

REQUIRES TWO-THIRDS MAJORITY VOTE
(§§ 8, 9)

A.B. 254

ASSEMBLY BILL NO. 254—ASSEMBLYMEN NEAL; AND FLORES

MARCH 13, 2019

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to sickle cell anemia.
(BDR 40-20)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 16)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public health; requiring the Chief Medical Officer to establish and maintain a system for reporting certain information on sickle cell anemia; authorizing administrative penalties for failure to report certain information; revising requirements concerning screening infants for sickle cell anemia and sickle cell trait; requiring a health insurer to include coverage for certain prescription drugs and services for the treatment of sickle cell anemia in its policies; requiring a health maintenance organization or managed care organization to take certain actions with respect to certain insured diagnosed with sickle cell anemia; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Chief Medical Officer to establish and maintain a
2 system for the reporting of information on cancer and other neoplasms. (NRS
3 457.230) Existing law requires the chief administrative officer of each health care
4 facility in this State to make available to the Chief Medical Officer or his or her
5 representative the records of the health care facility for each reportable neoplasm.
6 (NRS 457.250) **Section 6** of this bill requires the Chief Medical Officer to establish
7 and maintain a similar system for the reporting of information on sickle cell
8 anemia. **Sections 6 and 7** of this bill require hospitals, medical laboratories, certain
9 other facilities and providers of health care to report certain information prescribed
10 by the State Board of Health concerning each case of sickle cell anemia diagnosed



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or treated at the facility or by the provider, as applicable. **Section 8** of this bill requires the chief administrative officer of each health care facility in this State to make available to the Chief Medical Officer or his or her representative the records of the health care facility for each case of sickle cell anemia for abstraction by the Division of Public and Behavioral Health of the Department of Health and Human Services. **Section 8** also: (1) requires the State Board to adopt a schedule of fees which must be assessed to a health care facility for each case from which information is abstracted; and (2) provides for the imposition of an administrative penalty against a health care facility that fails to make the records of the facility for each case of sickle cell anemia available for abstraction. **Sections 9 and 10** of this bill provide for analysis, reporting and research based on the reported and abstracted information concerning cases of sickle cell anemia. **Sections 7, 11 and 15** of this bill provide for the confidentiality of reported information concerning patients, providers of health care and facilities. **Section 12** of this bill provides immunity from liability for any person or organization who discloses information in good faith to the Division in accordance with the requirements of **sections 6-8**.

Existing law requires the State Board of Health to adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders, including tests for the presence of sickle cell anemia. (NRS 442.008) **Section 13** of this bill requires those regulations to include a requirement that each newborn child who is susceptible to sickle cell anemia and sickle cell trait to be tested and each biological parent of a child who tests positive for sickle cell anemia to be offered to be tested for sickle cell anemia and sickle cell trait. **Section 13** also: (1) requires the parent or guardian of a child who tests positive for sickle cell anemia or sickle cell trait to receive counseling concerning the nature, effects and treatment of sickle cell anemia or sickle cell trait, as applicable; and (2) authorizes the parent or guardian of a newborn child to opt out in writing from such testing.

Existing law requires the Department to prescribe by regulation a list of preferred prescription drugs to be used for the Medicaid program. (NRS 422.4025) **Section 5** of this bill requires the State Board of Health to prescribe a list of prescription drugs for the treatment of sickle cell anemia that must be covered by Medicaid and included in any insurance plan that includes coverage of prescription drugs offered or sold in this State. **Sections 16-19, 21, 22, 24-27 and 29** of this bill require Medicaid and: (1) each insurer, including local and state government employers, that provides coverage for prescription drugs to cover the drugs included on that list; and (2) all other health insurers to cover certain services for persons diagnosed with sickle cell anemia. **Sections 26 and 29** of this bill additionally require a health maintenance organization or managed care organization to establish a plan for each insured under 18 years of age who has been diagnosed with sickle cell anemia to transition the insured from pediatric care to adult care when the enrollee reaches 18 years of age. **Sections 14, 20, 23 and 28** of this bill make conforming changes.

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

Section 1. Chapter 439 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *As used in sections 2 to 12, inclusive, of this act, unless the context otherwise requires, the words and terms defined*



in sections 3 and 4 of this act have the meanings ascribed to them in those sections.

