimbursed from the Fund pursuant to this section and NRS 428.175 for the costs associated with providing such administrative support. The Board shall determine the expenses related to the provision of administrative support for which the Nevada Association of Counties may be reimbursed.~~
(Deleted by amendment.)

Sec. 4. NRS 428.255 is hereby amended to read as follows:

428.255 **1.** Any reimbursement or partial reimbursement made from the Fund for unpaid charges for hospital care furnished to a person which are not greater than \$3,000, is a charge upon the county in which:

~~[1.]~~ **(a)** The accident occurred, if the person is not a resident of this state and the accident occurred in this state; or

~~[2.]~~ **(b)** The person resides, if the person is a resident of this state,
➤ and must be paid **to the Fund** upon a claim presented by the Board as other claims against the county are paid.

2. Money paid by a county pursuant to this section must be accounted for separately and expended in accordance with the provisions of subsection 3 of NRS 428.175.

Sec. 5. This act becomes effective on July 1, 2011.