

Amendment No. 9

Senate Amendment to Senate Bill No. 86

(BDR 40-550)

Proposed by: Senator Smith

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

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 underlining* is newly added transitory language.

RBL



Date: 3/1/2013

S.B. No. 86—Requires the Department of Health and Human Services to allocate money for certain programs relating to persons with Alzheimer's disease and other related dementia. (BDR 40-550)



SENATE BILL NO. 86—COMMITTEE ON
HEALTH AND HUMAN SERVICES

PREFILED FEBRUARY 1, 2013

Referred to Committee on Health and Human Services

SUMMARY—Requires the Department of Health and Human Services to allocate money for certain programs relating to persons with Alzheimer’s disease and other related dementia. (BDR 40-550)

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 public health; requiring the Department of Health and Human Services to allocate money for certain programs relating to persons with Alzheimer’s disease and other related dementia; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Department of Health and Human Services to allocate money to fund programs that assist senior citizens to live independently, including a program that provides respite care or relief of informal caretakers. (NRS 439.630) This bill expands that program to include respite care or relief for informal caretakers of any person with Alzheimer’s disease or other related dementia regardless of the age of the person.

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

Section 1. NRS 439.630 is hereby amended to read as follows:
439.630 1. The Department shall:
(a) Conduct, or require the Grants Management Advisory Committee created by NRS 232.383 to conduct, public hearings to accept public testimony from a wide variety of sources and perspectives regarding existing or proposed programs that:
(1) Promote public health;
(2) Improve health services for children, senior citizens and persons with disabilities;
(3) Reduce or prevent the abuse of and addiction to alcohol and drugs; and
(4) Offer other general or specific information on health care in this State.
(b) Establish a process to evaluate the health and health needs of the residents of this State and a system to rank the health problems of the residents of this State, including, without limitation, the specific health problems that are endemic to urban

1 and rural communities, and report the results of the evaluation to the Legislative
2 Committee on Health Care on an annual basis.

3 (c) Subject to legislative authorization, allocate money for direct expenditure
4 by the Department to pay for prescription drugs, pharmaceutical services and, to the
5 extent money is available, other benefits, including, without limitation, dental and
6 vision benefits and hearing aids or other devices that enhance the ability to hear, for
7 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. From the money
8 allocated pursuant to this paragraph, the Department may subsidize any portion of
9 the cost of providing prescription drugs, pharmaceutical services and, to the extent
10 money is available, other benefits, including, without limitation, dental and vision
11 benefits and hearing aids or other devices that enhance the ability to hear, to senior
12 citizens pursuant to NRS 439.635 to 439.690, inclusive. The Department shall
13 consider recommendations from the Grants Management Advisory Committee in
14 carrying out the provisions of NRS 439.635 to 439.690, inclusive. The Department
15 shall submit a quarterly report to the Governor, the Interim Finance Committee, the
16 Legislative Committee on Health Care and any other committees or commissions
17 the Director deems appropriate regarding the general manner in which expenditures
18 have been made pursuant to this paragraph.

19 (d) Subject to legislative authorization, allocate, by contract or grant, money
20 for expenditure by the Aging and Disability Services Division of the Department in
21 the form of grants for existing or new programs that assist senior citizens *and other*
22 *specified persons* with independent living, including, without limitation, programs
23 that provide:

24 (1) Respite care or relief of informal caretakers ~~H~~, *including, without*
25 *limitation, informal caretakers of any person with Alzheimer's disease or other*
26 *related dementia regardless of the age of the person;*

27 (2) Transportation to new or existing services to assist senior citizens in
28 living independently; and

29 (3) Care in the home which allows senior citizens to remain at home
30 instead of in institutional care.

31 ➤ The Aging and Disability Services Division of the Department shall consider
32 recommendations from the Grants Management Advisory Committee concerning
33 the independent living needs of senior citizens.

34 (e) Allocate \$200,000 of all revenues deposited in the Fund for a Healthy
35 Nevada each year for direct expenditure by the Director to:

36 (1) Provide guaranteed funding to finance assisted living facilities that
37 satisfy the criteria for certification set forth in NRS 319.147; and

38 (2) Fund assisted living facilities that satisfy the criteria for certification set
39 forth in NRS 319.147 and assisted living supportive services that are provided
40 pursuant to the provisions of the home and community-based services waiver which
41 are amended pursuant to NRS 422.2708.

42 ➤ The Director shall develop policies and procedures for distributing the money
43 allocated pursuant to this paragraph. Money allocated pursuant to this paragraph
44 does not revert to the Fund at the end of the fiscal year.

45 (f) Subject to legislative authorization, allocate to the Health Division money
46 for programs that are consistent with the guidelines established by the Centers for
47 Disease Control and Prevention of the United States Department of Health and
48 Human Services relating to evidence-based best practices to prevent, reduce or treat
49 the use of tobacco and the consequences of the use of tobacco. In making
50 allocations pursuant to this paragraph, the Health Division shall allocate the money,
51 by contract or grant:

52 (1) To the district board of health in each county whose population is
53 100,000 or more for expenditure for such programs in the respective county;

(2) For such programs in counties whose population is less than 100,000; and

(3) For statewide programs for tobacco cessation and other statewide services for tobacco cessation and for statewide evaluations of programs which receive an allocation of money pursuant to this paragraph, as determined necessary by the Health Division and the district boards of health.

(g) Subject to legislative authorization, allocate, by contract or grant, money for expenditure for programs that improve the health and well-being of residents of this State, including, without limitation, programs that improve health services for children.