Sec. 3. "Health care facility" has the meaning ascribed to it in NRS 162A.740.

Sec. 4. "Provider of health care" has the meaning ascribed to it in NRS 629.031.

Sec. 5. The State Board of Health shall:

1. Prescribe by regulation a list of prescription drugs for the treatment of sickle cell anemia that must be covered by Medicaid and included in any insurance plan that includes coverage of prescription drugs offered or sold in this State. The list must include, without limitation, any drug determined by the State Board of Health to be essential for treating sickle cell anemia.

2. Review the list of prescription drugs prescribed pursuant to subsection 1 at least biennially to determine whether any drugs should be added to or removed from the list and update the list as necessary in accordance with those determinations.

Sec. 6. 1. The Chief Medical Officer shall, pursuant to the regulations adopted by the State Board of Health pursuant to section 7 of this act, establish and maintain a system for the reporting of information on sickle cell anemia.

2. The system established pursuant to subsection 1 must include a record of the cases of sickle cell anemia which occur in this State along with such information concerning the cases as may be appropriate to form the basis for:

(a) Conducting comprehensive epidemiologic surveys of sickle cell anemia in this State; and

(b) Evaluating the appropriateness of measures for the treatment of sickle cell anemia.

3. Hospitals, medical laboratories and other facilities that provide screening, diagnostic or therapeutic services to patients with respect to sickle cell anemia shall report the information prescribed by the State Board of Health pursuant to section 7 of this act to the system established pursuant to subsection 1.

4. Any provider of health care who diagnoses or provides treatment for sickle cell anemia, except for cases directly referred to the provider or have been previously admitted to a hospital, medical laboratory or other facility described in subsection 3, shall report the information prescribed by the State Board of Health pursuant to section 7 of this act to the system established pursuant to subsection 1.

5. As used in this section, "medical laboratory" has the meaning ascribed to it in NRS 652.060.

Sec. 7. The State Board of Health shall by regulation:



1 1. Prescribe the form and manner in which information on
2 cases of sickle cell anemia must be reported;

3 2. Prescribe the information that must be included in each
4 report, which must include, without limitation:

5 (a) The name and address of the patient;

6 (b) The method of treatment;

7 (c) Any other diseases from which the patient suffers,
8 including, without limitation, pneumonia, asthma and gall bladder
9 disease; and

10 (d) Information concerning the usage of and access to health
11 care services by the patient; and

12 3. Establish a protocol for allowing appropriate access to and
13 preserving the confidentiality of the records of patients needed for
14 research into sickle cell anemia.

15 **Sec. 8. 1.** The chief administrative officer of each health
16 care facility in this State shall make available to the Chief Medical
17 Officer or his or her representative the records of the health care
18 facility for each case of sickle cell anemia.

19 2. The Division shall abstract from the records of a health
20 care facility or shall require a health care facility to abstract from
21 the records of the health care facility such information as is
22 required by the State Board of Health. The Division shall compile
23 the information in a timely manner and not later than 6 months
24 after the Division abstracts the information or receives the
25 abstracted information from the health care facility.

26 3. The State Board of Health shall by regulation adopt a
27 schedule of fees which must be assessed to a health care facility
28 for each case from which information is abstracted by the Division
29 pursuant to subsection 2.

30 4. Any person who violates this section is subject to an
31 administrative penalty established by regulation by the State Board
32 of Health.

33 **Sec. 9. 1.** The Division shall publish reports based upon the
34 information obtained pursuant to sections 6, 7 and 8 of this act
35 and shall make other appropriate uses of the information to report
36 and assess trends in the usage of and access to health care services
37 by patients with sickle cell anemia in a particular area or
38 population, advance research and education concerning sickle cell
39 anemia and improve treatment of sickle cell anemia and
40 associated disorders. The reports must include, without limitation:

41 (a) Information concerning the locations in which patients
42 diagnosed with sickle cell anemia reside, the demographics of
43 such patients and the utilization of health care services by such
44 patients;



(b) The information described in paragraph (a), specific to patients diagnosed with sickle cell anemia who are over 60 years of age; and

(c) The transition of patients diagnosed with sickle cell anemia from pediatric to adult care upon reaching 18 years of age.

2. The Division shall provide any qualified researcher whom the Division determines is conducting valid scientific research with data from the reported information upon the researcher's:

(a) Compliance with appropriate conditions as established under the regulations of the State Board of Health; and

(b) Payment of a fee established by the Division by regulation to cover the cost of providing the data.

