

ASSEMBLY BILL NO. 310—ASSEMBLYMAN PAUL ANDERSON

MARCH 16, 2015

Referred to Committee on Health and Human Services

SUMMARY—Expands Medicaid managed care programs in this State. (BDR 38-769)

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; requiring the Department of Health and Human Services to cover Medicaid recipients who are aged, blind or disabled and who reside in certain larger counties through a Medicaid managed care program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing federal law authorizes a state to obtain a waiver to implement a program to provide medical services pursuant to Medicaid through managed care. (42 U.S.C. § 1396n(b)(1)) Existing law provides certain requirements for any Medicaid managed care program established in this State. (NRS 422.273) **Section 1** of this bill requires the Department of Health and Human Services to provide services through a Medicaid managed care program to persons who are aged, blind or disabled who reside in a county whose population is 100,000 or more (currently Clark and Washoe Counties). **Section 1** also requires the Department to apply for any waiver or amendment to a waiver necessary to provide services to such persons through a Medicaid managed care program. **Section 2** of this bill makes a conforming change.

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

Section 1. Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall:

(a) Provide services pursuant to the State Plan for Medicaid to persons who are aged, blind or disabled and who reside in a



1 *county whose population is 100,000 or more through a Medicaid*
2 *managed care program.*

3 *(b) Apply for any waiver or amendment to a waiver from*
4 *federal law or regulation that is necessary to carry out the*
5 *provisions of paragraph (a).*

6 *(c) Carry out the requirements of paragraph (a) only to the*
7 *extent approved by the Federal Government.*

8 *2. As used in this section, "persons who are aged, blind or*
9 *disabled" means the persons who are eligible to receive benefits*
10 *pursuant to 42 U.S.C. §§ 1382 et seq.*

11 **Sec. 2.** NRS 232.320 is hereby amended to read as follows:

12 232.320 1. The Director:

13 (a) Shall appoint, with the consent of the Governor,
14 administrators of the divisions of the Department, who are
15 respectively designated as follows:

16 (1) The Administrator of the Aging and Disability Services
17 Division;

18 (2) The Administrator of the Division of Welfare and
19 Supportive Services;

20 (3) The Administrator of the Division of Child and Family
21 Services;

22 (4) The Administrator of the Division of Health Care
23 Financing and Policy; and

24 (5) The Administrator of the Division of Public and
25 Behavioral Health.

26 (b) Shall administer, through the divisions of the Department,
27 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
28 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
29 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
30 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
31 432B.621 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
32 and 445A.010 to 445A.055, inclusive, and all other provisions of
33 law relating to the functions of the divisions of the Department, but
34 is not responsible for the clinical activities of the Division of Public
35 and Behavioral Health or the professional line activities of the other
36 divisions.

37 (c) Shall administer any state program for persons with
38 developmental disabilities established pursuant to the
39 Developmental Disabilities Assistance and Bill of Rights Act of
40 2000, 42 U.S.C. §§ 15001 et seq.

41 (d) Shall, after considering advice from agencies of local
42 governments and nonprofit organizations which provide social
43 services, adopt a master plan for the provision of human services in
44 this State. The Director shall revise the plan biennially and deliver a



copy of the plan to the Governor and the Legislature at the beginning of each regular session. The plan must:

(1) Identify and assess the plans and programs of the Department for the provision of human services, and any duplication of those services by federal, state and local agencies;

(2) Set forth priorities for the provision of those services;

(3) Provide for communication and the coordination of those services among nonprofit organizations, agencies of local government, the State and the Federal Government;

(4) Identify the sources of funding for services provided by the Department and the allocation of that funding;

(5) Set forth sufficient information to assist the Department in providing those services and in the planning and budgeting for the future provision of those services; and

(6) Contain any other information necessary for the Department to communicate effectively with the Federal Government concerning demographic trends, formulas for the distribution of federal money and any need for the modification of programs administered by the Department.

(e) May, by regulation, require nonprofit organizations and state and local governmental agencies to provide information regarding the programs of those organizations and agencies, excluding detailed information relating to their budgets and payrolls, which the Director deems necessary for the performance of the duties imposed upon him or her pursuant to this section.

(f) Has such other powers and duties as are provided by law.

2. Notwithstanding any other provision of law, the Director, or the Director's designee, is responsible for appointing and removing subordinate officers and employees of the Department, other than the State Public Defender of the Office of State Public Defender who is appointed pursuant to NRS 180.010.