(h) Subject to legislative authorization, allocate, by contract or grant, money for expenditure for programs that improve the health and well-being of persons with disabilities. In making allocations pursuant to this paragraph, the Department shall, to the extent practicable, allocate the money evenly among the following three types of programs:

(1) Programs that provide respite care or relief of informal caretakers for persons with disabilities;

(2) Programs that provide positive behavioral supports to persons with disabilities; and

(3) Programs that assist persons with disabilities to live safely and independently in their communities outside of an institutional setting.

(i) Subject to legislative authorization, allocate money for direct expenditure by the Department to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive. The Department shall consider recommendations from the Grants Management Advisory Committee in carrying out the provisions of NRS 439.705 to 439.795, inclusive.

(j) Maximize expenditures through local, federal and private matching contributions.

(k) Ensure that any money expended from the Fund will not be used to supplant existing methods of funding that are available to public agencies.

(l) Develop policies and procedures for the administration and distribution of contracts, grants and other expenditures to state agencies, political subdivisions of this State, nonprofit organizations, universities, state colleges and community colleges. A condition of any such contract or grant must be that not more than 8 percent of the contract or grant may be used for administrative expenses or other indirect costs. The procedures must require at least one competitive round of requests for proposals per biennium.

(m) To make the allocations required by paragraphs (f), (g) and (h):

(1) Prioritize and quantify the needs for these programs;

(2) Develop, solicit and accept applications for allocations;

(3) Review and consider the recommendations of the Grants Management Advisory Committee submitted pursuant to NRS 232.385;

(4) Conduct annual evaluations of programs to which allocations have been awarded; and

(5) Submit annual reports concerning the programs to the Governor, the Interim Finance Committee, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate.

(n) Transmit a report of all findings, recommendations and expenditures to the Governor, each regular session of the Legislature, the Legislative Committee on

1 Health Care and any other committees or commissions the Director deems
2 appropriate.

3 (o) After considering the recommendations submitted to the Director pursuant
4 to subsection 6, develop a plan each biennium to determine the percentage of
5 available money in the Fund for a Healthy Nevada to be allocated from the Fund
6 for the purposes described in paragraphs (c), (d), (f), (g), (h) and (i). The plan must
7 be submitted as part of the proposed budget submitted to the Chief of the Budget
8 Division of the Department of Administration pursuant to NRS 353.210.

9 (p) On or before September 30 of each even-numbered year, submit to the
10 Grants Management Advisory Committee, the Nevada Commission on Aging
11 created by NRS 427A.032 and the Nevada Commission on Services for Persons
12 with Disabilities created by NRS 427A.1211 a report on the funding plan submitted
13 to the Chief of the Budget Division of the Department of Administration pursuant
14 to paragraph (o).

15 2. The Department may take such other actions as are necessary to carry out
16 its duties.

17 3. To make the allocations required by paragraph (d) of subsection 1, the
18 Aging and Disability Services Division of the Department shall:

19 (a) Prioritize and quantify the needs of senior citizens *and other specified*
20 *persons* for these programs;

21 (b) Develop, solicit and accept grant applications for allocations;

22 (c) As appropriate, expand or augment existing state programs for senior
23 citizens *and other specified persons* upon approval of the Interim Finance
24 Committee;

25 (d) Award grants, contracts or other allocations;

26 (e) Conduct annual evaluations of programs to which grants or other
27 allocations have been awarded; and

28 (f) Submit annual reports concerning the allocations made by the Aging and
29 Disability Services Division pursuant to paragraph (d) of subsection 1 to the
30 Governor, the Interim Finance Committee, the Legislative Committee on Health
31 Care and any other committees or commissions the Director deems appropriate.

32 4. The Aging and Disability Services Division of the Department shall submit
33 each proposed grant or contract which would be used to expand or augment an
34 existing state program to the Interim Finance Committee for approval before the
35 grant or contract is awarded. The request for approval must include a description of
36 the proposed use of the money and the person or entity that would be authorized to
37 expend the money. The Aging and Disability Services Division of the Department
38 shall not expend or transfer any money allocated to the Aging and Disability
39 Services Division pursuant to this section to subsidize any portion of the cost of
40 providing prescription drugs, pharmaceutical services and other benefits, including,
41 without limitation, dental and vision benefits and hearing aids or other devices that
42 enhance the ability to hear, to senior citizens pursuant to NRS 439.635 to 439.690,
43 inclusive, or to subsidize any portion of the cost of providing prescription drugs,
44 pharmaceutical services and other benefits, including, without limitation, dental and
45 vision benefits and hearing aids or other devices that enhance the ability to hear, to
46 persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive.

47 5. A veteran may receive benefits or other services which are available from
48 the money allocated pursuant to this section for senior citizens or persons with
49 disabilities to the extent that the veteran does not receive other benefits or services
50 provided to veterans for the same purpose if the veteran qualifies for the benefits or
51 services as a senior citizen or a person with a disability, or both.

52 6. On or before June 30 of each even-numbered year, the Grants Management
53 Advisory Committee, the Nevada Commission on Aging and the Nevada

1 Commission on Services for Persons with Disabilities each shall submit to the
2 Director a report that includes, without limitation, recommendations regarding
3 community needs and priorities that are determined by each such entity after any
4 public hearings held by the entity.

5 **Sec. 2.** This act becomes effective ~~on July 1, 2013,~~ upon passage and
6 approval.