Sec. 10. 1. The Chief Medical Officer or a qualified person designated by the Administrator of the Division shall analyze the information obtained pursuant to sections 6, 7 and 8 of this act and the reports published pursuant to section 9 of this act to determine whether any trends exist in the usage of and access to health care services by patients with sickle cell anemia in a particular area or population.

2. If the Chief Medical Officer or the person designated pursuant to subsection 1 determines that a trend exists in the usage of and access to health care services by patients with sickle cell anemia in a particular area or population, the Chief Medical Officer or the person designated pursuant to subsection 1 shall work with appropriate governmental, educational and research entities to investigate the trend, advance research in the trend and facilitate the treatment of sickle cell anemia and associated disorders.

Sec. 11. The Division shall not reveal the identity of any patient, physician or health care facility which is involved in the reporting required by section 8 of this act unless the patient, physician or health care facility gives prior written consent to such a disclosure.

Sec. 12. A person or governmental entity that provides information to the Division in accordance with sections 6, 7 and 8 of this act must not be held liable in a civil or criminal action for sharing confidential information unless the person or organization has done so in bad faith or with malicious purpose.

Sec. 13. NRS 442.008 is hereby amended to read as follows:
442.008 1. The State Board of Health, upon the recommendation of the Chief Medical Officer:

(a) Shall adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders, including tests for the presence of sickle cell anemia  and sickle cell trait; and



(b) May require the Division to provide for the services of a laboratory in accordance with NRS 442.009 to determine the presence of certain preventable or inheritable disorders in an infant pursuant to this section.

2. *Except as otherwise provided in subsection 5, the regulations adopted pursuant to paragraph (a) of subsection 1 concerning tests for the presence of sickle cell anemia and sickle cell trait must require the screening for sickle cell anemia and sickle cell trait of:*

(a) *Each newborn child who is susceptible to sickle cell anemia and sickle cell trait as determined by regulations of the State Board of Health; and*

(b) *Each biological parent of a child who wishes to undergo such screening.*

3. Any physician, midwife, nurse, obstetric center or hospital of any nature attending or assisting in any way any infant, or the mother of any infant, at childbirth shall make or cause to be made an examination of the infant, including standard tests, to the extent required by regulations of the State Board of Health as is necessary for the discovery of conditions indicating such disorders.

~~§3.1~~ 4. If the examination and tests reveal the existence of such conditions in an infant, the physician, midwife, nurse, obstetric center or hospital attending or assisting at the birth of the infant shall immediately:

(a) Report the condition to the Chief Medical Officer or the representative of the Chief Medical Officer, the local health officer of the county or city within which the infant or the mother of the infant resides, and the local health officer of the county or city in which the child is born; and

(b) Discuss the condition with the parent, parents or other persons responsible for the care of the infant and inform them of the treatment necessary for the amelioration of the condition.

~~§4.1~~ 5. An infant is exempt from examination and testing if either parent files a written objection with the person or institution responsible for making the examination or tests.

Sec. 14. NRS 232.320 is hereby amended to read as follows:

232.320 1. The Director:

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

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

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



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

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

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

(b) Shall administer, through the divisions of the Department, the provisions of chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, **and section 18 of this act**, 422.580, 432.010 to 432.133, inclusive, 432B.621 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the Department, but is not responsible for the clinical activities of the Division of Public and Behavioral Health or the professional line activities of the other divisions.

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

(d) Shall, after considering advice from agencies of local governments and nonprofit organizations which provide social services, adopt a master plan for the provision of human services in 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.

