

ASSEMBLY BILL NO. 310—ASSEMBLYMAN PAUL ANDERSON

MARCH 16, 2015

Referred to Committee on Health and Human Services

SUMMARY—Expands Medicaid managed care programs in this State. (BDR 38-769)

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 Department of Health and Human Services to cover Medicaid recipients who are aged, blind or disabled and who reside in certain larger counties through a Medicaid managed care program; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing federal law authorizes a state to obtain a waiver to implement a  
2 program to provide medical services pursuant to Medicaid through managed care.  
3 (42 U.S.C. § 1396n(b)(1)) Existing law provides certain requirements for any  
4 Medicaid managed care program established in this State. (NRS 422.273) **Section 1**  
5 of this bill requires the Department of Health and Human Services to provide  
6 services through a Medicaid managed care program to persons who are aged, blind  
7 or disabled who reside in a county whose population is 100,000 or more (currently  
8 Clark and Washoe Counties). **Section 1** also requires the Department to apply for  
9 any waiver or amendment to a waiver necessary to provide services to such persons  
10 through a Medicaid managed care program. **Section 2** of this bill makes a  
11 conforming change.

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 Department shall:***

4 ***(a) Provide services pursuant to the State Plan for Medicaid to***  
5 ***persons who are aged, blind or disabled and who reside in a***



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1 *county whose population is 100,000 or more through a Medicaid*  
2 *managed care program.*

3 *(b) Apply for any waiver or amendment to a waiver from*  
4 *federal law or regulation that is necessary to carry out the*  
5 *provisions of paragraph (a).*

6 *(c) Carry out the requirements of paragraph (a) only to the*  
7 *extent approved by the Federal Government.*

8 *2. As used in this section, "persons who are aged, blind or*  
9 *disabled" means the persons who are eligible to receive benefits*  
10 *pursuant to 42 U.S.C. §§ 1382 et seq.*

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

12 232.320 1. The Director:

13 (a) Shall appoint, with the consent of the Governor,  
14 administrators of the divisions of the Department, who are  
15 respectively designated as follows:

16 (1) The Administrator of the Aging and Disability Services  
17 Division;

18 (2) The Administrator of the Division of Welfare and  
19 Supportive Services;

20 (3) The Administrator of the Division of Child and Family  
21 Services;

22 (4) The Administrator of the Division of Health Care  
23 Financing and Policy; and

24 (5) The Administrator of the Division of Public and  
25 Behavioral Health.

26 (b) Shall administer, through the divisions of the Department,  
27 the provisions of chapters 63, 424, 425, 427A, 432A to 442,  
28 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS  
29 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*  
30 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,  
31 432B.621 to 432B.626, inclusive, 444.002 to 444.430, inclusive,  
32 and 445A.010 to 445A.055, inclusive, and all other provisions of  
33 law relating to the functions of the divisions of the Department, but  
34 is not responsible for the clinical activities of the Division of Public  
35 and Behavioral Health or the professional line activities of the other  
36 divisions.

37 (c) Shall administer any state program for persons with  
38 developmental disabilities established pursuant to the  
39 Developmental Disabilities Assistance and Bill of Rights Act of  
40 2000, 42 U.S.C. §§ 15001 et seq.

41 (d) Shall, after considering advice from agencies of local  
42 governments and nonprofit organizations which provide social  
43 services, adopt a master plan for the provision of human services in  
44 this State. The Director shall revise the plan biennially and deliver a



1 copy of the plan to the Governor and the Legislature at the  
2 beginning of each regular session. The plan must:

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

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

7 (3) Provide for communication and the coordination of those  
8 services among nonprofit organizations, agencies of local  
9 government, the State and the Federal Government;

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

12 (5) Set forth sufficient information to assist the Department  
13 in providing those services and in the planning and budgeting for the  
14 future provision of those services; and

15 (6) Contain any other information necessary for the  
16 Department to communicate effectively with the Federal  
17 Government concerning demographic trends, formulas for the  
18 distribution of federal money and any need for the modification of  
19 programs administered by the Department.

20 (e) May, by regulation, require nonprofit organizations and state  
21 and local governmental agencies to provide information regarding  
22 the programs of those organizations and agencies, excluding  
23 detailed information relating to their budgets and payrolls, which the  
24 Director deems necessary for the performance of the duties imposed  
25 upon him or her pursuant to this section.

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

27 2. Notwithstanding any other provision of law, the Director, or  
28 the Director's designee, is responsible for appointing and removing  
29 subordinate officers and employees of the Department, other than  
30 the State Public Defender of the Office of State Public Defender  
31 who is appointed pursuant to NRS 180.010.



