

Assembly Bill No. 35–Committee on
Health and Human Services

CHAPTER.....

AN ACT relating to health care; consolidating certain programs to assist senior citizens and persons with disabilities with costs relating to health care; revising the requirements for eligibility to receive assistance under the consolidated program; authorizing the publication, disclosure or use of information contained in a request for a subsidy under the consolidated program for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) creates the Fund for a Healthy Nevada; and (2) requires the State Treasurer to deposit certain proceeds from litigation against manufacturers of tobacco products into the Fund. (NRS 439.620) Existing law sets forth the authorized uses of money in the Fund, which include funding programs to assist senior citizens and persons with disabilities with the costs of prescription drugs, pharmaceutical services and certain other services. (NRS 439.630) Existing law provides separately for the administration and operation of the program to assist senior citizens and the program to assist persons with disabilities. (NRS 439.635-439.795) **Sections 2-5, 7-11 and 14** of this bill consolidate those programs, and **section 13** of this bill makes a conforming change to ensure the amendments to existing law made by **section 6** of this bill do not inadvertently affect certain other programs.

For the purpose of determining eligibility to receive assistance under the program to assist senior citizens, existing law defines the term “senior citizen” to mean a person domiciled in this State who is 62 years of age or older. (NRS 439.650) **Section 6** of this bill redefines the term “senior citizen” for the purposes of the consolidated program to mean a person who is 60 years of age or older. **Section 1** of this bill defines the term “person with a disability” to mean a person who has a physical or intellectual disability or a related condition. **Sections 8 and 14** of this bill remove language stating that certain senior citizens and persons with disabilities are entitled to assistance under those programs. **Sections 8 and 14** also remove specific eligibility requirements for those programs relating to length of domicile and amount of income and instead require a senior citizen or person with a disability who wishes to receive assistance under the consolidated program to: (1) be a resident of this State; and (2) meet requirements prescribed by regulation of the Department of Health and Human Services. **Section 8** of this bill additionally revises the circumstances under which the Department is authorized to grant a waiver of eligibility requirements.

Existing law prohibits any person from publishing, disclosing or using any personal or confidential information contained in a request for a subsidy under the programs to assist senior citizens and persons with disabilities except for purposes relating to the administration of those programs. (NRS 439.690, 439.795) **Section 12** of this bill additionally authorizes publication, disclosure or use of such information contained in a request for a subsidy under the consolidated program for purposes relating to the administration of other programs of the Department.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 439 of NRS is hereby amended by adding thereto a new section to read as follows:

“Person with a disability” means:

1. A person with a physical disability, as defined in NRS 427A.1222;

2. A person with a related condition, as defined in NRS 427A.1224; or

3. A person with an intellectual disability, as defined in NRS 427A.1226.

Sec. 2. NRS 439.529 is hereby amended to read as follows:

439.529 1. The Department may, to the extent that money is available, administer a program pursuant to 42 U.S.C. §§ 300ff-21 et seq. to provide therapeutics to treat certain persons who have been diagnosed with the human immunodeficiency virus or acquired immunodeficiency syndrome and to prevent the serious deterioration of the health of such persons. The program may include the provision of subsidies and pharmaceutical services.

2. The Director shall:

(a) Establish the criteria for eligibility for participation in the program administered pursuant to this section, which must be in accordance with the provisions of 42 U.S.C. §§ 300ff-21 et seq.; and

(b) Prescribe the manner in which the program will be administered and services will be provided.

3. The Department may use any other program administered by the Department to facilitate the provision of subsidies and services pursuant to this section, including, without limitation, the provision of subsidies for pharmaceutical services to ***senior citizens and persons with disabilities*** pursuant to NRS ~~439.705 to 439.795,~~ ***439.635 to 439.690***, inclusive ~~{ }~~, ***and section 1 of this act.*** If the Department uses another program to facilitate the provision of subsidies and services pursuant to this section, the Department shall not commingle the money available to carry out the provisions of this section and the money available to carry out the other program.