Sec. 15. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,



1 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,
2 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,
3 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,
4 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,
5 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,
6 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,
7 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
8 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
9 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
10 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,
11 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
12 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,
13 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
14 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
15 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940,
16 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,
17 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452,
18 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964,
19 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710,
20 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341,
21 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,
22 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,
23 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,
24 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055,
25 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087,
26 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,
27 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190,
28 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,
29 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870,
30 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,
31 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,
32 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,
33 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,
34 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,
35 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122,
36 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,
37 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,
38 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
39 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190,
40 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,
41 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320,
42 704B.325, 706.1725, 706A.230, 710.159, 711.600, **and section 11**
43 **of this act**, sections 35, 38 and 41 of chapter 478, Statutes of
44 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013
45 and unless otherwise declared by law to be confidential, all public



1 books and public records of a governmental entity must be open at
2 all times during office hours to inspection by any person, and may
3 be fully copied or an abstract or memorandum may be prepared
4 from those public books and public records. Any such copies,
5 abstracts or memoranda may be used to supply the general public
6 with copies, abstracts or memoranda of the records or may be used
7 in any other way to the advantage of the governmental entity or of
8 the general public. This section does not supersede or in any manner
9 affect the federal laws governing copyrights or enlarge, diminish or
10 affect in any other manner the rights of a person in any written book
11 or record which is copyrighted pursuant to federal law.

12 2. A governmental entity may not reject a book or record
13 which is copyrighted solely because it is copyrighted.

14 3. A governmental entity that has legal custody or control of a
15 public book or record shall not deny a request made pursuant to
16 subsection 1 to inspect or copy or receive a copy of a public book or
17 record on the basis that the requested public book or record contains
18 information that is confidential if the governmental entity can
19 redact, delete, conceal or separate the confidential information from
20 the information included in the public book or record that is not
21 otherwise confidential.

22 4. A person may request a copy of a public record in any
23 medium in which the public record is readily available. An officer,
24 employee or agent of a governmental entity who has legal custody
25 or control of a public record:

26 (a) Shall not refuse to provide a copy of that public record in a
27 readily available medium because the officer, employee or agent has
28 already prepared or would prefer to provide the copy in a different
29 medium.

30 (b) Except as otherwise provided in NRS 239.030, shall, upon
31 request, prepare the copy of the public record and shall not require
32 the person who has requested the copy to prepare the copy himself
33 or herself.

34 **Sec. 16.** NRS 287.010 is hereby amended to read as follows:

35 287.010 1. The governing body of any county, school
36 district, municipal corporation, political subdivision, public
37 corporation or other local governmental agency of the State of
38 Nevada may:

39 (a) Adopt and carry into effect a system of group life, accident
40 or health insurance, or any combination thereof, for the benefit of its
41 officers and employees, and the dependents of officers and
42 employees who elect to accept the insurance and who, where
43 necessary, have authorized the governing body to make deductions
44 from their compensation for the payment of premiums on the
45 insurance.



(b) Purchase group policies of life, accident or health insurance, or any combination thereof, for the benefit of such officers and employees, and the dependents of such officers and employees, as have authorized the purchase, from insurance companies authorized to transact the business of such insurance in the State of Nevada, and, where necessary, deduct from the compensation of officers and employees the premiums upon insurance and pay the deductions upon the premiums.

(c) Provide group life, accident or health coverage through a self-insurance reserve fund and, where necessary, deduct contributions to the maintenance of the fund from the compensation of officers and employees and pay the deductions into the fund. The money accumulated for this purpose through deductions from the compensation of officers and employees and contributions of the governing body must be maintained as an internal service fund as defined by NRS 354.543. The money must be deposited in a state or national bank or credit union authorized to transact business in the State of Nevada. Any independent administrator of a fund created under this section is subject to the licensing requirements of chapter 683A of NRS, and must be a resident of this State. Any contract with an independent administrator must be approved by the Commissioner of Insurance as to the reasonableness of administrative charges in relation to contributions collected and benefits provided. The provisions of NRS 687B.408, 689B.030 to 689B.050, inclusive, *and section 21 of this act* and 689B.287 apply to coverage provided pursuant to this paragraph, except that the provisions of NRS 689B.0378 and 689B.03785 only apply to coverage for active officers and employees of the governing body, or the dependents of such officers and employees.

(d) Defray part or all of the cost of maintenance of a self-insurance fund or of the premiums upon insurance. The money for contributions must be budgeted for in accordance with the laws governing the county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada.

2. If a school district offers group insurance to its officers and employees pursuant to this section, members of the board of trustees of the school district must not be excluded from participating in the group insurance. If the amount of the deductions from compensation required to pay for the group insurance exceeds the compensation to which a trustee is entitled, the difference must be paid by the trustee.

