

SENATE BILL NO. 309—SENATOR NEAL

MARCH 22, 2021

Referred to Committee on Health and Human Services

SUMMARY—Establishes a reinvestment advisory committee in certain larger counties. (BDR 38-956)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; establishing a reinvestment advisory committee in certain larger counties; requiring a reinvestment advisory committee to perform certain duties relating to the reinvestment of funds by managed care organizations that provide health care services to recipients of Medicaid; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Health and Human Services to enter into a contract with a managed care organization to provide health care services to recipients of Medicaid. (NRS 422.273) **Section 3** of this bill establishes a reinvestment advisory committee in each county of this State whose population is 700,000 or more (currently Clark County). **Section 3** prescribes the membership of a reinvestment advisory committee, which consists of: (1) voting members who represent the Department and certain local governmental entities and nonprofit organizations; and (2) any additional nonvoting members appointed by the Director of the Department. **Section 2** of this bill defines the term "reinvestment advisory committee." **Section 4** of this bill prescribes certain procedural requirements governing the operations of a reinvestment advisory committee and authorizes a reinvestment advisory committee to form subcommittees. **Section 5** of this bill prescribes the duties of a reinvestment advisory committee, which includes reviewing, making recommendations and reporting to the Legislature and Director of the Department concerning the reinvestment of funds by managed care organizations that provide health care services to recipients of Medicaid in the communities served by those organizations. **Section 6** of this bill makes a conforming change to indicate the placement of **sections 2-5** in the Nevada Revised Statutes.



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
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless*
5 *the context otherwise requires, "reinvestment advisory committee"*
6 *means a reinvestment advisory committee established by section 3*
7 *of this act.*

8 **Sec. 3. 1.** *A reinvestment advisory committee is hereby*
9 *established in each county whose population is 700,000 or more.*

10 2. *A reinvestment advisory committee consists of the*
11 *following members:*

12 (a) *The Administrator, who serves as a voting member;*

13 (b) *The following voting members, appointed by the Director:*

14 (1) *The director of a social services agency of the county;*

15 (2) *A representative of the government of the county;*

16 (3) *Two members who represent the government of*
17 *different cities whose population is 100,000 or more that are*
18 *located in the county;*

19 (4) *Two members who represent nonprofit organizations*
20 *that work with recipients of Medicaid who reside in the county and*
21 *receive health care services through managed care; and*

22 (5) *One member who represents the Division of Welfare*
23 *and Supportive Services of the Department; and*

24 (c) *Other persons that the Director deems necessary or*
25 *appropriate to serve as nonvoting members.*

26 3. *The members appointed to a reinvestment advisory*
27 *committee pursuant to paragraphs (b) and (c) of subsection 2*
28 *serve at the pleasure of the Director.*

29 4. *The members of a reinvestment advisory committee serve*
30 *without compensation and are not entitled to the per diem*
31 *allowance and travel expenses provided for state officers and*
32 *employees generally.*

33 5. *Any member of a reinvestment advisory committee who is a*
34 *public employee must be granted administrative leave from his or*
35 *her duties to engage in the business of the committee without loss*
36 *of his or her regular compensation. Such leave does not reduce*
37 *the amount of the member's other accrued leave.*

38 **Sec. 4. 1.** *The Director shall appoint the Chair of each*
39 *reinvestment advisory committee from among its voting members.*

40 2. *A reinvestment advisory committee:*

41 (a) *Shall meet at least twice each calendar year or at the call of*
42 *the Chair.*



(b) May, upon the recommendation of the Chair, form subcommittees for decisions and recommendations concerning specific issues within the scope of the duties of the committee prescribed by section 5 of this act.

3. A majority of the voting members of a reinvestment advisory committee constitutes a quorum for the transaction of business, and the affirmative vote of a majority of the voting members of the committee is required to take action.

Sec. 5. 1. A reinvestment advisory committee shall:

(a) Solicit and review reports from the Division and Medicaid managed care organizations concerning the reinvestment of funds by those Medicaid managed care organizations in the communities served by the Medicaid managed care organizations.

(b) Report to the Division and Medicaid managed care organizations concerning initiatives of local governments in the county to address homelessness, housing issues and social determinants of health.

(c) Make recommendations based on the reports reviewed pursuant to paragraph (a) to the Division and Medicaid managed care organizations concerning the reinvestment of funds by those Medicaid managed care organizations in the communities served by the Medicaid managed care organizations. Those recommendations must include, without limitation, recommendations for the use of such funds for the purposes of:

(1) Developing innovative partnerships with community development organizations and providers of housing services; and

(2) Supporting the initiatives of local governments in the county to address homelessness, housing issues and social determinants of health.

2. On or before December 31 of each year, a reinvestment advisory committee shall:

(a) Compile a report concerning:

(1) The uses of funds reinvested by Medicaid managed care organizations in the communities served by those Medicaid managed care organizations, including, without limitation, efforts to address homelessness, disparities in health care and social determinants of health; and

(2) The activities of the reinvestment advisory committee during the calendar year, including, without limitation, the recommendations made by the reinvestment advisory committee pursuant to paragraph (c) of subsection 1.

(b) Submit the report to:

(1) The Director of the Legislative Counsel Bureau for transmittal to:



(I) In odd-numbered years, the Legislative Committee on Health Care; and

(II) In even-numbered years, the next regular session of the Legislature.

(2) The Director of the Department.

3. As used in this section, "Medicaid managed care organization" means a managed care organization that provides health care services to recipients of Medicaid who reside in the county for which a reinvestment advisory committee is formed.

Sec. 6. 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 sections 2 to 5, inclusive, 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. 7. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 8. This act becomes effective on January 1, 2022.

