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FIRST REPRINT

A.B. 289

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 and requires the Chair of  
9 the interim committee to appoint certain subcommittees. **Section 3** of this bill



10 directs the Director of the Legislative Counsel Bureau to provide administrative and  
11 technical support to the interim committee.

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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;



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

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

7 4. Methods to address:

8 (a) Communication among the regions; and

9 (b) Accountability standards for each region.

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

13 (a) Four Legislators as follows:

14 (1) One member of the Senate appointed by the Majority  
15 Leader of the Senate;

16 (2) One member of the Senate appointed by the Minority  
17 Leader of the Senate;

18 (3) One member of the Assembly appointed by the Speaker  
19 of the Assembly; and

20 (4) One member of the Assembly appointed by the Minority  
21 Leader of the Assembly;

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

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

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

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

37 (f) One member who is employed by the Las Vegas  
38 Metropolitan Police Department, appointed by the Sheriff of Clark  
39 County;

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

43 (h) One member who has experience in medical education,  
44 appointed by the Speaker of the Assembly in consultation with the  
45 Minority Leader of the Assembly;



1 (i) One member who is the director of a social service agency, as  
2 that term is defined in NRS 430A.080, located in a county whose  
3 population is less than 100,000, appointed by the Administrator of  
4 the Division of Public and Behavioral Health of the Department of  
5 Health and Human Services;

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

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

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

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

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

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

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

28 6. The Chair may appoint such subcommittees or technical  
29 advisory groups as the Chair determines necessary to assist the  
30 interim committee in carrying out the duties prescribed by section 1  
31 of this act. The members of any subcommittee or technical advisory  
32 group appointed pursuant to this subsection are not required to be  
33 members of the interim committee. The Chair shall appoint not less  
34 than three subcommittees to advise the interim committee as  
35 follows:

36 (a) One subcommittee composed of providers of mental health  
37 services and representatives of the payor community, which must  
38 include, without limitation, representatives of a Medicaid managed  
39 care organization and a private insurance provider;

40 (b) One subcommittee focused specifically on the mental health  
41 of children; and

42 (c) One subcommittee composed of professionals in academia.

43 7. The interim committee, or a subcommittee or technical  
44 advisory group appointed pursuant to subsection 6, may seek input,  
45 advice and assistance from any person or entity with knowledge,



1 interest or expertise relevant to the duties of the interim committee  
2 prescribed by section 1 of this act.

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

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

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

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

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

