

Amendment No. 396

Assembly Amendment to Assembly Bill No. 289	(BDR S-693)
<b>Proposed by:</b> Assembly Committee on Legislative Operations and Elections	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

DHR/MSM



Date: 4/15/2015

A.B. No. 289—Directs the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services. (BDR S-693)



ASSEMBLY BILL NO. 289—ASSEMBLYMEN ARAUJO, KIRKPATRICK, BENITEZ-THOMPSON, JOINER, PAUL ANDERSON; ARMSTRONG, BUSTAMANTE ADAMS, CARLTON, CARRILLO, DIAZ, FLORES, HAMBRICK, MUNFORD, NEAL, NELSON, OHRENSCHALL, O’NEILL, OSCARSON, SILBERKRAUS, SPIEGEL, SPRINKLE, STEWART, SWANK AND THOMPSON

MARCH 13, 2015

JOINT SPONSORS: SENATORS DENIS, ATKINSON, KIHUEN, HARRIS; AND HARDY

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services. (BDR S-693)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to mental health services; directing the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

**Section 1** of this bill directs the Legislative Commission to appoint a committee to conduct an interim study concerning the viability of transitioning the provision of mental and other behavioral health services to a regionalized structure, including: (1) how regions may be formed and governed; (2) how any transition may occur; (3) the sources of revenue for the regions and how such services may be paid for; and (4) methods to address communication among the regions and accountability standards within the regions. **Section 2** of this bill provides for the organization and composition of the interim committee. ~~++~~ **and requires the Chair of the interim committee to appoint certain subcommittees.** **Section 3** of this bill directs the Director of the Legislative Counsel Bureau to provide administrative and technical support to the interim committee.

WHEREAS, Executive Order 2013-26 established the Behavioral Health and Wellness Council and directed the Council to develop a strategic plan to provide a cohesive and comprehensive system for the delivery of services to those affected by behavioral health conditions; and

WHEREAS, On May 28, 2014, after nearly 5 months of deliberation, the Behavioral Health and Wellness Council issued its first report to the Governor which contained 16 recommendations focused primarily on relieving the overcrowding crises in emergency rooms in this State created by the high number of emergency room admissions for people in real or apparent psychiatric or emotional crises or acutely intoxicated; and

WHEREAS, On February 24, 2015, the Behavioral Health and Wellness Council issued its second report to the Governor reporting on the substantive progress being made in implementing the recommendations from the first report and indicating that in 2015 the Council will focus its efforts on addressing behavioral health care within the Department of Corrections; and

WHEREAS, The members of the Senate and Assembly hereby commend and express their gratitude to the members of the Behavioral Health and Wellness Council for the good work they have performed on behalf of the citizens of this State; and

WHEREAS, The members of the Senate and Assembly desire to aid the work and further the goals of the Behavioral Health and Wellness Council by investigating the viability of transitioning the provision of mental and other behavioral health services to a regionalized structure in this State; now, therefore,

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

**Section 1.** The Legislative Commission shall appoint a committee to conduct an interim study concerning:

1. Whether responsibility for the provision of mental and other behavioral health services should be moved to a regionalized structure in this State, including, without limitation:

(a) The manner in which any regions may be formed and structured; and

(b) The governance model for the regions, including, without limitation, whether the regions will be administered by a governmental entity, a nonprofit entity or a hybrid of both;

2. The manner in which the transition to such a regionalized structure may occur, including, without limitation, the time period during which the transition may occur;

3. The manner in which services may be paid for under such a regionalized structure and the sources of revenue available to each region, including, without limitation, gifts and grants; and

4. Methods to address:

(a) Communication among the regions; and

(b) Accountability standards for each region.

