

SENATE BILL NO. 174—SENATOR OHRENSCHALL

FEBRUARY 18, 2019

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes relating to services provided to persons with autism spectrum disorders. (BDR S-680)

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 disability services; requiring the Department of Health and Human Services to seek an increase in certain reimbursement rates under the Medicaid program and the Autism Treatment Assistance Program for a registered behavior technician; requiring the Legislative Auditor to conduct an audit of the Medicaid program concerning the delivery of certain services; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Department of Health and Human Services to administer Medicaid. (NRS 422.270) **Section 1** of this bill requires the Department to submit to the United States Secretary of Health and Human Services a request to amend the State Plan for Medicaid to increase the rate of reimbursement which is provided on a fee-for-service basis for services provided by a registered behavior technician to at least \$48 per hour. If that request is approved, **section 1** requires the Autism Treatment Assistance Program, which is established within the Aging and Disability Services Division to serve as the primary autism program within the Department, to pay a rate of reimbursement for such services that is equal to or greater than the rate of reimbursement provided under Medicaid. (See NRS 427A.875) **Section 2** of this bill requires the Legislative Auditor to conduct an audit of the Department of Health and Human Services concerning the delivery of evidence-based services for persons with autism spectrum disorders during the 2019-2020 biennium.



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

**Section 1.** 1. On or before October 1, 2019, the Department of Health and Human Services shall submit to the United States Secretary of Health and Human Services a request to amend the State Plan for Medicaid to increase the rate of reimbursement which is provided on a fee-for-service basis pursuant to the State Plan for services provided by a registered behavior technician to at least \$48 per hour that such services are provided. The request must be supported using methods for determining reimbursement rates accepted by the Secretary.

2. If the amendment to the State Plan for Medicaid requested pursuant to subsection 1 is approved, the Autism Treatment Assistance Program established by NRS 427A.875 must provide a rate of reimbursement for services provided by a registered behavior technician equal or greater to the rate of reimbursement provided for such services pursuant to the State Plan beginning January 1, 2020, or when approved if after that date.

**Sec. 2.** 1. The Legislative Auditor shall conduct an audit during the 2019-2021 biennium of the Medicaid program, including, without limitation, Medicaid managed care programs, the Autism Treatment Assistance Program and any other program or services provided through the Department of Health and Human Services concerning the delivery of evidence-based services for children with autism spectrum disorders. The audit must include, without limitation:

(a) An analysis of the capacity of persons who provide such services and the wait times to receive such services;

(b) An identification and assessment of factors, including, without limitation, rates of reimbursement, lack of providers of services, procedures for authorization of services and delays in obtaining assessments and diagnoses, that inhibit access to and delivery of such services; and

(c) An analysis of revenues and expenditures relating to such services and any unspent money that has been appropriated for such services since July 1, 2015.

2. The Legislative Auditor shall present a final written report of the audit to the Audit Subcommittee of the Legislative Commission by not later than January 31, 2021.

**Sec. 3.** This act becomes effective upon passage and approval.

