
ASSEMBLY BILL NO. 482—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF LEGISLATIVE COMMITTEE ON CHILDREN,
YOUTH AND FAMILIES (NRS 218.53723))

MARCH 24, 2003

Referred to Committee on Ways and Means

SUMMARY—Makes various changes concerning funding of child welfare services and institutional care of persons covered by State Plan for Medicaid. (BDR 38-687)

FISCAL NOTE: Effect on Local Government: Yes.
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; making various changes concerning the funding of child welfare services in this state; making the State of Nevada responsible for all of the nonfederal share of the costs of institutional care of persons covered by the State Plan for Medicaid in certain counties; 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.** NRS 422.272 is hereby amended to read as follows:
2 422.272 1. Except as otherwise provided in NRS 422.2725,
3 the Director shall include in the State Plan for Medicaid a
4 requirement that the State shall pay the nonfederal share of
5 expenditures for the medical, administrative and transactional costs,
6 to the extent not covered by private insurance, of a person:
7 (a) Who is admitted to a hospital, facility for intermediate care
8 or facility for skilled nursing for not less than 30 consecutive days;
9 (b) Who is covered by the State Plan for Medicaid; and
10 (c) ~~[Whose]~~ *Who:*



1 (1) *Resides in a county whose population is 100,000 or*
2 *more; or*

3 (2) *Resides in a county whose population is less than*
4 *100,000 and whose* net countable income per month is not more
5 than \$775 or 156 percent of the supplemental security income
6 benefit rate established pursuant to 42 U.S.C. § 1382(b)(1),
7 whichever is greater.

8 2. As used in this section:

9 (a) "Facility for intermediate care" has the meaning ascribed to
10 it in NRS 449.0038.

11 (b) "Facility for skilled nursing" has the meaning ascribed to it
12 in NRS 449.0039.

13 (c) "Hospital" has the meaning ascribed to it in NRS 449.012.

14 **Sec. 2.** NRS 428.440 is hereby amended to read as follows:

15 428.440 "Interlocal agreement" means an interlocal agreement
16 between the Department of Human Resources and a county *whose*
17 *population is less than 100,000* to pay the expenses for the
18 institutional care of the medically indigent pursuant to the State
19 Plan.

20 **Sec. 3.** NRS 428.470 is hereby amended to read as follows:

21 428.470 1. The Fund for the Institutional Care of the
22 Medically Indigent is hereby created in the State Treasury.

23 2. The money in the Fund must only be used to provide
24 assistance to a county which is unable to make a payment required
25 by an interlocal agreement.

26 3. The Fund must be administered by a Board of Trustees
27 consisting of 5 county commissioners *from counties whose*
28 *populations are less than 100,000 each* appointed by the Governor
29 from a list of 10 nominees submitted by the Board of Directors of
30 the Nevada Association of Counties.

31 4. Each member of the Board shall serve a term of 1 year or
32 until his successor has been appointed and has qualified.

33 5. The position of a member of the Board shall be deemed
34 vacated upon his loss of any of the qualifications required for his
35 appointment and, in that event, the Governor shall appoint a
36 successor from a list of two nominees submitted by the Board of
37 Directors of the Nevada Association of Counties.

38 6. Any interest or money earned on money in the Fund must be
39 credited to the Fund.

40 7. Any money remaining in the Fund at the end of a fiscal year
41 remains in the Fund and does not revert to the State General Fund.

42 **Sec. 4.** 1. Washoe County and Clark County are responsible
43 for funding the provision of back-end child welfare services
44 provided by the agency which provides child welfare services in
45 their respective counties beginning:



1 (a) For Washoe County, on July 1, 2003; and
2 (b) For Clark County, 18 months after the date on which the
3 State of Nevada begins transferring responsibility for the provision
4 of and employees to provide child welfare services in Clark County
5 from the Division of Child and Family Services of the Department
6 of Human Resources to the agency which provides child welfare
7 services in Clark County.

8 2. Any dispute regarding the date on which the State of Nevada
9 begins transferring responsibility for the provision of and employees
10 to provide child welfare services in Clark County from the Division
11 of Child and Family Services of the Department of Human
12 Resources to the agency which provides child welfare services in
13 Clark County must be resolved by the Governor.

