

SENATE BILL NO. 138—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE TO
STUDY THE STATE PROGRAM FOR PROVIDING SERVICES TO
PERSONS WITH DISABILITIES)

FEBRUARY 17, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires Department of Human Resources to enter into agreement with Federal Government to determine eligibility for Medicaid at same time Federal Government determines eligibility for Supplemental Security Income Program. (BDR 38-703)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to welfare programs; requiring the Director of the Department of Human Resources to enter into an agreement with the Federal Government to determine eligibility for Medicaid at the same time the Federal Government determines eligibility for the Supplemental Security Income Program; 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 *If the State of Nevada uses the same eligibility rules for*
4 *determining eligibility for Medicaid as the Social Security*
5 *Administration uses for determining eligibility for the*
6 *Supplemental Security Income Program, the Director shall enter*



1 *into an agreement with the Commissioner of Social Security*
2 *pursuant to 42 U.S.C. § 1383c for the Commissioner of Social*
3 *Security to determine eligibility for Medicaid at the same time that*
4 *the Commissioner of Social Security determines eligibility for the*
5 *Supplemental Security Income Program.*

6 **Sec. 2.** NRS 422.240 is hereby amended to read as follows:

7 422.240 1. Money to carry out the provisions of NRS
8 422.001 to 422.410, inclusive, *and section 1 of this act*, and
9 422.580, including, without limitation, any federal money allotted to
10 the State of Nevada pursuant to the program to provide Temporary
11 Assistance for Needy Families and the Program for Child Care and
12 Development, must be provided by appropriation by the Legislature
13 from the State General Fund.

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

18 **Sec. 3.** NRS 232.320 is hereby amended to read as follows:

19 232.320 1. Except as otherwise provided in subsection 2, the
20 Director:

21 (a) Shall appoint, with the consent of the Governor,
22 administrators of the divisions of the Department, who are
23 respectively designated as follows:

- 24 (1) The Administrator of the Aging Services Division;
- 25 (2) The Administrator of the Health Division;
- 26 (3) The State Welfare Administrator;
- 27 (4) The Administrator of the Division of Child and Family
28 Services; and

29 (5) The Administrator of the Division of Health Care
30 Financing and Policy.

31 (b) Shall administer, through the divisions of the Department,
32 the provisions of chapters 210, 423, 424, 425, 427A, 432A to 442,
33 inclusive, 446 to 450, inclusive, of NRS, NRS 127.220 to 127.310,
34 inclusive, 422.001 to 422.410, inclusive, *and section 1 of this act*,
35 422.580, 432.010 to 432.139, inclusive, 444.003 to 444.430,
36 inclusive, and 445A.010 to 445A.055, inclusive, and all other
37 provisions of law relating to the functions of the divisions of the
38 Department, but is not responsible for the clinical activities of the
39 Health Division or the professional line activities of the other
40 divisions.

41 (c) Shall, after considering advice from agencies of local
42 governments and nonprofit organizations which provide social
43 services, adopt a master plan for the provision of human services in
44 this state. The Director shall revise the plan biennially and deliver a



1 copy of the plan to the Governor and the Legislature at the
2 beginning of each regular session. The plan must:

3 (1) Identify and assess the plans and programs of the
4 Department for the provision of human services, and any
5 duplication of those services by federal, state and local agencies;

6 (2) Set forth priorities for the provision of those services;

7 (3) Provide for communication and the coordination of those
8 services among nonprofit organizations, agencies of local
9 government, the State and the Federal Government;

10 (4) Identify the sources of funding for services provided by
11 the Department and the allocation of that funding;

12 (5) Set forth sufficient information to assist the Department
13 in providing those services and in the planning and budgeting for the
14 future provision of those services; and

15 (6) Contain any other information necessary for the
16 Department to communicate effectively with the Federal
17 Government concerning demographic trends, formulas for the
18 distribution of federal money and any need for the modification of
19 programs administered by the Department.

20 (d) May, by regulation, require nonprofit organizations and state
21 and local governmental agencies to provide information to him
22 regarding the programs of those organizations and agencies,
23 excluding detailed information relating to their budgets and payrolls,
24 which he deems necessary for his performance of the duties
25 imposed upon him pursuant to this section.

26 (e) Has such other powers and duties as are provided by law.

27 2. The Governor shall appoint the Administrator of the
28 Division of Mental Health and Developmental Services.

29 **Sec. 4.** This act becomes effective on July 1, 2003.

