

Amendment No. 1049

Senate Amendment to Senate Bill No. 198 First Reprint	(BDR 38-744)
Proposed by: Senate Committee on Finance	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will ADD an appropriation where one does not currently exist in S.B. 198 R1.

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.

EWR/RBL



Date: 5/31/2019

S.B. No. 198—Revises provisions governing eligibility for Medicaid.
(BDR 38-744)



SENATE BILL NO. 198—SENATORS SCHEIBLE; PARKS AND RATTI

FEBRUARY 18, 2019

JOINT SPONSORS: ASSEMBLYMEN MONROE-MORENO AND FUMO

Referred to Committee on Health and Human Services

SUMMARY—~~[Revises provisions governing]~~ Requires analysis and reporting concerning the eligibility of children for Medicaid.
(BDR ~~[38-744]~~ S-744)

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 Medicaid; ~~[prescribing the manner in which the time period for which a child is eligible for coverage under the Medicaid program must be calculated;]~~ requiring the Division of Welfare and Supportive Services of the Department of Health and Human Services to analyze and report certain information concerning the eligibility of children for Medicaid; making an appropriation; authorizing certain expenditures; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law ~~[(1)]~~ requires the Department of Health and Human Services to administer the Medicaid program ~~[, (1) and (2) requires the State Plan for Medicaid to include certain provisions.]~~ (NRS 422.270 ~~[, 422.2717-422.27242]~~) Section 1 of this bill requires the State Plan to include a requirement that a child remain continuously eligible for coverage under the Medicaid program until the earliest of: (1) 12 months after the date on which the child is enrolled; (2) the child ceases to reside in this State; (3) the child's 19th birthday; (4) a voluntary request by the child or his or her representative to terminate the coverage of the child; (5) a determination by the Department that the child was found eligible because of an error, fraud, abuse or perjury; or (6) the death of the child. Section 1 also requires the State Plan to limit the period of continuous eligibility for coverage to not more than 12 months. Section 2 of this bill makes a conforming change.) Section 3 of this bill requires the Division of Welfare and Supportive Services of the Department to conduct an analysis to determine the number of children during a certain period who have lost coverage under Medicaid within 12 months after the date on which the child was determined to be eligible for coverage. The analysis must also determine the number of such children who lost coverage for certain reasons. A report of the information must be submitted by the Department to the Legislature. Section 3 also requires the Department to provide to the Legislature a fiscal analysis of the cost of allowing certain such children to remain covered under Medicaid until 12 months after the date on which the child was determined eligible for coverage. Section 4 of this bill appropriates money to the Division

21 to allow the Division to modify the computerized system used by the Division to maintain
22 data concerning recipients of Medicaid as necessary to compile the data required by
23 section 3. Section 5 of this bill authorizes certain additional expenditures for this same
24 purpose.

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 a new~~
2 ~~section to read as follows:~~

3 ~~— The Director shall include in the State Plan for Medicaid requirements that:~~
4 ~~1. A child under 19 years of age who is enrolled in Medicaid must remain~~
5 ~~continuously eligible for coverage under the Medicaid program until the earliest~~
6 ~~of:~~

7 ~~— (a) Twelve months after the date on which the child is enrolled in Medicaid;~~
8 ~~— (b) The date on which the child ceases to reside in this State;~~
9 ~~— (c) The child's 19th birthday;~~
10 ~~— (d) A voluntary request by the child or his or her representative to terminate~~
11 ~~the coverage of the child;~~
12 ~~— (e) A determination by the Department that the child was found eligible~~
13 ~~because of an error by the Department or fraud, abuse or perjury by the child or~~
14 ~~his or her representative; or~~
15 ~~— (f) The death of the child.~~

16 ~~2. The period of continuous eligibility for coverage under the Medicaid~~
17 ~~program must not exceed 12 months.] (Deleted by amendment.)~~

18 **Sec. 2.** ~~[NRS 222.320 is hereby amended to read as follows:~~

19 ~~— 222.320 1. The Director:~~

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

22 ~~— (1) The Administrator of the Aging and Disability Services Division;~~
23 ~~— (2) The Administrator of the Division of Welfare and Supportive Services;~~
24 ~~— (3) The Administrator of the Division of Child and Family Services;~~
25 ~~— (4) The Administrator of the Division of Health Care Financing and~~
26 ~~Policy; and~~
27 ~~— (5) The Administrator of the Division of Public and Behavioral Health.~~

28 ~~— (b) Shall administer, through the divisions of the Department, the provisions of~~
29 ~~chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A~~
30 ~~and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410,~~
31 ~~inclusive, and section 1 of this act, 422.580, 422.010 to 422.133, inclusive,~~
32 ~~432B.621 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to~~
33 ~~445A.055, inclusive, and all other provisions of law relating to the functions of the~~
34 ~~divisions of the Department, but is not responsible for the clinical activities of the~~
35 ~~Division of Public and Behavioral Health or the professional line activities of the~~
36 ~~other divisions.~~

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

40 ~~— (d) Shall, after considering advice from agencies of local governments and~~
41 ~~nonprofit organizations which provide social services, adopt a master plan for the~~
42 ~~provision of human services in this State. The Director shall revise the plan~~
43 ~~biennially and deliver a copy of the plan to the Governor and the Legislature at the~~
44 ~~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.~~

~~(c) 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.} (Deleted by amendment.)~~

Sec. 3. 1. The Division of Welfare and Supportive Services of the Department of Health and Human Services shall conduct an analysis to determine the total number of children in this State who lose or have lost coverage under Medicaid within 12 months after the date on which they were determined eligible for coverage during the period beginning July 1, 2019, and ending September 1, 2020, and, to the extent the information is available, before July 1, 2019. The analysis must further determine the number of such children who lose or have lost coverage during that period because:

(a) The child no longer resides in this State;

(b) The coverage of the child under Medicaid was voluntarily terminated by request;

(c) The child died;

(d) The child resides in a household with a household income that exceeds the maximum household income to be eligible for Medicaid;

(e) The child no longer resides in a household for which Medicaid eligibility has been granted; or

(f) The parent or guardian of the child failed to comply with the requirements to remain eligible for Medicaid.

2. On or before October 1, 2020, the Department of Health and Human Services shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Health Care a report which must include, without limitation:

(a) The total number of children described in subsection 1 and the number of those children in each category described in paragraphs (a) to (f), inclusive, of subsection 1; and

(b) A fiscal analysis of the cost of amending the State Plan for Medicaid to allow a child who has been covered under Medicaid for less than 12 months to continue to be covered until 12 months after the date on which the child was determined to be eligible for Medicaid despite becoming ineligible based on the household income of the child.

Sec. 4. 1. There is hereby appropriated from the State General Fund to the Division of Welfare and Supportive Services of the Department of Health and Human Services the sum of \$42,600 for the purpose of making any modifications to the computerized system used by the Division to maintain data concerning recipients of Medicaid that are necessary to carry out the provisions of section 3 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2021, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2021, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2021.

Sec. 5. Expenditure of \$383,400 not appropriated from the State General Fund or the State Highway Fund is hereby authorized during Fiscal Year 2019-2020 and Fiscal Year 2020-2021 by the Division of Welfare and Supportive Services of the Department of Health and Human Services for the purpose of carrying out the provisions of section 3 of this act.

~~[Sec. 3.]~~ Sec. 6. This act becomes effective ~~[on July 1, 2019.]~~ upon passage and approval.