
ASSEMBLY BILL NO. 5—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

PREFILED DECEMBER 19, 2014

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to services for persons with intellectual disabilities and persons with related conditions. (BDR 39-416)

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 public welfare; requiring the Aging and Disability Services Division of the Department of Health and Human Services to provide preferences for potential providers of jobs and day training services in issuing certificates authorizing the provision of such services and in entering into agreements concerning the provision of such services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires a natural person and certain entities to obtain a certificate
2 from the Aging and Disability Services Division of the Department of Health and
3 Human Services before providing jobs and day training services in this State, which
4 are services provided to persons with intellectual disabilities or persons with related
5 conditions to enhance self-sufficiency and success in employment. (NRS 435.176,
6 435.225) Existing law also authorizes the Division to enter into agreements with
7 public and private agencies as it deems necessary for the provision of jobs and day
8 training services. (NRS 435.220)
9 This bill requires the Division to give preference to potential providers of jobs
10 and day training services who will employ persons with intellectual disabilities or
11 persons with related conditions at or above the state minimum wage. The Division
12 is required to give such a preference when: (1) issuing certificates which authorize
13 the provisions of jobs and day training services; and (2) entering into agreements
14 with public and private agencies for the provision of jobs and day training services.



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

1 **Section 1.** NRS 435.220 is hereby amended to read as follows:
2 435.220 1. The Division shall adopt regulations governing
3 jobs and day training services, including, without limitation,
4 regulations that set forth:

5 (a) Standards for the provision of quality care and training by
6 providers of jobs and day training services;

7 (b) The requirements for the issuance and renewal of a
8 certificate; and

9 (c) The rights of consumers of jobs and day training services,
10 including, without limitation, the right of a consumer to file a
11 complaint and the procedure for filing the complaint.

12 2. The Division may enter into such agreements with public
13 and private agencies as it deems necessary for the provision of jobs
14 and day training services.

15 3. *For the purpose of entering into an agreement described in*
16 *subsection 2, if the qualifications of more than one agency are*
17 *equal, the Division shall give preference to the agency who will*
18 *employ persons with intellectual disabilities or persons with*
19 *related conditions at or above the minimum wage prescribed by*
20 *regulation of the Labor Commissioner pursuant to NRS 608.250.*

21 **Sec. 2.** NRS 435.225 is hereby amended to read as follows:

22 435.225 1. A nonprofit organization, state or local
23 government or agency thereof shall not provide jobs and day
24 training services in this State without first obtaining a certificate
25 from the Division.

26 2. A natural person other than a person who is employed by an
27 entity listed in subsection 1 shall not provide jobs and day training
28 services in this State without first obtaining a certificate from the
29 Division.

30 3. *For the purpose of issuing a certificate pursuant to this*
31 *section, if the qualifications of more than one applicant are equal,*
32 *the Division shall give preference to the natural person who, or*
33 *the nonprofit organization, state or local government or agency*
34 *thereof that, will employ persons with intellectual disabilities or*
35 *persons with related conditions at or above the minimum wage*
36 *prescribed by regulation of the Labor Commissioner pursuant to*
37 *NRS 608.250.*

38 **Sec. 3.** This act becomes effective on July 1, 2015.

