

ASSEMBLY BILL NO. 193—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

MARCH 4, 2021

Referred to Committee on Health and Human Services

SUMMARY—Expands Medicaid coverage of postpartum and other services for pregnant women. (BDR 38-452)

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 take certain actions to expand coverage under Medicaid for postpartum and other services for pregnant women; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Director of the Department of Health and Human
2 Services to develop and administer a State Plan for Medicaid which includes a list
3 of specific medical services required to be provided to Medicaid recipients. (NRS
4 422.063, 422.270; 42 U.S.C. 1396a) Existing law authorizes the Director of the
5 Department to amend the State Plan for Medicaid to seek a waiver of certain
6 provisions of federal law. (NRS 422.270-422.27495) **Section 1** of this bill requires
7 the Department to expand coverage for pregnant women by: (1) providing coverage
8 for pregnant women whose household income is between 165 percent and 200
9 percent of the federally designated level signifying poverty; (2) providing that
10 pregnant women who are determined by certain entities to qualify for Medicaid are
11 presumptively eligible for Medicaid for a prescribed period of time, without
12 submitting an application for enrollment in Medicaid which includes additional
13 proof of eligibility; and (3) prohibiting the imposition of a requirement that a
14 pregnant woman who is otherwise eligible for Medicaid must reside in the United
15 States for a prescribed amount of time before enrolling in Medicaid. **Section 1** also
16 requires the Department to apply for a waiver of certain federal requirements so
17 that the Department may expand coverage under Medicaid from 60 days to 12
18 months following childbirth. **Section 2** of this bill makes a conforming change to



19 indicate that **section 1** will be administered in the same manner as the provisions of
20 existing law governing the 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 ***1. The Director shall, to the extent authorized by federal law,***
4 ***include in the State Plan for Medicaid authorization for:***

5 ***(a) A pregnant woman whose household income is at or below***
6 ***200 percent of the federally designated level signifying poverty to***
7 ***enroll in Medicaid.***

8 ***(b) A pregnant woman who is determined by a qualified***
9 ***provider to be presumptively eligible for Medicaid to enroll in***
10 ***Medicaid until the last day of the month immediately following the***
11 ***month of enrollment without submitting an application for***
12 ***enrollment in Medicaid which includes additional proof of***
13 ***eligibility.***

14 ***2. Unless otherwise required by federal law, the Director***
15 ***shall not include in the State Plan for Medicaid a requirement that***
16 ***a pregnant woman who is otherwise eligible for Medicaid must***
17 ***reside in the United States for a prescribed amount of time before***
18 ***enrolling in Medicaid.***

19 ***3. The Department shall apply to the Secretary of Health and***
20 ***Human Services for a waiver granted pursuant to 42 U.S.C. §***
21 ***1315 to authorize the Department to provide coverage under***
22 ***Medicaid to a pregnant woman and her child until 12 months***
23 ***after the date on which the child is born. The Department shall***
24 ***fully cooperate in good faith with the Federal Government during***
25 ***the application process to satisfy the requirements of the Federal***
26 ***Government for obtaining a waiver pursuant to this subsection.***

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

29 **Sec. 2.** NRS 232.320 is hereby amended to read as follows:

30 232.320 1. The Director:

31 (a) Shall appoint, with the consent of the Governor,
32 administrators of the divisions of the Department, who are
33 respectively designated as follows:

34 (1) The Administrator of the Aging and Disability Services
35 Division;

36 (2) The Administrator of the Division of Welfare and
37 Supportive Services;

38 (3) The Administrator of the Division of Child and Family
39 Services;



1 (4) The Administrator of the Division of Health Care
2 Financing and Policy; and

3 (5) The Administrator of the Division of Public and
4 Behavioral Health.

5 (b) Shall administer, through the divisions of the Department,
6 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
7 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
8 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
9 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
10 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
11 and 445A.010 to 445A.055, inclusive, and all other provisions of
12 law relating to the functions of the divisions of the Department, but
13 is not responsible for the clinical activities of the Division of Public
14 and Behavioral Health or the professional line activities of the other
15 divisions.

16 (c) Shall administer any state program for persons with
17 developmental disabilities established pursuant to the
18 Developmental Disabilities Assistance and Bill of Rights Act of
19 2000, 42 U.S.C. §§ 15001 et seq.

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

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

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

30 (3) Provide for communication and the coordination of those
31 services among nonprofit organizations, agencies of local
32 government, the State and the Federal Government;

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

35 (5) Set forth sufficient information to assist the Department
36 in providing those services and in the planning and budgeting for the
37 future provision of those services; and

38 (6) Contain any other information necessary for the
39 Department to communicate effectively with the Federal
40 Government concerning demographic trends, formulas for the
41 distribution of federal money and any need for the modification of
42 programs administered by the Department.

43 (e) May, by regulation, require nonprofit organizations and state
44 and local governmental agencies to provide information regarding
45 the programs of those organizations and agencies, excluding



1 detailed information relating to their budgets and payrolls, which the
2 Director deems necessary for the performance of the duties imposed
3 upon him or her pursuant to this section.

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

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

8 **Sec. 3.** This act becomes effective on July 1, 2021.