3. In any county in which a legal services organization exists, the governing body of the county, or of any school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada in the



1 county, may enter into a contract with the legal services
2 organization pursuant to which the officers and employees of the
3 legal services organization, and the dependents of those officers and
4 employees, are eligible for any life, accident or health insurance
5 provided pursuant to this section to the officers and employees, and
6 the dependents of the officers and employees, of the county, school
7 district, municipal corporation, political subdivision, public
8 corporation or other local governmental agency.

9 4. If a contract is entered into pursuant to subsection 3, the
10 officers and employees of the legal services organization:

11 (a) Shall be deemed, solely for the purposes of this section, to be
12 officers and employees of the county, school district, municipal
13 corporation, political subdivision, public corporation or other local
14 governmental agency with which the legal services organization has
15 contracted; and

16 (b) Must be required by the contract to pay the premiums or
17 contributions for all insurance which they elect to accept or of which
18 they authorize the purchase.

19 5. A contract that is entered into pursuant to subsection 3:

20 (a) Must be submitted to the Commissioner of Insurance for
21 approval not less than 30 days before the date on which the contract
22 is to become effective.

23 (b) Does not become effective unless approved by the
24 Commissioner.

25 (c) Shall be deemed to be approved if not disapproved by the
26 Commissioner within 30 days after its submission.

27 6. As used in this section, "legal services organization" means
28 an organization that operates a program for legal aid and receives
29 money pursuant to NRS 19.031.

30 **Sec. 17.** NRS 287.04335 is hereby amended to read as
31 follows:

32 287.04335 If the Board provides health insurance through a
33 plan of self-insurance, it shall comply with the provisions of NRS
34 687B.409, 689B.255, 695G.150, 695G.160, 695G.162, 695G.164,
35 695G.1645, 695G.1665, 695G.167, 695G.170 to 695G.173,
36 inclusive, 695G.177, 695G.200 to 695G.230, inclusive, 695G.241 to
37 695G.310, inclusive, and 695G.405, *and section 29 of this act* in the
38 same manner as an insurer that is licensed pursuant to title 57 of
39 NRS is required to comply with those provisions.

40 **Sec. 18.** Chapter 422 of NRS is hereby amended by adding
41 thereto a new section to read as follows:

42 *The Director shall include in the State Plan for Medicaid a*
43 *requirement that the State pay the nonfederal share of*
44 *expenditures incurred for:*



1 1. Case management services for a participant in Medicaid
2 who has been diagnosed with sickle cell anemia.

3 2. Comprehensive care for a participant in Medicaid under
4 18 years of age who has been diagnosed with sickle cell anemia
5 including, without limitation, visits to specialists for evaluation,
6 counseling and education as needed.

7 3. At least two visits per year to a comprehensive clinic for
8 sickle cell anemia. Such coverage must include, without
9 limitation, coverage for all services provided during such a visit.

10 4. Each prescription drug included in the list of prescription
11 drugs prescribed pursuant to section 5 of this act, including,
12 without limitation, unlimited refills of each such drug.

13 **Sec. 19.** Chapter 689A of NRS is hereby amended by adding
14 thereto a new section to read as follows:

15 1. An insurer that issues a policy of health insurance shall
16 include in the policy coverage for:

17 (a) Case management services for an insured diagnosed with
18 sickle cell anemia;

19 (b) Comprehensive care for an insured under 18 years of age
20 who has been diagnosed with sickle cell anemia including, without
21 limitation, visits to specialists for evaluation, counseling and
22 education as needed; and

23 (c) At least two visits per year to a comprehensive clinic for
24 sickle cell anemia. Such coverage must include, without
25 limitation, coverage for all services provided during such a visit.

26 2. An insurer that issues a policy of health insurance which
27 provides coverage for prescription drugs shall include in the policy
28 coverage for each prescription drug included in the list of
29 prescription drugs prescribed pursuant to section 5 of this act,
30 including, without limitation, unlimited refills of each such drug.

31 **Sec. 20.** NRS 689A.330 is hereby amended to read as follows:

32 689A.330 If any policy is issued by a domestic insurer for
33 delivery to a person residing in another state, and if the insurance
34 commissioner or corresponding public officer of that other state has
35 informed the Commissioner that the policy is not subject to approval
36 or disapproval by that officer, the Commissioner may by ruling
37 require that the policy meet the standards set forth in NRS 689A.030
38 to 689A.320, inclusive **H**, and section 19 of this act.

