SENATE BILL NO. 80–COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE TRIBAL HEALTH AUTHORITY COUNCIL)

PREFILED NOVEMBER 18, 2026

Referred to Committee on Health and Human Services

SUMMARY—Establishes provisions for the reinvestment of certain money under Medicaid. (BDR 38-338)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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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 program to reinvest a portion of money received through certain enhanced federal payments into programs, services and projects relating to the health of Native Americans; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Nevada Health Authority to administer Medicaid. (NRS 422.270) Existing law also creates the Tribal Health Authority Council, which performs certain duties relating to the health of American Indians. (NRS 233A.410, 233A.440) Existing federal law provides for increased federal payments to states for services provided to recipients of Medicaid through certain facilities operated by the Indian Health Service of the United States Department of Health and Human Services or an Indian tribe. (42 U.S.C. § 1396d(b)) This bill establishes a program to reinvest money received by this State through such enhanced federal payments into programs, services and projects relating to the health of Native Americans. Specifically, **section 1** of this bill requires the Authority, in consultation with the Council, to establish: (1) procedures for the identification and processing of claims eligible for increased federal payments; (2) a mechanism to allocate a portion of the money received through such enhanced federal payments to programs, services and projects relating to the health of Native Americans; and (3) requirements to ensure the accountability of programs, services and projects that receive such allocations of money. **Section 1** requires the Council to determine the manner in which the Authority will allocate a portion of the money received through increased federal payments. **Section 1** requires the Authority to coordinate with the Council, Native American tribes in this State and certain health care

facilities operated by such tribes or the Federal Government to implement the program of reinvestment. **Section 2** of this bill requires the Authority to administer **section 1** in the same manner as other provisions governing Medicaid. **Section 3** of this bill requires: (1) the Administrator of the Medicaid Division of the Authority and the Chair of the Council to notify the Director of the Authority on the date on which those entities are prepared to carry out the program of reinvestment established by **section 1**; and (2) the Director of the Authority to notify the Director of the Legislative Counsel Bureau as soon as practicable after the date on which the Director of the Authority has received such notice from both the Administrator and the Chair. **Section 4** of this bill provides that the program of reinvestment established by **section 1** becomes operative on the date on which the Director of the Legislative Counsel Bureau receives such notice.

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. If the enhanced federal match is available to this State:

(a) The Authority, in consultation with the Tribal Health Authority Council, shall establish:

(1) A process to identify eligible claims for items or services that:

(I) Are furnished by nontribal providers of health care that participate in Medicaid; and

(II) Qualify for the enhanced federal match under rules or guidance issued by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services;

(2) Procedures for verifying and reimbursing the eligible claims identified pursuant to subparagraph (1);

(3) Any documentation or other information necessary to verify the eligible claims identified pursuant to subparagraph (1);

(4) A mechanism to allocate a portion of the enhanced federal match to programs, services and projects relating to the health of Native Americans in accordance with the determinations made by the Tribal Health Authority Council pursuant to paragraph (b);

(5) Requirements to ensure the accountability of programs, services and projects that receive allocations of money pursuant to subparagraph (4), including, without limitation, reporting requirements, as are deemed necessary for that purpose through coordination pursuant to subsection 2; and

(6) Any other administrative standards or requirements as are necessary to carry out the provisions of this section.

(b) The Tribal Health Authority Council shall, based on the assessments conducted pursuant to NRS 233A.440, determine the:

(1) Programs, services and projects relating to the health of Native Americans that will receive allocations of money pursuant to subparagraph (4) of paragraph (a); and

(2) Amount of such money that will be allocated to each program, service or project.

2. The Authority shall coordinate with the Tribal Health Authority Council, Native American tribes in this State and Indian Health Service facilities in this State to implement the provisions of this section.

3. The Authority shall:

(a) Apply to the Secretary of Health and Human Services for any waiver of federal law or apply for any amendment of the State Plan for Medicaid that is necessary for the Authority to implement the provisions of this section.

(b) Fully cooperate in good faith with the Federal Government during the application process to satisfy the requirements of the Federal Government for obtaining a waiver or amendment pursuant to paragraph (a).

4. As used in this section:

(a) "Eligible claim" means a claim for reimbursement of the cost of an item or service that is:

(1) Covered by Medicaid; and

(2) Within the scope of a written care coordination agreement between an Indian Health Service facility and a nontribal provider of health care.

(b) "Enhanced federal match" means 100 percent federal matching funds under 42 U.S.C. § 1396d(b).

(c) "Indian Health Service facility" means an Indian Health Service facility, as referenced in 42 U.S.C. § 1396d(b).

(d) "Provider of health care" means:

(1) A physician or other health care practitioner who is licensed or otherwise authorized in this State to furnish any health care service; and

(2) An institution providing health care services or other setting in which health care services are provided.

(e) "Tribal Health Authority Council" means the Tribal Health Authority Council created by NRS 233A.410.

Sec. 2. NRS 232.4993 is hereby amended to read as follows:

232.4993 1. The Authority shall administer:

(a) The provisions of chapters 449, 449A, 634B, 640D, 640E, 652, 695I and 695K of NRS and NRS 232.4996 to 232.49969, inclusive, 287.0402 to 287.049, inclusive, and 422.001 to 422.410, inclusive, ***and section 1 of this act*** and 422.580, 439.258, 439.271

to 439.2794, inclusive, 439.581 to 439.597, inclusive, 439.800 to 439.918, inclusive, 439A.200 to 439A.290, inclusive, 439A.350 to 439A.398, inclusive, 439B.600 to 439B.695, inclusive, 439B.800 to 439B.875, inclusive, and 444.003 to 444.430, inclusive, and all other provisions of law relating to the functions of the divisions of the Authority; and

(b) 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.

2. The Governor may delegate functions to the Authority other than those described in NRS 232.49903 to 232.49945, inclusive.

Sec. 3. 1. The Administrator of the Medicaid Division and the Chair of the Tribal Health Authority Council shall notify the Director of the Authority on the date on which the Medicaid Division or Tribal Health Authority Council, as applicable, is prepared to implement the provisions of section 1 of this act.

2. As soon as practicable after the later of the date on which the Director of the Authority receives notice pursuant to subsection 1 from the Medicaid Division or the date on which the Director of the Authority receives such notice from the Tribal Health Authority Council, the Director of the Authority shall notify the Director of the Legislative Counsel Bureau that the Authority and the Tribal Health Authority Council are prepared to implement the provisions of section 1 of this act.

3. As used in this section:

(a) "Authority" means the Nevada Health Authority.

(b) "Medicaid Division" means the Medicaid Division of the Authority.

(c) "Tribal Health Authority Council" means the Tribal Health Authority Council created by NRS 233A.410.

Sec. 4. 1. This section and section 3 of this act become effective upon passage and approval.

2. Sections 1 and 2 of this act become effective:

(a) Upon passage and approval for the purpose of performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On the date on which the Director of the Legislative Counsel Bureau receives from the Director of the Nevada Health Authority the notice described in subsection 2 of section 3 of this act, for all other purposes.

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