

SENATE BILL NO. 419—COMMITTEE ON
HEALTH AND HUMAN SERVICES

MARCH 19, 2015

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to services for persons with disabilities. (BDR 38-978)

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 persons with disabilities; creating a program within the Aging and Disability Services Division of the Department of Health and Human Services to provide services of independent living and assistive technology for persons who have recently become disabled; revising the terms of members of the Nevada Commission on Services for Persons with Disabilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Aging and Disability Services Division within the Department of Health and Human Services and requires the Division to work with persons with disabilities, persons interested in matters relating to persons with disabilities and state and local governmental agencies to develop and improve policies of this State concerning programs and services for persons with disabilities. (NRS 427A.040) **Sections 3 and 4** of this bill create a program within the Division to provide services of independent living and assistive technology for persons who have recently become disabled.

Existing law creates the Nevada Commission on Services for Persons with Disabilities, which consists of 11 members appointed by the Director of the Department of Health and Human Services. (NRS 427A.1211) **Sections 5 and 6** of this bill make revisions to the terms of the members of the Commission to ensure that the terms of the members of the Commission are staggered.



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

Section 1. Chapter 427A of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *As used in this section and sections 3 and 4 of this act, unless the context otherwise requires, "person who has recently become disabled" means a person with a physical disability, as that term is defined in NRS 427A.791, who has had such a disability for a period of less than 18 months.*

Sec. 3. 1. *The Division shall, pursuant to this section and section 4 of this act, establish a program to provide services of independent living and assistive technology for persons who have recently become disabled.*

2. *To carry out the program referenced in subsection 1, the Division shall adopt regulations:*

(a) Establishing the procedures for a person to apply for services of independent living and assistive technology;

(b) Prescribing the criteria for determining the eligibility of such an applicant;

(c) Prescribing the nature of the services of independent living and assistive technology which may be provided and the conditions imposed on the provision of such services; and

(d) Setting forth such other provisions as the Division considers necessary to administer the program.

3. *The decision of the Division regarding the eligibility of an applicant to participate in the program is a final decision for the purpose of judicial review.*

Sec. 4. 1. *The services of independent living that the Division may, pursuant to this section and section 3 of this act, provide to a person who has recently become disabled may include, without limitation, assistance and training as to how to perform skills of daily living, including, without limitation:*

(a) The preparation and eating of meals;

(b) Home management, including, without limitation, paying bills;

(c) Communication, including, without limitation, the use of services of assistive technology;

(d) Orientation and mobility; and

(e) Any other skills that will allow a person who has recently become disabled to function and live in a more independent manner.

2. *The services of assistive technology that the Division may, pursuant to this section and section 3 of this act, provide to a*



1 *person who has recently become disabled may include, without*
2 *limitation:*

- 3 (a) *Large-print signs and reading materials;*
4 (b) *Voice recognition or Braille technology installed on a*
5 *computer or handheld device;*
6 (c) *Global positioning satellite technology with voice output;*
7 (d) *Mechanical lifts or similar mobility enhancing devices;*
8 (e) *Telecommunications devices specially designed for persons*
9 *with impaired vision, speech or hearing; and*
10 (f) *Any other technology that provides significant assistance in*
11 *performing daily tasks to a person who has recently become*
12 *disabled.*

13 **Sec. 5.** NRS 427A.1211 is hereby amended to read as follows:

14 427A.1211 1. The Nevada Commission on Services for
15 Persons with Disabilities, consisting of 11 voting members and 2 or
16 more nonvoting members, is hereby created within the Division.

17 2. The Director shall appoint as voting members of the
18 Commission 11 persons who have experience with or an interest in
19 and knowledge of the problems of and services for persons with
20 disabilities. The majority of the voting members of the Commission
21 must be persons with disabilities or the parents or family members
22 of persons with disabilities.

23 3. The Director and the Administrator shall serve as nonvoting,
24 ex officio members of the Commission and each may designate an
25 alternate within his or her office to attend any meeting of the
26 Commission in his or her place.

27 4. The Director may appoint as nonvoting members of the
28 Commission such other representatives of State Government as the
29 Director deems appropriate.

30 5. After the initial term of an appointed member, the term of an
31 appointed member is 3 years. An appointed member may be
32 reappointed for an additional term of 3 years. An appointed member
33 may not serve more than two terms **or 6 years, whichever is**
34 **greater.** A vacancy on the Commission must be filled in the same
35 manner as the original appointment. An appointed member who
36 serves for more than 1 year of a term to which another person was
37 appointed may be appointed to serve only one additional full term as
38 an appointed member **;** *however, at the completion of the*
39 *additional full-term, the member may be appointed to the*
40 *remaining term of another member who has resigned or otherwise*
41 *left the Commission before completing his or her term if the total*
42 *combined service of the member being appointed, after serving the*
43 *remaining term of the member who resigned or otherwise left the*
44 *Commission, will not exceed 6 years.*



6. The Director may remove an appointed member of the Commission for malfeasance in office or neglect of duty. Absence from two consecutive meetings of the Commission constitutes good and sufficient cause for removal of an appointed member by the Director.

Sec. 6. 1. Notwithstanding any provision of subsection 5 of NRS 427A.1211, as amended by section 5 of this act, to the contrary, the existing terms of the voting members of the Nevada Commission on Services for Persons with Disabilities whose terms have not expired before July 1, 2015, must expire as follows:

(a) The terms of four voting members of the Commission must expire on June 30, 2016;

(b) The terms of four voting members of the Commission must expire on June 30, 2017; and

(c) The terms of three voting members of the Commission must expire on June 30, 2018.

2. The Director shall, at his or her sole discretion, determine the allocation of existing members of the Commission to the particular groupings established for the expiration of terms in subsection 1.

3. The terms of members of the Commission appointed after the expiration of the terms of the existing members of the Commission pursuant to subsection 1 must begin on July 1 of the year in which the member was appointed.

Sec. 7. This act becomes effective on July 1, 2015.