39 **Sec. 21.** Chapter 689B of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 1. An insurer that issues a policy of group health insurance
42 shall include in the policy coverage for:

43 (a) Case management services for an insured who has been
44 diagnosed with sickle cell anemia;



(b) Comprehensive care for an insured under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia for an insured who has been diagnosed with sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. An insurer that issues a policy of group health insurance which provides coverage for prescription drugs shall include in the policy coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

Sec. 22. Chapter 689C of NRS is hereby amended by adding thereto a new section to read as follows:

1. A carrier that issues a health benefit plan shall include in the plan coverage for:

(a) Case management services for an insured who has been diagnosed with sickle cell anemia;

(b) Comprehensive care for an insured under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia for an insured who has been diagnosed with sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. A carrier that issues a health benefit plan which provides coverage for prescription drugs shall include in the plan coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

Sec. 23. NRS 689C.425 is hereby amended to read as follows:

689C.425 A voluntary purchasing group and any contract issued to such a group pursuant to NRS 689C.360 to 689C.600, inclusive, are subject to the provisions of NRS 689C.015 to 689C.355, inclusive, **and section 22 of this act**, to the extent applicable and not in conflict with the express provisions of NRS 687B.408 and 689C.360 to 689C.600, inclusive.

Sec. 24. Chapter 695A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A society that issues a benefit contract shall include in the benefit contract coverage for:

(a) Case management services for an insured who has been diagnosed with sickle cell anemia;



(b) Comprehensive care for an insured under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia for an insured who has been diagnosed with sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. A society that issues a benefit contract which provides coverage for prescription drugs shall include in the benefit contract coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

Sec. 25. Chapter 695B of NRS is hereby amended by adding thereto a new section to read as follows:

1. A hospital or medical service corporation that issues a policy of health insurance shall include in the policy coverage for:

(a) Case management services for an insured who has been diagnosed with sickle cell anemia;

(b) Comprehensive care for an insured under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia for an insured who has been diagnosed with sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. A hospital or medical service corporation that issues a policy of health insurance which provides coverage for prescription drugs shall include in the policy coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

Sec. 26. Chapter 695C of NRS is hereby amended by adding thereto a new section to read as follows:

1. A health maintenance organization that issues a health care plan shall include in the plan coverage for:

(a) Case management services for an enrollee who has been diagnosed with sickle cell anemia;

(b) Comprehensive care for an enrollee under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia for an enrollee who has been diagnosed with



sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. A health maintenance organization that issues a health care plan which provides coverage for prescription drugs shall include in the plan coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

3. A health maintenance organization shall establish a plan for each enrollee under 18 years of age who has been diagnosed with sickle cell anemia to transition the enrollee from pediatric care to adult care when the enrollee reaches 18 years of age.

Sec. 27. NRS 695C.050 is hereby amended to read as follows:

695C.050 1. Except as otherwise provided in this chapter or in specific provisions of this title, the provisions of this title are not applicable to any health maintenance organization granted a certificate of authority under this chapter. This provision does not apply to an insurer licensed and regulated pursuant to this title except with respect to its activities as a health maintenance organization authorized and regulated pursuant to this chapter.

2. Solicitation of enrollees by a health maintenance organization granted a certificate of authority, or its representatives, must not be construed to violate any provision of law relating to solicitation or advertising by practitioners of a healing art.

3. Any health maintenance organization authorized under this chapter shall not be deemed to be practicing medicine and is exempt from the provisions of chapter 630 of NRS.

4. The provisions of NRS 695C.110, 695C.125, 695C.1691, 695C.1693, 695C.170, 695C.1703, 695C.1705, 695C.1709 to 695C.173, inclusive, 695C.1733, 695C.17335, 695C.1734, 695C.1751, 695C.1755, 695C.176 to 695C.200, inclusive, and 695C.265 do not apply to a health maintenance organization that provides health care services through managed care to recipients of Medicaid under the State Plan for Medicaid or insurance pursuant to the Children's Health Insurance Program pursuant to a contract with the Division of Health Care Financing and Policy of the Department of Health and Human Services. This subsection does not exempt a health maintenance organization from any provision of this chapter for services provided pursuant to any other contract.

