

ASSEMBLY BILL NO. 289—ASSEMBLYMEN ARAUJO, KIRKPATRICK, BENITEZ-THOMPSON, JOINER, PAUL ANDERSON; ARMSTRONG, BUSTAMANTE ADAMS, CARLTON, CARRILLO, DIAZ, FLORES, HAMBRICK, MUNFORD, NEAL, NELSON, OHRENSCHALL, O’NEILL, OSCARSON, SILBERKRAUS, SPIEGEL, SPRINKLE, STEWART, SWANK AND THOMPSON

MARCH 13, 2015

JOINT SPONSORS: SENATORS DENIS, ATKINSON, KIHUEN, HARRIS; AND HARDY

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services. (BDR S-693)

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 mental health services; directing the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1** of this bill directs the Legislative Commission to appoint a
2 committee to conduct an interim study concerning the viability of transitioning the
3 provision of mental and other behavioral health services to a regionalized structure,
4 including: (1) how regions may be formed and governed; (2) how any transition
5 may occur; (3) the sources of revenue for the regions and how such services may be
6 paid for; and (4) methods to address communication among the regions and
7 accountability standards within the regions. **Section 2** of this bill provides for the
8 organization and composition of the interim committee. **Section 3** of this bill
9 directs the Director of the Legislative Counsel Bureau to provide administrative and
10 technical support to the interim committee.



1 WHEREAS, Executive Order 2013-26 established the Behavioral
2 Health and Wellness Council and directed the Council to develop a
3 strategic plan to provide a cohesive and comprehensive system for
4 the delivery of services to those affected by behavioral health
5 conditions; and

6 WHEREAS, On May 28, 2014, after nearly 5 months of
7 deliberation, the Behavioral Health and Wellness Council issued its
8 first report to the Governor which contained 16 recommendations
9 focused primarily on relieving the overcrowding crises in
10 emergency rooms in this State created by the high number of
11 emergency room admissions for people in real or apparent
12 psychiatric or emotional crises or acutely intoxicated; and

13 WHEREAS, On February 24, 2015, the Behavioral Health and
14 Wellness Council issued its second report to the Governor reporting
15 on the substantive progress being made in implementing the
16 recommendations from the first report and indicating that in 2015
17 the Council will focus its efforts on addressing behavioral health
18 care within the Department of Corrections; and

19 WHEREAS, The members of the Senate and Assembly hereby
20 commend and express their gratitude to the members of the
21 Behavioral Health and Wellness Council for the good work they
22 have performed on behalf of the citizens of this State; and

23 WHEREAS, The members of the Senate and Assembly desire to
24 aid the work and further the goals of the Behavioral Health and
25 Wellness Council by investigating the viability of transitioning the
26 provision of mental and other behavioral health services to a
27 regionalized structure in this State; now, therefore,

28
29 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
30 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
31

32 **Section 1.** The Legislative Commission shall appoint a
33 committee to conduct an interim study concerning:

34 1. Whether responsibility for the provision of mental and other
35 behavioral health services should be moved to a regionalized
36 structure in this State, including, without limitation:

37 (a) The manner in which any regions may be formed and
38 structured; and

39 (b) The governance model for the regions, including, without
40 limitation, whether the regions will be administered by a
41 governmental entity, a nonprofit entity or a hybrid of both;

42 2. The manner in which the transition to such a regionalized
43 structure may occur, including, without limitation, the time period
44 during which the transition may occur;



1 3. The manner in which services may be paid for under such a
2 regionalized structure and the sources of revenue available to each
3 region, including, without limitation, gifts and grants; and

4 4. Methods to address:

5 (a) Communication among the regions; and

6 (b) Accountability standards for each region.

