

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 eligibility for
Medicaid. (BDR 38-744)

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; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law: (1) requires the Department of Health and Human Services to
2 administer the Medicaid program; and (2) requires the State Plan for Medicaid to
3 include certain provisions. (NRS 422.270, 422.2717-422.27242) **Section 1** of this
4 bill requires the State Plan to include a requirement that a child remain
5 continuously eligible for coverage under the Medicaid program until the earliest of:
6 (1) 12 months after the date on which the child is enrolled; (2) the child ceases to
7 reside in this State; (3) the child's 19th birthday; (4) a voluntary request by the
8 child or his or her representative to terminate the coverage of the child; (5) a
9 determination by the Department that the child was found eligible because of an
10 error, fraud, abuse or perjury; or (6) the death of the child. **Section 1** also requires
11 the State Plan to limit the period of continuous eligibility for coverage to not more
12 than 12 months. **Section 2** of this bill makes a conforming change.



* S B 1 9 8 R 1 *

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 a new section to read as follows:

The Director shall include in the State Plan for Medicaid requirements that:

1. A child under 19 years of age who is enrolled in Medicaid must remain continuously eligible for coverage under the Medicaid program until the earliest of:

(a) Twelve months after the date on which the child is enrolled in Medicaid;

(b) The date on which the child ceases to reside in this State;

(c) The child's 19th birthday;

(d) A voluntary request by the child or his or her representative to terminate the coverage of the child;

(e) A determination by the Department that the child was found eligible because of an error by the Department or fraud, abuse or perjury by the child or his or her representative; or

(f) The death of the child.

2. The period of continuous eligibility for coverage under the Medicaid program must not exceed 12 months.

Sec. 2. 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 1 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



1 is not responsible for the clinical activities of the Division of Public
2 and Behavioral Health or the professional line activities of the other
3 divisions.

4 (c) Shall administer any state program for persons with
5 developmental disabilities established pursuant to the
6 Developmental Disabilities Assistance and Bill of Rights Act of
7 2000, 42 U.S.C. §§ 15001 et seq.

8 (d) Shall, after considering advice from agencies of local
9 governments and nonprofit organizations which provide social
10 services, adopt a master plan for the provision of human services in
11 this State. The Director shall revise the plan biennially and deliver a
12 copy of the plan to the Governor and the Legislature at the
13 beginning of each regular session. The plan must:

14 (1) Identify and assess the plans and programs of the
15 Department for the provision of human services, and any
16 duplication of those services by federal, state and local agencies;

17 (2) Set forth priorities for the provision of those services;

18 (3) Provide for communication and the coordination of those
19 services among nonprofit organizations, agencies of local
20 government, the State and the Federal Government;

21 (4) Identify the sources of funding for services provided by
22 the Department and the allocation of that funding;

23 (5) Set forth sufficient information to assist the Department
24 in providing those services and in the planning and budgeting for the
25 future provision of those services; and

26 (6) Contain any other information necessary for the
27 Department to communicate effectively with the Federal
28 Government concerning demographic trends, formulas for the
29 distribution of federal money and any need for the modification of
30 programs administered by the Department.

31 (e) May, by regulation, require nonprofit organizations and state
32 and local governmental agencies to provide information regarding
33 the programs of those organizations and agencies, excluding
34 detailed information relating to their budgets and payrolls, which the
35 Director deems necessary for the performance of the duties imposed
36 upon him or her pursuant to this section.

37 (f) Has such other powers and duties as are provided by law.

38 2. Notwithstanding any other provision of law, the Director, or
39 the Director's designee, is responsible for appointing and removing
40 subordinate officers and employees of the Department, other than
41 the State Public Defender of the Office of State Public Defender
42 who is appointed pursuant to NRS 180.010.

43 **Sec. 3.** This act becomes effective on July 1, 2019.

