

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 an annual report which lists all employers in this State which have 50 or more employees and the number of full-time employees of such an employer who are enrolled in Medicaid. **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 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:

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

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

(a) The name, street address of the office of the registered agent and the principal place of business of an employer in this State that employs 50 or more employees and whether the employer offers health benefits to its employees;

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

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

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

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

3. The Director shall submit the report required pursuant to subsection 1 to:

(a) The Governor; and

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

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

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

Sec. 3. (Deleted by amendment.)

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

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



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

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

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

7 6. *A member of the Advisory Committee who is an officer or*
8 *employee of this State or a political subdivision of this State must*
9 *be relieved from his or her duties without loss of regular*
10 *compensation so that he or she may prepare for and attend*
11 *meetings of the Advisory Committee and perform any work*
12 *necessary to carry out the duties of the Advisory Committee in the*
13 *most timely manner practicable. A State agency or political*
14 *subdivision of this State shall not require an officer or employee*
15 *who is a member of the Advisory Committee to:*

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

18 (i) *Take annual leave or compensatory time for the absence.*

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

21 (i) *The manner in which to create or expand public or private*
22 *prescription purchasing coalitions.*

23 (i) *The manner in which to encourage access to employer-*
24 *based health insurance plans, including, without limitation:*

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

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

30 (i) *Opportunities to apply to the Secretary of the United States*
31 *Department of Health and Human Services for certain waivers*
32 *pursuant to 42 U.S.C. §§ 1315 and 18052.*

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

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

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

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

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

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

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



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

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