5. The provisions of NRS 695C.1694 to 695C.1698, inclusive, 695C.1708, 695C.1731, 695C.17345, 695C.1735, 695C.1745 and 695C.1757 *and section 26 of this act* apply to a health maintenance organization that provides health care services through managed care to recipients of Medicaid under the State Plan for Medicaid.



Sec. 28. NRS 695C.330 is hereby amended to read as follows:
695C.330 1. The Commissioner may suspend or revoke any certificate of authority issued to a health maintenance organization pursuant to the provisions of this chapter if the Commissioner finds that any of the following conditions exist:

(a) The health maintenance organization is operating significantly in contravention of its basic organizational document, its health care plan or in a manner contrary to that described in and reasonably inferred from any other information submitted pursuant to NRS 695C.060, 695C.070 and 695C.140, unless any amendments to those submissions have been filed with and approved by the Commissioner;

(b) The health maintenance organization issues evidence of coverage or uses a schedule of charges for health care services which do not comply with the requirements of NRS 695C.1691 to 695C.200, inclusive, *and section 26 of this act* or 695C.207;

(c) The health care plan does not furnish comprehensive health care services as provided for in NRS 695C.060;

(d) The Commissioner certifies that the health maintenance organization:

(1) Does not meet the requirements of subsection 1 of NRS 695C.080; or

(2) Is unable to fulfill its obligations to furnish health care services as required under its health care plan;

(e) The health maintenance organization is no longer financially responsible and may reasonably be expected to be unable to meet its obligations to enrollees or prospective enrollees;

(f) The health maintenance organization has failed to put into effect a mechanism affording the enrollees an opportunity to participate in matters relating to the content of programs pursuant to NRS 695C.110;

(g) The health maintenance organization has failed to put into effect the system required by NRS 695C.260 for:

(1) Resolving complaints in a manner reasonably to dispose of valid complaints; and

(2) Conducting external reviews of adverse determinations that comply with the provisions of NRS 695G.241 to 695G.310, inclusive;

(h) The health maintenance organization or any person on its behalf has advertised or merchandised its services in an untrue, misrepresentative, misleading, deceptive or unfair manner;

(i) The continued operation of the health maintenance organization would be hazardous to its enrollees or creditors or to the general public;



(j) The health maintenance organization fails to provide the coverage required by NRS 695C.1691; or

(k) The health maintenance organization has otherwise failed to comply substantially with the provisions of this chapter.

2. A certificate of authority must be suspended or revoked only after compliance with the requirements of NRS 695C.340.

3. If the certificate of authority of a health maintenance organization is suspended, the health maintenance organization shall not, during the period of that suspension, enroll any additional groups or new individual contracts, unless those groups or persons were contracted for before the date of suspension.

4. If the certificate of authority of a health maintenance organization is revoked, the organization shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of the organization. It shall engage in no further advertising or solicitation of any kind. The Commissioner may, by written order, permit such further operation of the organization as the Commissioner may find to be in the best interest of enrollees to the end that enrollees are afforded the greatest practical opportunity to obtain continuing coverage for health care.

Sec. 29. Chapter 695G of NRS is hereby amended by adding thereto a new section to read as follows:

1. A managed care organization that issues a health care plan shall include in the plan coverage for:

(a) Case management services for an insured diagnosed with sickle cell anemia;

(b) Comprehensive care for an insured under 18 years of age who has been diagnosed with sickle cell anemia including, without limitation, visits to specialists for evaluation, counseling and education as needed; and

(c) At least two visits per year to a comprehensive clinic for sickle cell anemia. Such coverage must include, without limitation, coverage for all services provided during such a visit.

2. A managed care organization that issues a health care plan which provides coverage for prescription drugs shall include in the plan coverage for each prescription drug included in the list of prescription drugs prescribed pursuant to section 5 of this act, including, without limitation, unlimited refills of each such drug.

3. A managed care organization shall establish a plan for each insured under 18 years of age who has been diagnosed with sickle cell anemia to transition the insured from pediatric care to adult care when the insured reaches 18 years of age.



1 **Sec. 30.** The provisions of NRS 354.599 do not apply to any
2 additional expenses of a local government that are related to the
3 provisions of this act.

4 **Sec. 31.** This act becomes effective:

5 1. Upon passage and approval for the purpose of adopting any
6 regulations and performing any other preparatory administrative
7 tasks that are necessary to carry out the provisions of this act; and

8 2. On October 1, 2019, for all other purposes.

