

Amendment No. 714

Assembly Amendment to Senate Bill No. 366 First Reprint	(BDR 38-927)
Proposed by: Assembly Committee on Health and Human Services	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

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.



SENATE BILL NO. 366—SENATOR CANCELA

MARCH 20, 2017

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes relating to Medicaid. (BDR 38-927)

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 health care; requiring the preparation of a report relating to Medicaid recipients and access to employer-based health insurance; creating the Advisory Committee on Medicaid Innovation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 2 of this bill requires the Director of the Department of Health and Human Services to prepare ~~to semiannual~~ ***an annual*** report which ~~discloses certain~~ ***lists all*** employers in this State ~~that~~ ***which*** have 50 or more employees ***and the number of full-time employees of such an employer*** who are enrolled in Medicaid ~~and whether or not the employees have access to an employer-based health care plan~~. **Section 2** also requires : ***(1) the report to include information relating to whether the employees of such an employer have access to an employer-based health care plan; and (2) the Director to post this report on the Internet website of the Department and to provide it*** ***submit this report*** to the Governor and the Legislature. **Section 2** further requires that this report must not contain any individually identifiable health information and must comply with certain privacy provisions of federal law.

Section 4 of this bill creates the Advisory Committee on Medicaid Innovation within the Division of Health Care Financing and Policy of the Department. **Section 5** requires the Advisory Committee to provide certain recommendations to the Director, including, without limitation, public and private prescription purchasing coalitions, encouraging access to health insurance and, finally, any waivers the State may apply for from the Federal Government relating to Medicaid. **Section 4** authorizes the Director to appoint as many members to the Advisory Committee as he or she deems necessary or appropriate and requires the voting members of the Advisory Committee to be officers or employees of the Executive Branch of State Government. **Section 4** also authorizes the Director to appoint others to serve on the Advisory Committee as nonvoting members. Finally, **section 4** requires the members of the Advisory Committee to serve 2-year terms without additional compensation.

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

1 **Section 1.** Chapter 422 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2 to 5, inclusive, of this act.

3 **Sec. 2. 1.** *On or before January 1 ~~and July 1~~ of each year, the Director*
4 *shall prepare, in consultation with the Director of the Department of Business*
5 *and Industry, a report which includes, without limitation:*

6 *(a) The name, street address of the office of the registered agent and the*
7 *principal place of business of an employer in this State that employs 50 or more*
8 *~~persons who are enrolled in Medicaid~~ employees and whether the employer*
9 *offers health benefits to its employees;*

10 *(b) The total number of persons enrolled in Medicaid who are employed on a*
11 *full-time basis by such an employer;*

12 *(c) The number of persons enrolled in Medicaid who are married to or the*
13 *dependent of an employee of such an employer; and*

14 *(d) The cost of providing coverage through Medicaid to the persons*
15 *described in paragraphs (b) and (c).*

16 2. *The report prepared pursuant to subsection 1 must not contain any*
17 *individually identifiable health information and must comply with the Health*
18 *Insurance Portability and Accountability Act of 1996, Public Law 104-191, as*
19 *amended.*

20 3. *The Director shall ~~post the report required pursuant to subsection 1 on~~*
21 *~~the Internet website of the Department and~~ submit the report required pursuant*
22 *to subsection 1 to:*

23 *(a) The Governor; and*

24 *(b) The Director of the Legislative Counsel Bureau for transmittal to the*
25 *Legislature.*

26 4. *The report required pursuant to this section must not include any*
27 *personally identifiable information of a person whose information is included in*
28 *the report.*

29 5. *As used in this section, "individually identifiable health information" has*
30 *the meaning ascribed to it in 45 C.F.R. § 160.103.*

31 **Sec. 3.** (Deleted by amendment.)

32 **Sec. 4. 1.** *The Advisory Committee on Medicaid Innovation is hereby*
33 *created in the Division. The Director shall appoint the members to serve on the*
34 *Advisory Committee.*

35 2. *The Director shall appoint officers and employees of the Executive*
36 *Branch of State Government to serve as voting members of the Advisory*
37 *Committee and may appoint such other persons as the Director deems necessary*
38 *or appropriate to serve as nonvoting members.*

39 3. *The Director shall appoint each member to serve for a term of 2 years.*

40 4. *At its first meeting and annually thereafter, the Advisory Committee shall*
41 *elect a Chair from among its voting members.*

42 5. *Members of the Advisory Committee serve without any additional*
43 *compensation.*

44 6. *A member of the Advisory Committee who is an officer or employee of*
45 *this State or a political subdivision of this State must be relieved from his or her*
46 *duties without loss of regular compensation so that he or she may prepare for and*
47 *attend meetings of the Advisory Committee and perform any work necessary to*
48 *carry out the duties of the Advisory Committee in the most timely manner*

1 *practicable. A State agency or political subdivision of this State shall not require*
2 *an officer or employee who is a member of the Advisory Committee to:*

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

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

6 **Sec. 5. 1. The Advisory Committee on Medicaid Innovation created by**
7 **section 4 of this act shall study:**

8 *(a) The manner in which to create or expand public or private prescription*
9 *purchasing coalitions.*

10 *(b) The manner in which to encourage access to employer-based health*
11 *insurance plans, including, without limitation:*

12 *(1) Coordinating coverage provided by the State Plan for Medicaid and*
13 *private health insurance which may be provided by an employer to a person*
14 *eligible for Medicaid; and*

15 *(2) Providing assistance to a person who is eligible for Medicaid to allow*
16 *the person to purchase private health insurance.*

17 *(c) Opportunities to apply to the Secretary of the United States Department of*
18 *Health and Human Services for certain waivers pursuant to 42 U.S.C. §§ 1315*
19 *and 18052.*

20 **2. At least once each year, the Advisory Committee shall make such**
21 **recommendations to the Director as it deems appropriate relating to opportunities**
22 **to improve Medicaid or to increase access to health insurance.**

23 **Sec. 6.** (Deleted by amendment.)

24 **Sec. 7.** (Deleted by amendment.)

25 **Sec. 8.** (Deleted by amendment.)

26 **Sec. 9.** (Deleted by amendment.)

27 **Sec. 10.** (Deleted by amendment.)

28 **Sec. 11.** The provisions of subsection 1 of NRS 218D.380 do not apply to
29 any provision of this act which adds or revises a requirement to submit a report to
30 the Legislature.

31 **Sec. 12.** This act becomes effective on July 1, 2017.