**Sec. 2.** 1. The committee appointed by the Legislative Commission to conduct an interim study pursuant to section 1 of this act must be composed of 15 members as follows:

(a) Four Legislators as follows:

(1) One member of the Senate appointed by the Majority Leader of the Senate;

(2) One member of the Senate appointed by the Minority Leader of the Senate;

(3) One member of the Assembly appointed by the Speaker of the Assembly; and

(4) One member of the Assembly appointed by the Minority Leader of the Assembly;

(b) One member who is an employee of the Division of Public and Behavioral Health of the Department of Health and Human Services, appointed by the Director of the Department;

(c) The Director of the Department of Veterans Services, or his or her designee;

(d) One member who is employed by a federally qualified health center, as that term is defined in 42 U.S.C. § 1396d(1)(2)(B), that provides mental or other behavioral health services, appointed by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services;

(e) One member who is employed by a nonprofit entity in this State that provides mental or other behavioral health services, appointed by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services;

(f) One member who is employed by the Las Vegas Metropolitan Police Department, appointed by the Sheriff of Clark County;

(g) One member who is employed by a psychiatric hospital in this State, appointed by the Majority Leader of the Senate in consultation with the Minority Leader of the Senate;

(h) One member who ~~is employed by a private university located in this State that specializes in the education of health care professionals,~~ has experience in medical education, appointed by the Speaker of the Assembly in consultation with the Minority Leader of the Assembly;

(i) One member who is the director of a social service agency, as that term is defined in NRS 430A.080, located in a county whose population is less than 100,000, appointed by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services;

(j) The Director of the Clark County Social Service Department, or his or her designee;

(k) The Director of the Washoe County Department of Social Services, or his or her designee; and

(l) One member who is a consumer of mental or other behavioral health services in this State, appointed by the President of the Southern Nevada Chapter of the National Alliance on Mental Illness.

2. In appointing the members of the interim committee pursuant to subsection 1, the appointing authorities shall coordinate the appointments, to the extent practicable, so that the members of the interim committee represent the ethnic diversity of this State.

3. At the first meeting of the interim committee, the members of the interim committee shall elect a Chair, who must be one of the members appointed pursuant to paragraph (a) of subsection 1.

4. A vacancy on the interim committee must be filled in the same manner as the original appointment.

5. All members of the interim committee are voting members. A majority of the members of the interim committee constitutes a quorum for the transaction of business, and a majority of those present at any meeting is sufficient for any official action taken by the interim committee.

6. The Chair may appoint such subcommittees or technical advisory groups as the Chair determines necessary to assist the interim committee in carrying out the duties prescribed by section 1 of this act. The members of any subcommittee or technical advisory group appointed pursuant to this subsection are not required to be members of the interim committee. The Chair shall appoint not less than three subcommittees to advise the interim committee as follows:

1 (a) One subcommittee composed of providers of mental health services  
2 and representatives of the pavor community, which must include, without  
3 limitation, representatives of a Medicaid managed care organization and a  
4 private insurance provider;

5 (b) One subcommittee focused specifically on the mental health of  
6 children; and

7 (c) One subcommittee composed of professionals in academia.

8 7. The interim committee, or a subcommittee or technical advisory group  
9 appointed pursuant to subsection 6, may seek input, advice and assistance from any  
10 person or entity with knowledge, interest or expertise relevant to the duties of the  
11 interim committee prescribed by section 1 of this act.

12 8. The members of the interim committee serve without compensation, except  
13 that each such member is entitled, while engaged in the business of the interim  
14 committee and within the limits of available money, to the per diem allowance and  
15 travel expenses provided for state officers and employees generally.

16 9. The interim committee shall submit a report of its findings, including,  
17 without limitation, any recommendations for legislation, to the Director of the  
18 Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada  
19 Legislature.

20 10. The interim committee may request the drafting of legislative measures as  
21 provided for in paragraph (c) of subsection 4 of NRS 218D.160.

22 **Sec. 3.** The Director of the Legislative Counsel Bureau shall provide  
23 administrative and technical assistance to the interim committee appointed pursuant  
24 to section 1 of this act.

25 **Sec. 4.** This act becomes effective upon passage and approval for the purpose  
26 of performing any preparatory administrative tasks that are necessary to carry out  
27 the provisions of this act, and on July 1, 2015, for all other purposes.