4. Money available to carry out the provisions of this section must be accounted for separately by the Department.

Sec. 3. NRS 439.620 is hereby amended to read as follows:

439.620 1. The Fund for a Healthy Nevada is hereby created in the State Treasury. The State Treasurer shall deposit in the Fund:



(a) Sixty percent of all money received by this State pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products; and

(b) Sixty percent of all money recovered by this State from a judgment in a civil action against a manufacturer of tobacco products.

2. The State Treasurer shall administer the Fund. As administrator of the Fund, the State Treasurer:

(a) Shall maintain the financial records of the Fund;

(b) Shall invest the money in the Fund as the money in other state funds is invested;

(c) Shall manage any account associated with the Fund;

(d) Shall maintain any instruments that evidence investments made with the money in the Fund;

(e) May contract with vendors for any good or service that is necessary to carry out the provisions of this section; and

(f) May perform any other duties necessary to administer the Fund.

3. The interest and income earned on the money in the Fund must, after deducting any applicable charges, be credited to the Fund. All claims against the Fund must be paid as other claims against the State are paid.

4. The State Treasurer or the Department may submit to the Interim Finance Committee a request for an allocation for administrative expenses from the Fund pursuant to this section. Except as otherwise limited by this subsection, the Interim Finance Committee may allocate all or part of the money so requested. The annual allocation for administrative expenses from the Fund must:

(a) Not exceed 2 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the State Treasurer to administer the Fund; and

(b) Not exceed 5 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the Department, including, without limitation, the Aging and Disability Services Division of the Department, to carry out its duties set forth in NRS 439.630 ~~[.]~~ *and* to administer the provisions of NRS 439.635 to 439.690, inclusive, and ~~[NRS 439.705 to 439.795, inclusive.]~~ *section 1 of this act.*

↪ For the purposes of this subsection, the amount of money available for allocation to pay for the administrative costs must be calculated at the beginning of each fiscal year based on the total amount of money anticipated by the State Treasurer to be deposited in the Fund during that fiscal year.



5. The money in the Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year.

6. All money that is deposited or paid into the Fund is hereby appropriated to be used for any purpose authorized by the Legislature or by the Department for expenditure or allocation in accordance with the provisions of NRS 439.630. Money expended from the Fund must not be used to supplant existing methods of funding that are available to public agencies.

Sec. 4. NRS 439.630 is hereby amended to read as follows:

439.630 1. The Department shall:

(a) Conduct, or require the Grants Management Advisory Committee created by NRS 232.383 to conduct, public hearings to accept public testimony from a wide variety of sources and perspectives regarding existing or proposed programs that:

(1) Promote public health;

(2) Improve health services for children, senior citizens and persons with disabilities;

(3) Reduce or prevent alcohol and other substance use disorders; and

(4) Offer other general or specific information on health care in this State.

(b) Establish a process to evaluate the health and health needs of the residents of this State and a system to rank the health problems of the residents of this State, including, without limitation, the specific health problems that are endemic to urban and rural communities, and report the results of the evaluation to the Legislative Committee on Health Care on an annual basis.

(c) Subject to legislative authorization, allocate money for direct expenditure by the Department to pay for prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens *and persons with disabilities* pursuant to NRS 439.635 to 439.690, inclusive **[H]**, *and section 1 of this act*. From the money allocated pursuant to this paragraph, the Department may subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to senior citizens *and persons with disabilities* pursuant to NRS 439.635 to 439.690, inclusive **[H]**, *and section 1 of this act*. The Department shall consider recommendations from the Grants Management Advisory Committee in carrying out the provisions of



NRS 439.635 to 439.690, inclusive **H**, *and section 1 of this act.* The Department shall submit a quarterly report to the Governor, the Interim Finance Committee, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate regarding the general manner in which expenditures have been made pursuant to this paragraph.

(d) Subject to legislative authorization, allocate, by contract or grant, money for expenditure by the Aging and Disability Services Division of the Department in the form of grants for existing or new programs that assist senior citizens and other specified persons with independent living, including, without limitation, programs that provide:

(1) Respite care or relief of informal caretakers, including, without limitation, informal caretakers of any person with Alzheimer's disease or other related dementia regardless of the age of the person;

(2) Transportation to new or existing services to assist senior citizens in living independently; and

(3) Care in the home which allows senior citizens to remain at home instead of in institutional care.