14 3. As used in this section "back-end child welfare services"
15 means services provided by an agency which provides child welfare
16 services:

17 (a) For the temporary or permanent placement of children for
18 whom it is responsible, other than short-term foster care and
19 emergency shelter care, including, without limitation, the placement
20 of such children in foster care or for adoption;

21 (b) Related to the provision of maintenance and special services
22 to children for whom it is responsible;

23 (c) Related to the case management of foster care and adoption
24 services provided to children for whom it is responsible;

25 (d) For independent living provided to children for whom it is
26 responsible;

27 (e) For the preservation of families of children for whom it is
28 responsible; and

29 (f) Related to the licensing of providers of foster care.

30 **Sec. 5.** 1. Except as otherwise provided pursuant to section 6
31 of this act, Washoe County and the State of Nevada are jointly
32 responsible for funding the provision of front-end child welfare
33 services provided by the agency which provides child welfare
34 services in Washoe County. Except as otherwise provided in section
35 6 of this act, beginning on July 1, 2003, Washoe County is
36 responsible for the remaining 50 percent of the costs incurred in
37 funding the provision of front-end child welfare services provided
38 by the agency which provides child welfare services in Washoe
39 County and the State of Nevada is responsible for the remaining 50
40 percent of such costs.

41 2. Except as otherwise provided pursuant to section 6 of this
42 act, Clark County and the State of Nevada are jointly responsible for
43 funding the provision of front-end child welfare services provided
44 by the agency which provides child welfare services in Clark
45 County. Except as otherwise provided in section 6 of this act,



1 beginning 18 months after the date on which the State of Nevada
2 begins transferring responsibility for the provision of and employees
3 to provide child welfare services in Clark County from the Division
4 of Child and Family Services of the Department of Human
5 Resources to the agency which provides child welfare services in
6 Clark County, Clark County is responsible for 54 percent of the
7 costs incurred in funding the provision of front-end child welfare
8 services provided by the agency which provides child welfare
9 services in Clark County and the State of Nevada is responsible for
10 the remaining 46 percent of such costs.

11 3. Any dispute regarding the date on which the State of Nevada
12 begins transferring responsibility for the provision of and employees
13 to provide child welfare services in Clark County from the Division
14 of Child and Family Services of the Department of Human
15 Resources to the agency which provides child welfare services in
16 Clark County must be resolved by the Governor.

17 4. As used in this section, "front-end child welfare services"
18 means services provided by an agency which provides child welfare
19 services:

- 20 (a) Related to the prevention of child abuse and neglect;
- 21 (b) Related to investigations of abuse or neglect of children for
22 whom it is responsible, and to assessments of such children and
23 their families;
- 24 (c) For the temporary placement of children for whom it is
25 responsible through the use of short-term foster care or emergency
26 shelter care; and
- 27 (d) Provided to children for whom it is responsible and their
28 families in their homes.

29 **Sec. 6.** 1. The Division of Child and Family Services of the
30 Department of Human Resources, in consultation with each agency
31 which provides child welfare services in a county whose population
32 is 100,000 or more, shall examine the method of funding the
33 provision of front-end child welfare services set forth in section 5 of
34 this act to determine whether that method of funding the provision
35 of such services is appropriate by comparing data from the sharing
36 of costs which results from experience to the data on which the
37 percentages set forth in that section are based. If the Division, in
38 consultation with each agency which provides child welfare services
39 in a county whose population is 100,000 or more, determines that
40 the method of funding the provision of front-end child welfare
41 services set forth in section 5 of this act is not appropriate, the
42 Division, in consultation with each agency, shall revise the method
43 of funding.

44 2. The examination required by subsection 1 must occur only
45 once for each county, and must occur:



- 1 (a) For Washoe County, immediately after July 1, 2005; and
- 2 (b) For Clark County, immediately following 2 years after the
- 3 date on which Clark County and the State of Nevada begin sharing
- 4 costs for the provision of front-end child welfare services pursuant
- 5 to section 5 of this act.
- 6 **Sec. 7.** This act becomes effective on July 1, 2003.

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