

SENATE BILL NO. 363—SENATORS ATKINSON, SPEARMAN,
MANENDO, FORD, PARKS; DENIS, JONES, KIHUEN,
SEGERBLOM, SMITH AND WOODHOUSE

MARCH 18, 2013

JOINT SPONSORS: ASSEMBLYMEN BOBZIEN;
AND ELLIOT ANDERSON

Referred to Committee on Health and Human Services

SUMMARY—Requires the Department of Health and Human
Services to establish the Advisory Council on
Diabetes Care, Prevention and Awareness.
(BDR 40-90)

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 health; requiring the Department of
Health and Human Services to establish the Advisory
Council on Diabetes Care, Prevention and Awareness;
requiring the Advisory Council to prepare and submit an
annual report to the Governor and the Legislative
Committee on Health Care; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 3** of this bill requires the Department of Health and Human Services to
- 2 establish the Advisory Council on Diabetes Care, Prevention and Awareness,
- 3 consisting of five representatives of certain state agencies and two members of the
- 4 Legislature. **Section 5** of this bill requires the Advisory Council to submit an
- 5 annual report to the Governor and the Legislative Committee on Health Care and
- 6 sets forth the requirements for that report.



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

Section 1. Chapter 439A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, "Advisory Council" means the Advisory Council on Diabetes Care, Prevention and Awareness established pursuant to section 3 of this act.*

Sec. 3. 1. *The Department shall establish the Advisory Council on Diabetes Care, Prevention and Awareness to advise and make recommendations to the Governor and the Legislative Committee on Health Care concerning the treatment and care of persons with diabetes and to increase awareness of and prevent diabetes.*

2. *The Advisory Council consists of:*

(a) The Administrator of the Health Division of the Department or his or her designee;

(b) The State Health Officer or his or her designee;

(c) The Administrator of the Division of Health Care Financing and Policy of the Department or his or her designee;

(d) A member of the State Board of Health, appointed by the Administrator of the Health Division;

(e) The Director of the Department of Employment, Training and Rehabilitation or his or her designee; and

(f) One member of the Senate and one member of the Assembly, appointed by the Legislative Commission.

Sec. 4. 1. *A majority of the members of the Advisory Council:*

(a) Shall select a Chair and a Vice Chair of the Advisory Council; and

(b) May appoint committees or subcommittees to study issues relating to diabetes prevention and awareness.

2. *The Department shall provide the necessary professional staff and a secretary for the Advisory Council. The Administrator of the Health Division of the Department shall serve as the Chair of the Advisory Council until a Chair is selected pursuant to subsection 1.*

3. *A majority of the members of the Advisory Council constitutes a quorum to transact all business, and a majority of those voting members present, physically or via telecommunications, must concur in any decision.*



1 4. *The Advisory Council shall meet at the call of the Chair or*
2 *a majority of the members of the Advisory Council quarterly or as*
3 *is necessary.*

4 5. *The members of the Advisory Council who are appointed*
5 *serve for a term of 2 years and may be reappointed. Vacancies*
6 *must be filled in the same manner as the original appointment.*

7 6. *For each day or portion of a day during which a member*
8 *of the Advisory Council who is a Legislator attends a meeting*
9 *of the Advisory Council or is otherwise engaged in the business of*
10 *the Advisory Council, except during a regular or special session of*
11 *the Legislature, the Legislator is entitled to receive the:*

12 (a) *Compensation provided for a majority of the members of*
13 *the Legislature during the first 60 days of the preceding regular*
14 *session;*

15 (b) *Per diem allowance provided for state officers generally;*
16 *and*

17 (c) *Travel expenses provided pursuant to NRS 218A.655.*

18 ↪ *The compensation, per diem allowances and travel expenses of*
19 *the members of the Advisory Council who are Legislators must be*
20 *paid from the Legislative Fund.*

21 7. *A member of the Advisory Council who is an officer or*
22 *employee of this State or a political subdivision of this State must*
23 *be relieved from his or her duties without loss of regular*
24 *compensation so that he or she may prepare for and attend*
25 *meetings of the Advisory Council and perform any work necessary*
26 *to carry out the duties of the Advisory Council in the most timely*
27 *manner practicable. A state agency or political subdivision of this*
28 *State shall not require an officer or employee who is a member of*
29 *the Advisory Council to:*

30 (a) *Make up the time the member is absent from work to carry*
31 *out his or her duties as a member of the Advisory Council; or*

32 (b) *Take annual leave or compensatory time for the absence.*

33 8. *The members of the Advisory Council who are not*
34 *Legislators are entitled, while engaged in the business of the*
35 *Advisory Council, to the per diem allowance and travel expenses*
36 *provided for state officers and employees generally.*

37 **Sec. 5.** *The Advisory Council shall, on or before June 1 of*
38 *each year, submit a report to the Governor and the Legislative*
39 *Committee on Health Care. The report must contain, without*
40 *limitation:*

41 1. *An assessment of the financial impact of diabetes on the*
42 *Health Division of the Department, the Division of Health Care*
43 *Financing and Policy of the Department, the State Board of*
44 *Health and the Department of Employment, Training and*
45 *Rehabilitation.*



2. *An assessment of the programs that have been established or carried out to address the treatment and care of persons with diabetes and to increase awareness of and prevent diabetes in this State. This assessment must:*

(a) *Document the amount and source of any funding appropriated by the Legislature for any such programs; and*

(b) *Establish goals and benchmarks for the control and prevention of diabetes in this State.*

3. *A description of the coordination existing among all state agencies concerning programs that have been established and are being planned to address the treatment and care of persons with diabetes and to increase awareness of and prevent diabetes in this State.*

4. *A detailed plan to improve the treatment and care of persons with diabetes and to increase awareness of and prevent diabetes in this State. The action plan must identify specific actions, including recommended legislation, to reduce the impact of diabetes and related complications in this State.*

5. *A detailed budget identifying the needs, costs and resources required to implement the action plan required by subsection 4.*

Sec. 6. Not later than September 1, 2013:

1. The Administrator of the Health Division of the Department of Health and Human Services shall appoint the member described in paragraph (d) of subsection 2 of section 3 of this act; and

2. The Legislative Commission shall appoint the members described in paragraph (f) of subsection 2 of section 3 of this act.

Sec. 7. This act becomes effective:

1. Upon passage and approval for the purpose of appointing the members described in paragraphs (d) and (f) of subsection 2 of section 3 of this act; and

2. On July 1, 2013, for all other purposes.