↳ The Aging and Disability Services Division of the Department shall consider recommendations from the Grants Management Advisory Committee concerning the independent living needs of senior citizens.

(e) Allocate \$200,000 of all revenues deposited in the Fund for a Healthy Nevada each year for direct expenditure by the Director to award competitive grants to finance the establishment or expansion of assisted living facilities that provide services pursuant to the provisions of the home and community-based services waiver which are amended pursuant to NRS 422.3962. The Director shall develop policies and procedures for awarding grants pursuant to this paragraph. If any money allocated pursuant to this paragraph remains after awarding grants to all eligible applicants, the Director must reallocate such money to the Aging and Disability Services Division of the Department to be used for the purposes described in paragraph (d).

(f) Subject to legislative authorization, allocate to the Division money for programs that are consistent with the guidelines established by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services relating to evidence-based best practices to prevent, reduce or treat the use of tobacco and the consequences of the use of tobacco. In making



allocations pursuant to this paragraph, the Division shall allocate the money, by contract or grant:

(1) To the district board of health in each county whose population is 100,000 or more for expenditure for such programs in the respective county;

(2) For such programs in counties whose population is less than 100,000; and

(3) For statewide programs for tobacco cessation and other statewide services for tobacco cessation and for statewide evaluations of programs which receive an allocation of money pursuant to this paragraph, as determined necessary by the Division and the district boards of health.

(g) Subject to legislative authorization, allocate, by contract or grant, money for expenditure for programs that improve the health and well-being of residents of this State, including, without limitation, programs that improve health services for children.

(h) Subject to legislative authorization, allocate, by contract or grant, money for expenditure for programs that improve the health and well-being of persons with disabilities. In making allocations pursuant to this paragraph, the Department shall, to the extent practicable, allocate the money evenly among the following three types of programs:

(1) Programs that provide respite care or relief of informal caretakers for persons with disabilities;

(2) Programs that provide positive behavioral supports to persons with disabilities; and

(3) Programs that assist persons with disabilities to live safely and independently in their communities outside of an institutional setting.

~~(i) Subject to legislative authorization, allocate money for direct expenditure by the Department to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive. The Department shall consider recommendations from the Grants Management Advisory Committee in carrying out the provisions of NRS 439.705 to 439.795, inclusive.~~

~~(j)~~ Maximize expenditures through local, federal and private matching contributions.



~~(j)~~ (j) Ensure that any money expended from the Fund will not be used to supplant existing methods of funding that are available to public agencies.

~~(k)~~ (k) Develop policies and procedures for the administration and distribution of contracts, grants and other expenditures to state agencies, political subdivisions of this State, nonprofit organizations, universities, state colleges and community colleges. A condition of any such contract or grant must be that not more than 8 percent of the contract or grant may be used for administrative expenses or other indirect costs. The procedures must require at least one competitive round of requests for proposals per biennium.

~~(l)~~ (l) To make the allocations required by paragraphs (f), (g) and (h):

(1) Prioritize and quantify the needs for these programs;

(2) Develop, solicit and accept applications for allocations;

(3) Review and consider the recommendations of the Grants Management Advisory Committee submitted pursuant to NRS 232.385;

(4) Conduct annual evaluations of programs to which allocations have been awarded; and

(5) Submit annual reports concerning the programs to the Governor, the Interim Finance Committee, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate.

~~(m)~~ (m) Transmit a report of all findings, recommendations and expenditures to the Governor, each regular session of the Legislature, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate.

~~(n)~~ (n) After considering the recommendations submitted to the Director pursuant to subsection 6, develop a plan each biennium to determine the percentage of available money in the Fund for a Healthy Nevada to be allocated from the Fund for the purposes described in paragraphs (c), (d), (f), (g) ~~(h)~~ and (h) . ~~and (i).~~ The plan must be submitted as part of the proposed budget submitted to the Chief of the Budget Division of the Office of Finance pursuant to NRS 353.210.

