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ASSEMBLY BILL NO. 430—ASSEMBLYWOMAN LESLIE

MARCH 17, 2003

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Referred to Committee on Health and Human Services

SUMMARY—Prohibits Department of Human Resources from taking certain actions to restrict access to prescription drugs for mental illness provided pursuant to Medicaid. (BDR 38-984)

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.

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AN ACT relating to public welfare; prohibiting the Department of Human Resources from taking certain actions to restrict access to prescription drugs for mental illness provided pursuant to Medicaid; and providing other matters properly relating thereto.

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 not, through the use of a preferred***  
4     ***drug list or the requirement of prior authorization, restrict the***  
5     ***access of a patient receiving services pursuant to Medicaid to***  
6     ***prescription drugs that are prescribed for the treatment of a***  
7     ***mental illness of the patient, including, without limitation,***  
8     ***prescriptions for atypical and conventional antipsychotic***  
9     ***medications, antidepressant medications, antianxiety medications***  
10    ***and anticonvulsant medications.***  
11    ***2. As used in this section, “mental illness” has the meaning***  
12    ***ascribed to it in NRS 433.164.***  
13    **Sec. 2.** NRS 422.240 is hereby amended to read as follows:  
14    422.240 1. Money to carry out the provisions of NRS  
15    422.001 to 422.410, inclusive, ***and section 1 of this act*** and



1 422.580, including, without limitation, any federal money allotted to  
2 the State of Nevada pursuant to the program to provide Temporary  
3 Assistance for Needy Families and the Program for Child Care and  
4 Development, must be provided by appropriation by the Legislature  
5 from the State General Fund.

6 2. Disbursements for the purposes of NRS 422.001 to 422.410,  
7 inclusive, *and section 1 of this act* and 422.580 must be made upon  
8 claims duly filed, audited and allowed in the same manner as other  
9 money in the State Treasury is disbursed.

10 **Sec. 3.** This act becomes effective on July 1, 2003.