7 **Sec. 2.** 1. The committee appointed by the Legislative
8 Commission to conduct an interim study pursuant to section 1 of
9 this act must be composed of 15 members as follows:

10 (a) Four Legislators as follows:

11 (1) One member of the Senate appointed by the Majority
12 Leader of the Senate;

13 (2) One member of the Senate appointed by the Minority
14 Leader of the Senate;

15 (3) One member of the Assembly appointed by the Speaker
16 of the Assembly; and

17 (4) One member of the Assembly appointed by the Minority
18 Leader of the Assembly;

19 (b) One member who is an employee of the Division of Public
20 and Behavioral Health of the Department of Health and Human
21 Services, appointed by the Director of the Department;

22 (c) The Director of the Department of Veterans Services, or his
23 or her designee;

24 (d) One member who is employed by a federally qualified health
25 center, as that term is defined in 42 U.S.C. § 1396d(1)(2)(B), that
26 provides mental or other behavioral health services, appointed by
27 the Administrator of the Division of Public and Behavioral Health
28 of the Department of Health and Human Services;

29 (e) One member who is employed by a nonprofit entity in this
30 State that provides mental or other behavioral health services,
31 appointed by the Administrator of the Division of Public and
32 Behavioral Health of the Department of Health and Human
33 Services;

34 (f) One member who is employed by the Las Vegas
35 Metropolitan Police Department, appointed by the Sheriff of Clark
36 County;

37 (g) One member who is employed by a psychiatric hospital in
38 this State, appointed by the Majority Leader of the Senate in
39 consultation with the Minority Leader of the Senate;

40 (h) One member who is employed by a private university
41 located in this State that specializes in the education of health care
42 professionals, appointed by the Speaker of the Assembly in
43 consultation with the Minority Leader of the Assembly;

44 (i) One member who is the director of a social service agency, as
45 that term is defined in NRS 430A.080, located in a county whose



1 population is less than 100,000, appointed by the Administrator of
2 the Division of Public and Behavioral Health of the Department of
3 Health and Human Services;

4 (j) The Director of the Clark County Social Service Department,
5 or his or her designee;

6 (k) The Director of the Washoe County Department of Social
7 Services, or his or her designee; and

8 (l) One member who is a consumer of mental or other
9 behavioral health services in this State, appointed by the President
10 of the Southern Nevada Chapter of the National Alliance on Mental
11 Illness.

12 2. In appointing the members of the interim committee
13 pursuant to subsection 1, the appointing authorities shall coordinate
14 the appointments, to the extent practicable, so that the members of
15 the interim committee represent the ethnic diversity of this State.

16 3. At the first meeting of the interim committee, the members
17 of the interim committee shall elect a Chair, who must be one of the
18 members appointed pursuant to paragraph (a) of subsection 1.

19 4. A vacancy on the interim committee must be filled in the
20 same manner as the original appointment.

21 5. All members of the interim committee are voting members.
22 A majority of the members of the interim committee constitutes a
23 quorum for the transaction of business, and a majority of those
24 present at any meeting is sufficient for any official action taken by
25 the interim committee.

26 6. The Chair may appoint such subcommittees or technical
27 advisory groups as the Chair determines necessary to assist the
28 interim committee in carrying out the duties prescribed by section 1
29 of this act. The members of any subcommittee or technical advisory
30 group appointed pursuant to this subsection are not required to be
31 members of the interim committee.

32 7. The interim committee, or a subcommittee or technical
33 advisory group appointed pursuant to subsection 6, may seek input,
34 advice and assistance from any person or entity with knowledge,
35 interest or expertise relevant to the duties of the interim committee
36 prescribed by section 1 of this act.

37 8. The members of the interim committee serve without
38 compensation, except that each such member is entitled, while
39 engaged in the business of the interim committee and within the
40 limits of available money, to the per diem allowance and travel
41 expenses provided for state officers and employees generally.

42 9. The interim committee shall submit a report of its findings,
43 including, without limitation, any recommendations for legislation,
44 to the Director of the Legislative Counsel Bureau for transmittal to
45 the 79th Session of the Nevada Legislature.



1 10. The interim committee may request the drafting of
2 legislative measures as provided for in paragraph (c) of subsection 4
3 of NRS 218D.160.

4 **Sec. 3.** The Director of the Legislative Counsel Bureau shall
5 provide administrative and technical assistance to the interim
6 committee appointed pursuant to section 1 of this act.

7 **Sec. 4.** This act becomes effective upon passage and approval
8 for the purpose of performing any preparatory administrative tasks
9 that are necessary to carry out the provisions of this act, and on
10 July 1, 2015, for all other purposes.