~~(o)~~ (o) On or before September 30 of each even-numbered year, submit to the Grants Management Advisory Committee, the Nevada Commission on Aging created by NRS 427A.032 and the Nevada Commission on Services for Persons with Disabilities created by NRS 427A.1211 a report on the funding plan submitted to the Chief of the Budget Division of the Office of Finance pursuant to paragraph ~~(n)~~ (n).



2. The Department may take such other actions as are necessary to carry out its duties.

3. To make the allocations required by paragraph (d) of subsection 1, the Aging and Disability Services Division of the Department shall:

(a) Prioritize and quantify the needs of senior citizens and other specified persons for these programs;

(b) Develop, solicit and accept grant applications for allocations;

(c) As appropriate, expand or augment existing state programs for senior citizens and other specified persons upon approval of the Interim Finance Committee;

(d) Award grants, contracts or other allocations;

(e) Conduct annual evaluations of programs to which grants or other allocations have been awarded; and

(f) Submit annual reports concerning the allocations made by the Aging and Disability Services Division pursuant to paragraph (d) of subsection 1 to the Governor, the Interim Finance Committee, the Legislative Committee on Health Care and any other committees or commissions the Director deems appropriate.

4. The Aging and Disability Services Division of the Department shall submit each proposed grant or contract which would be used to expand or augment an existing state program to the Interim Finance Committee for approval before the grant or contract is awarded. The request for approval must include a description of the proposed use of the money and the person or entity that would be authorized to expend the money. The Aging and Disability Services Division of the Department shall not expend or transfer any money allocated to the Aging and Disability Services Division pursuant to this section to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to senior citizens *or persons with disabilities* pursuant to NRS 439.635 to 439.690, inclusive, ~~for to subsidize any portion of the cost of providing prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, to persons with disabilities pursuant to NRS 439.705 to 439.795, inclusive.] and section 1 of this act.~~

5. A veteran may receive benefits or other services which are available from the money allocated pursuant to this section for senior citizens or persons with disabilities to the extent that the veteran does not receive other benefits or services provided to



veterans for the same purpose if the veteran qualifies for the benefits or services as a senior citizen or a person with a disability, or both.

6. On or before June 30 of each even-numbered year, the Grants Management Advisory Committee, the Nevada Commission on Aging and the Nevada Commission on Services for Persons with Disabilities each shall submit to the Director a report that includes, without limitation, recommendations regarding community needs and priorities that are determined by each such entity after any public hearings held by the entity.

Sec. 5. NRS 439.635 is hereby amended to read as follows:

439.635 As used in NRS 439.635 to 439.690, inclusive, *and section 1 of this act*, unless the context otherwise requires, the words and terms defined in NRS ~~[439.640, 439.645 and]~~ 439.650 *and section 1 of this act* have the meanings ascribed to them in those sections.

Sec. 6. NRS 439.650 is hereby amended to read as follows:

439.650 “Senior citizen” means a person who is ~~[domiciled in this state and is 62]~~ 60 years of age or older.

Sec. 7. NRS 439.655 is hereby amended to read as follows:

439.655 The Department is responsible for the administration of the provisions of NRS 439.635 to 439.690, inclusive, *and section 1 of this act* and may:

1. Prescribe the content and form of a request for a subsidy required to be submitted pursuant to NRS 439.670.

2. Designate the proof that must be submitted with such a request.

3. Adopt regulations to protect the confidentiality of information supplied by a senior citizen *or a person with a disability* requesting a subsidy pursuant to NRS 439.670.

4. Adopt such other regulations as may be required to carry out the provisions of NRS 439.635 to 439.690, inclusive ~~[]~~, *and section 1 of this act*.

Sec. 8. NRS 439.665 is hereby amended to read as follows:

439.665 1. The Department may:

(a) Enter into contracts with private insurers who transact health insurance in this State to subsidize the cost of prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens *and persons with disabilities* by arranging for the availability, at a reasonable cost, of policies of health insurance that provide coverage to senior citizens *and persons with disabilities* for prescription drugs, pharmaceutical services and, to the extent money



is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear; or

(b) Subsidize the cost of prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens *and persons with disabilities* in any other manner.

