

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:

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

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

1 **Section 1.** NRS 439.630 is hereby amended to read as follows:
2 439.630 1. The Department shall:
3 (a) Conduct, or require the Grants Management Advisory
4 Committee created by NRS 232.383 to conduct, public hearings to
5 accept public testimony from a wide variety of sources and
6 perspectives regarding existing or proposed programs that:
7 (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 and rural communities, and report the results of the evaluation to the Legislative Committee on Health Care on an annual basis.

(c) Subject to legislative authorization, allocate money for direct expenditure by the Department to pay for 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, for senior citizens pursuant to NRS 439.635 to 439.690, inclusive. From the money allocated pursuant to this paragraph, the Department may 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 senior citizens pursuant to NRS 439.635 to 439.690, inclusive. The Department shall consider recommendations from the Grants Management Advisory Committee in carrying out the provisions of NRS 439.635 to 439.690, inclusive. The Department shall submit a quarterly report to the Governor, the Interim Finance Committee, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate regarding the general manner in which expenditures have been made pursuant to this paragraph.

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

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

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



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

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

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

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

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

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

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

(1) To the district board of health in each county whose population is 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



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1 pursuant to this paragraph, the Department shall, to the extent
2 practicable, allocate the money evenly among the following three
3 types of programs:

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

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

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

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

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

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

26 (l) Develop policies and procedures for the administration and
27 distribution of contracts, grants and other expenditures to state
28 agencies, political subdivisions of this State, nonprofit
29 organizations, universities, state colleges and community colleges.
30 A condition of any such contract or grant must be that not more than
31 8 percent of the contract or grant may be used for administrative
32 expenses or other indirect costs. The procedures must require at
33 least one competitive round of requests for proposals per biennium.

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

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

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

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

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

43 (5) Submit annual reports concerning the programs to the
44 Governor, the Interim Finance Committee, the Legislative



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

3 (n) Transmit a report of all findings, recommendations and
4 expenditures to the Governor, each regular session of the
5 Legislature, the Legislative Committee on Health Care and any
6 other committees or commissions the Director deems appropriate.

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

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

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

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

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

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

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

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

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

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

41 4. The Aging and Disability Services Division of the
42 Department shall submit each proposed grant or contract which
43 would be used to expand or augment an existing state program to
44 the Interim Finance Committee for approval before the grant or
45 contract is awarded. The request for approval must include a



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1 description of the proposed use of the money and the person or
2 entity that would be authorized to expend the money. The Aging
3 and Disability Services Division of the Department shall not expend
4 or transfer any money allocated to the Aging and Disability Services
5 Division pursuant to this section to subsidize any portion of the cost
6 of providing prescription drugs, pharmaceutical services and other
7 benefits, including, without limitation, dental and vision benefits
8 and hearing aids or other devices that enhance the ability to hear, to
9 senior citizens pursuant to NRS 439.635 to 439.690, inclusive, or to
10 subsidize any portion of the cost of providing prescription drugs,
11 pharmaceutical services and other benefits, including, without
12 limitation, dental and vision benefits and hearing aids or other
13 devices that enhance the ability to hear, to persons with disabilities
14 pursuant to NRS 439.705 to 439.795, inclusive.

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

21 6. On or before June 30 of each even-numbered year, the
22 Grants Management Advisory Committee, the Nevada Commission
23 on Aging and the Nevada Commission on Services for Persons with
24 Disabilities each shall submit to the Director a report that includes,
25 without limitation, recommendations regarding community needs
26 and priorities that are determined by each such entity after any
27 public hearings held by the entity.

28 **Sec. 2.** This act becomes effective upon passage and approval.

