

SENATE BILL NO. 127—SENATOR NEAL

FEBRUARY 8, 2023

Referred to Committee on Health and Human Services

SUMMARY—Provides Medicaid coverage for heart and lung transplants for certain adults. (BDR 38-142)

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 State Plan for Medicaid to include coverage for a heart or lung transplant for certain adults; 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) **Section 1** of this bill requires such covered medical services to
5 include a heart or lung transplant for a person who is 21 years of age or older.
6 **Section 2** of this bill makes a conforming change to indicate that **section 1** will be
7 administered in the same manner as the provisions of existing law governing the
8 State Plan for Medicaid.

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 a new section to read as follows:

3 *The Director shall include in the State Plan for Medicaid a*
4 *requirement that the State, to the extent authorized by federal law,*
5 *must pay the nonfederal share of expenditures incurred by a*
6 *person 21 years of age or older for a heart or lung transplant.*

7 **Sec. 2.** NRS 232.320 is hereby amended to read as follows:
8 232.320 1. The Director:



1 (a) Shall appoint, with the consent of the Governor,
2 administrators of the divisions of the Department, who are
3 respectively designated as follows:

4 (1) The Administrator of the Aging and Disability Services
5 Division;

6 (2) The Administrator of the Division of Welfare and
7 Supportive Services;

8 (3) The Administrator of the Division of Child and Family
9 Services;

10 (4) The Administrator of the Division of Health Care
11 Financing and Policy; and

12 (5) The Administrator of the Division of Public and
13 Behavioral Health.

14 (b) Shall administer, through the divisions of the Department,
15 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
16 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
17 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
18 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
19 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
20 and 445A.010 to 445A.055, inclusive, and all other provisions of
21 law relating to the functions of the divisions of the Department, but
22 is not responsible for the clinical activities of the Division of Public
23 and Behavioral Health or the professional line activities of the other
24 divisions.

25 (c) Shall administer any state program for persons with
26 developmental disabilities established pursuant to the
27 Developmental Disabilities Assistance and Bill of Rights Act of
28 2000, 42 U.S.C. §§ 15001 et seq.

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

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

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

39 (3) Provide for communication and the coordination of those
40 services among nonprofit organizations, agencies of local
41 government, the State and the Federal Government;

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



1 (5) Set forth sufficient information to assist the Department
2 in providing those services and in the planning and budgeting for the
3 future provision of those services; and

4 (6) Contain any other information necessary for the
5 Department to communicate effectively with the Federal
6 Government concerning demographic trends, formulas for the
7 distribution of federal money and any need for the modification of
8 programs administered by the Department.

9 (e) May, by regulation, require nonprofit organizations and state
10 and local governmental agencies to provide information regarding
11 the programs of those organizations and agencies, excluding
12 detailed information relating to their budgets and payrolls, which the
13 Director deems necessary for the performance of the duties imposed
14 upon him or her pursuant to this section.

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

16 2. Notwithstanding any other provision of law, the Director, or
17 the Director's designee, is responsible for appointing and removing
18 subordinate officers and employees of the Department.

19 **Sec. 3.** This act becomes effective on July 1, 2023.