2. Within the limits of the money available for this purpose in the Fund for a Healthy Nevada, a senior citizen *or person with a disability* who is not eligible for Medicaid and who is eligible for a subsidy that is made available pursuant to subsection 1 ~~is entitled to an annual grant~~ *may receive assistance* from the Fund to subsidize the cost of prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, if the senior citizen ~~has been domiciled in this State for at least 1 year immediately preceding the date of application and except as otherwise provided in subsection 5:~~

~~— (a) If the senior citizen is single, his or her income is not over \$21,500; or~~

~~— (b) If the senior citizen is married, his or her household income is not over \$28,660.~~

~~→ The monetary amounts set forth in this subsection must be adjusted for each fiscal year by adding to each amount the product of the amount shown multiplied by the percentage increase in the Consumer Price Index from December 2002 to the December preceding the fiscal year for which the adjustment is calculated.~~

~~— 3. The subsidy granted pursuant to this section must not exceed the annual cost of prescription drugs, pharmaceutical services and to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, provided to the senior citizen.~~

~~— 4. A subsidy that is made available pursuant to subsection 1 must provide for:~~

~~— (a) A copayment of not more than \$10 per prescription drug or pharmaceutical service that is generic as set forth in the formulary of the insurer or as set forth by the Department; and~~

~~— (b) A copayment of not more than \$25 per prescription drug or pharmaceutical service that is preferred as set forth in the formulary of the insurer or as set forth by the Department.~~



~~5.]~~ or person with a disability, as applicable, is a resident of this State and meets the requirements prescribed by regulation of the Department.

3. The Department may waive ~~the~~ any eligibility requirement set forth in subsection 2 ~~[regarding household income]~~ or the regulations adopted pursuant thereto upon written request of the applicant or enrollee based on ~~one or more of the following circumstances:~~

~~(a) Illness;~~

~~(b) Disability; or~~

~~(c) Extreme]~~ illness or extreme financial hardship, when considering the current financial circumstances of the applicant or enrollee.

~~4.]~~ An applicant or enrollee who requests such a waiver shall include with that request all medical and financial documents that support the request.

~~6.]~~ 4. If the Federal Government provides any coverage for:

(a) Prescription drugs and pharmaceutical services; or

(b) Other benefits, including, without limitation, dental or vision benefits or hearing aids or other devices that enhance the ability to hear,

↳ for senior citizens *or persons with disabilities* who are eligible for a subsidy pursuant to subsections 1 ~~[to 5, inclusive.]~~, 2 and 3, the Department may, upon approval of the Legislature, or the Interim Finance Committee if the Legislature is not in session, change any program established pursuant to NRS 439.635 to 439.690, inclusive, *and section 1 of this act* and otherwise provide assistance with prescription drugs, pharmaceutical services and, to the extent money is available, other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens *and persons with disabilities* within the limits of the money available for this purpose in the Fund.

~~7.]~~ 5. The provisions of subsections 1 ~~[to 5, inclusive.]~~, 2 and 3 do not apply to the extent that the Department provides assistance with prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, for senior citizens *and persons with disabilities* pursuant to subsection ~~6.]~~ 4.

~~8.]~~ 6. A veteran may receive assistance with prescription drugs, pharmaceutical services and other benefits, including, without limitation, dental and vision benefits and hearing aids or other devices that enhance the ability to hear, pursuant to this



section to the extent that the veteran does not receive other services or benefits provided to veterans for the same purpose if the veteran qualifies for the assistance as a senior citizen ~~or~~ *or a person with a disability*.

Sec. 9. NRS 439.670 is hereby amended to read as follows:

439.670 1. A senior citizen *or person with a disability* who wishes to receive a subsidy pursuant to NRS 439.665 must file a request therefor with the Department.

2. The request must be made under oath and filed in such form and content, and accompanied by such proof, as the Department may prescribe.

3. The Department shall, within 45 days after receiving a request for a subsidy, examine the request and grant or deny it.

