

(Reprinted with amendments adopted on May 26, 2021)

SECOND REPRINT

A.B. 189

ASSEMBLY BILL NO. 189—ASSEMBLYWOMEN GORELOW, TITUS,
BILBRAY-AXELROD, CARLTON, MONROE-MORENO;
ANDERSON, BROWN-MAY, COHEN, CONSIDINE, DURAN,
GONZÁLEZ, KRASNER, MARTINEZ, MARZOLA, BRITTNEY
MILLER, NGUYEN, PETERS, SUMMERS-ARMSTRONG,
THOMAS AND TORRES

MARCH 4, 2021

JOINT SPONSORS: SENATORS CANNIZZARO, DONDERO LOOP,
D. HARRIS, LANGE AND SCHEIBLE

Referred to Committee on Health and Human Services

SUMMARY—Expands Medicaid coverage for certain pregnant
women. (BDR 38-130)

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; requiring the Director of the
Department of Health and Human Services to expand
coverage under the State Plan for Medicaid for certain
pregnant women; making appropriations to and
authorizing expenditures of money by the Division of
Health Care Financing and Policy and the Division of
Welfare and Supportive Services of the Department; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Department of Health and Human Services to develop
- 2 and administer a State Plan for Medicaid which includes a list of specific medical
- 3 services required to be provided to Medicaid recipients. (NRS 422.063, 422.270; 42
- 4 U.S.C. § 1396a) Existing law requires the Department to amend the State Plan for
- 5 Medicaid to seek a waiver of certain provisions of federal law for the purpose of
- 6 including certain services in the State Plan for Medicaid. (NRS 422.27247,
- 7 422.396, 422.3962) **Section 1** of this bill requires the Department to expand
- 8 coverage under the State Plan for Medicaid for pregnant women by: (1) providing
- 9 that pregnant women who are determined by certain entities to qualify for Medicaid



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are presumptively eligible for Medicaid for a prescribed period of time, without submitting an application for enrollment in Medicaid which includes additional proof of eligibility; and (2) prohibiting the imposition of a requirement that a pregnant woman who resides in this State and who is otherwise eligible for Medicaid must reside in the United States for a prescribed period of time before enrolling in Medicaid. **Section 2** of this bill makes a conforming change to indicate that **section 1** will be administered in the same manner as the provisions of existing law governing the State Plan for Medicaid. **Sections 2.3, 2.6 and 2.9** of this bill make appropriations to and authorize expenditures of money by the Division of Health Care Financing and Policy and the Division of Welfare and Supportive Services of the Department of Health and Human Services for projected medical service costs and certain other costs associated with implementing this bill.

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:

1. The Director shall, to the extent authorized by federal law, include in the State Plan for Medicaid authorization for a pregnant woman who is determined by a qualified provider to be presumptively eligible for Medicaid to enroll in Medicaid until the last day of the month immediately following the month of enrollment without submitting an application for enrollment in Medicaid which includes additional proof of eligibility.

2. Unless otherwise required by federal law, the Director shall not include in the State Plan for Medicaid a requirement that a pregnant woman who resides in this State and who is otherwise eligible for Medicaid must reside in the United States for a prescribed period of time before enrolling in Medicaid.

3. As used in this section, "qualified provider" has the meaning ascribed to it in 42 U.S.C. § 1396r-1.

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.6201 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.

Sec. 2.3. 1. There is hereby appropriated from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services the sum of \$683,731 for projected medical service costs.

2. Expenditure of \$1,164,316 not appropriated from the State General Fund or the State Highway Fund is hereby authorized during the fiscal year beginning on July 1, 2022, and ending on June 30, 2023, by the Division of Health Care Financing and Policy of the Department of Health and Human Services for the same purpose as set forth in subsection 1.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, 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 15, 2023, 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 15, 2023.

Sec. 2.6. 1. There is hereby appropriated from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services the sum of \$30,125 for information system and actuarial costs associated with implementing this act.

2. Expenditure of \$44,375 not appropriated from the State General Fund or the State Highway Fund is hereby authorized during the fiscal year beginning on July 1, 2022, and ending on June 30, 2023, by the Division of Health Care Financing and Policy of the Department of Health and Human Services for the same purpose as set forth in subsection 1.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, 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 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently



1 granted or transferred, and must be reverted to the State General
2 Fund on or before September 15, 2023.

3 **Sec. 2.9.** 1. There is hereby appropriated from the State
4 General Fund to the Division of Welfare and Supportive Services of
5 the Department of Health and Human Services the sum of \$150,900
6 for the costs of information system changes and training associated
7 with implementing this act.

8 2. Expenditure of \$1,358,100 not appropriated from the State
9 General Fund or the State Highway Fund is hereby authorized
10 during the fiscal year beginning on July 1, 2022, and ending on
11 June 30, 2023, by the Division of Welfare and Supportive Services
12 of the Department of Health and Human Services for the same
13 purpose as set forth in subsection 1.

14 3. Any remaining balance of the appropriation made by
15 subsection 1 must not be committed for expenditure after June 30,
16 2023, by the entity to which the appropriation is made or any entity
17 to which money from the appropriation is granted or otherwise
18 transferred in any manner, and any portion of the appropriated
19 money remaining must not be spent for any purpose after
20 September 15, 2023, by either the entity to which the money was
21 appropriated or the entity to which the money was subsequently
22 granted or transferred, and must be reverted to the State General
23 Fund on or before September 15, 2023.

24 **Sec. 3.** This act becomes effective on July 1, 2022.

