

Amendment No. 875

Assembly Amendment to Senate Bill No. 424
(BDR 39-964)

Proposed by: Assembly Committee on Health and Human Services

Amendment Box: Replaces Amendment No. 812.

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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.



SENATE BILL NO. 424—SENATOR OHRENSCHALL

MARCH 21, 2019

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing community-based living arrangement services. ~~[for persons with a mental illness.]~~
(BDR 39-964)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to mental health; requiring the establishment of a system to categorize ~~[consumers]~~ recipients of ~~[mental health]~~ community-based living arrangement services by the scope of services needed; requiring the establishment of procedures for the appeal of decisions relating to eligibility for or authorization of ~~[certain]~~ community-based living arrangement services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Public and Behavioral Health of the Department of Health and Human Services to adopt regulations that specify the circumstances under which a consumer is eligible to receive mental health services from the Division, including care, treatment, treatment to competency and training. (NRS 433.3315) This bill requires those regulations to prescribe a system to categorize ~~[consumers]~~ recipients of community-based living arrangement services by the scope of services needed by the ~~[consumers.]~~ recipients. This bill also requires the Division to adopt regulations to establish procedures by which a ~~[consumer or a provider]~~ recipient of community-based living arrangement services may appeal a decision of the Division concerning eligibility for or authorization of services.

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

Section 1. NRS 433.3315 is hereby amended to read as follows:

433.3315 The Division shall adopt regulations:

1. To define the term “consumer” for the purposes of chapters 433 to 433C, inclusive, of NRS.

2. To specify the circumstances under which a consumer is eligible to receive services from the Division pursuant to chapters 433 to 433C, inclusive, of NRS, including, but not limited to, care, treatment, treatment to competency and training. Regulations adopted pursuant to this subsection must ~~[prescribe]~~ ;

1 (a) Prescribe a system to categorize a ~~consumer~~ recipient of community-
2 based living arrangement services by the scope of services needed by the
3 ~~consumer~~ recipient; and ~~specify~~

4 (b) Specify that a consumer is eligible to receive services only if the consumer:
5 ~~((a))~~ (1) Has a documented diagnosis of a mental disorder based on the most
6 recent edition of the Diagnostic and Statistical Manual of Mental Disorders
7 published by the American Psychiatric Association; and

8 ~~((b))~~ (2) Except as otherwise provided in the regulations adopted pursuant to
9 subsection 3, is not eligible to receive services through another public or private
10 entity.

11 3. To specify the circumstances under which the provisions of subparagraph
12 (2) of paragraph (b) of subsection 2 do not apply, including, without limitation,
13 when the copay or other payment required to obtain services through another public
14 or private entity is prohibitively high.

15 4. To establish policies and procedures for the referral of each consumer who
16 needs services that the Division is unable to provide to the most appropriate
17 organization or resource who is able to provide the needed services to that
18 consumer.

19 5. To establish procedures by which a ~~consumer or a provider~~ recipient of
20 community-based living arrangement services with which the Division has
21 entered into a contract may appeal a decision of the Division concerning
22 eligibility for or authorization of services.

23 6. As used in this section, "community-based living arrangement services"
24 has the meaning ascribed to it in NRS 433.605.

25 **Sec. 2.** This act becomes effective:

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

29 2. On January 1, 2020, for all other purposes.