4. The Department shall determine which senior citizens *and persons with disabilities* are eligible to receive a subsidy pursuant to NRS 439.665 and, if the Department has entered into a contract pursuant to NRS 439.665 to provide the subsidy, pay the subsidy directly to the person or entity with whom the Department has entered into the contract.

Sec. 10. NRS 439.675 is hereby amended to read as follows:

439.675 1. The Department shall deny any request for a subsidy received pursuant to NRS 439.670 ~~to which~~ *if* the senior citizen *or person with a disability, as applicable*, is not ~~entitled~~ *eligible to receive the subsidy pursuant to NRS 439.665*.

2. The Department may deny in total any request which it finds to have been filed with fraudulent intent. If any such request has been paid and is afterward denied, the amount of the subsidy must be repaid by the senior citizen *or person with a disability, as applicable*, to the Department.

3. Any amounts received by the Department pursuant to this section must be deposited with the State Treasurer for credit to the Fund for a Healthy Nevada.

Sec. 11. NRS 439.685 is hereby amended to read as follows:

439.685 Any subsidy granted pursuant to NRS 439.665 to a senior citizen *or person with a disability* who is not qualified for such a subsidy may be revoked by the Department. If a subsidy is so revoked, the senior citizen *or person with a disability, as applicable*, shall make restitution to the Department for any subsidy that the senior citizen *or person with a disability* has improperly received, and the Department shall take all proper actions to collect the amount of the subsidy as a debt.



Sec. 12. NRS 439.690 is hereby amended to read as follows:

439.690 No person may publish, disclose or use any personal or confidential information contained in a request for a subsidy submitted pursuant to NRS 439.670 except for purposes relating to the administration of ~~[NRS 439.635 to 439.690, inclusive.]~~ *a program of the Department.*

Sec. 13. NRS 612.607 is hereby amended to read as follows:

612.607 1. All payments collected pursuant to NRS 612.606 must be deposited in the Unemployment Compensation Administration Fund. At the end of each fiscal year, the State Controller shall transfer to the Clearing Account in the Unemployment Compensation Fund the amount by which the unencumbered balance of the money deposited in the Unemployment Compensation Administration Fund pursuant to this subsection exceeds the amount of that money which the Legislature has authorized for expenditure during the first 90 days of the succeeding fiscal year.

2. Except for money transferred from the Unemployment Compensation Administration Fund pursuant to subsection 1, the Administrator may only expend the money collected for the employment and training of unemployed persons and persons employed in this State to:

(a) Establish and administer an employment training program which must foster job creation, minimize unemployment costs of employers and meet the needs of employers for skilled workers by providing training to unemployed persons.

(b) Establish or provide support for job training programs in the public and private sectors for training, retraining or improving the skills of persons employed in this State.

(c) Establish a program to provide grants of money to a nonprofit private entity to be used to make loans of money to veterans and senior citizens to start small businesses. The Administrator shall adopt regulations establishing criteria and standards relating to the eligibility for and use of any grants made pursuant to this paragraph.

(d) Pay the costs of the collection of payments required pursuant to NRS 612.606.

3. The money used for the program for the employment and training of unemployed persons and persons employed in this State must supplement and not displace money available through existing employment training programs conducted by any employer or public agency and must not replace, parallel, supplant, compete with



or duplicate in any way existing apprenticeship programs approved by the State Apprenticeship Council.

4. As used in this section:

(a) "Senior citizen" ~~[has the meaning ascribed to it in NRS 439.650.]~~ *means a person who is domiciled in this State and is 62 years of age or older.*

(b) "Small business" means a business conducted for profit which:

- (1) Employs 50 or fewer full-time employees; and
- (2) Has gross annual sales of less than \$5,000,000.

Sec. 14. NRS 439.640, 439.645, 439.705, 439.715, 439.725, 439.735, 439.745, 439.755, 439.765, 439.775, 439.785 and 439.795 are hereby repealed.

Sec. 15. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 14, inclusive, of this act become effective:

- (a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On January 1, 2022, for all other purposes.

