

ASSEMBLY BILL NO. 35—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE AGING AND DISABILITY  
SERVICES DIVISION OF THE DEPARTMENT OF  
HEALTH AND HUMAN SERVICES)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing certain programs to assist senior citizens and persons with disabilities with costs relating to health care. (BDR 40-288)

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 health care; consolidating certain programs to assist senior citizens and persons with disabilities with costs relating to health care; revising the requirements for eligibility to receive assistance under the consolidated program; authorizing the publication, disclosure or use of information contained in a request for a subsidy under the consolidated program for certain purposes; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law: (1) creates the Fund for a Healthy Nevada; and (2) requires the  
2 State Treasurer to deposit certain proceeds from litigation against manufacturers of  
3 tobacco products into the Fund. (NRS 439.620) Existing law sets forth the  
4 authorized uses of money in the Fund, which include funding programs to assist  
5 senior citizens and persons with disabilities with the costs of prescription drugs,  
6 pharmaceutical services and certain other services. (NRS 439.630) Existing law  
7 provides separately for the administration and operation of the program to assist  
8 senior citizens and the program to assist persons with disabilities. (NRS 439.635-  
9 439.795) **Sections 2-5, 7-11 and 14** of this bill consolidate those programs, and  
10 **section 13** of this bill makes a conforming change to ensure the amendments to  
11 existing law made by **section 6** of this bill do not inadvertently affect certain other  
12 programs.



13 For the purpose of determining eligibility to receive assistance under the  
 14 program to assist senior citizens, existing law defines the term "senior citizen" to  
 15 mean a person domiciled in this State who is 62 years of age or older. (NRS  
 16 439.650) **Section 6** of this bill redefines the term "senior citizen" for the purposes  
 17 of the consolidated program to mean a person who is 60 years of age or older.  
 18 **Section 1** of this bill defines the term "person with a disability" to mean a person  
 19 who has a physical or intellectual disability or a related condition. **Sections 8 and**  
 20 **14** of this bill remove language stating that certain senior citizens and persons with  
 21 disabilities are entitled to assistance under those programs. **Sections 8 and 14** also  
 22 remove specific eligibility requirements for those programs relating to length of  
 23 domicile and amount of income and instead require a senior citizen or person with a  
 24 disability who wishes to receive assistance under the consolidated program to: (1)  
 25 be a resident of this State; and (2) meet requirements prescribed by regulation of  
 26 the Department of Health and Human Services. **Section 8** of this bill additionally  
 27 revises the circumstances under which the Department is authorized to grant a  
 28 waiver of eligibility requirements.

29 Existing law prohibits any person from publishing, disclosing or using any  
 30 personal or confidential information contained in a request for a subsidy under the  
 31 programs to assist senior citizens and persons with disabilities except for purposes  
 32 relating to the administration of those programs. (NRS 439.690, 439.795) **Section**  
 33 **12** of this bill additionally authorizes publication, disclosure or use of such  
 34 information contained in a request for a subsidy under the consolidated program for  
 35 purposes relating to the administration of other programs of the Department.

---

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

1 **Section 1.** Chapter 439 of NRS is hereby amended by adding  
 2 thereto a new section to read as follows:

3 ***"Person with a disability" means:***

4 ***1. A person with a physical disability, as defined in***  
 5 ***NRS 427A.1222;***

6 ***2. A person with a related condition, as defined in***  
 7 ***NRS 427A.1224; or***

8 ***3. A person with an intellectual disability, as defined in***  
 9 ***NRS 427A.1226.***

10 **Sec. 2.** NRS 439.529 is hereby amended to read as follows:

11 439.529 1. The Department may, to the extent that money is  
 12 available, administer a program pursuant to 42 U.S.C. §§ 300ff-21  
 13 et seq. to provide therapeutics to treat certain persons who have  
 14 been diagnosed with the human immunodeficiency virus or acquired  
 15 immunodeficiency syndrome and to prevent the serious  
 16 deterioration of the health of such persons. The program may  
 17 include the provision of subsidies and pharmaceutical services.

18 2. The Director shall:

19 (a) Establish the criteria for eligibility for participation in the  
 20 program administered pursuant to this section, which must be in  
 21 accordance with the provisions of 42 U.S.C. §§ 300ff-21 et seq.; and



1 (b) Prescribe the manner in which the program will be  
2 administered and services will be provided.

3 3. The Department may use any other program administered by  
4 the Department to facilitate the provision of subsidies and services  
5 pursuant to this section, including, without limitation, the provision  
6 of subsidies for pharmaceutical services to *senior citizens and*  
7 *persons with disabilities* pursuant to NRS ~~[439.705 to 439.795,]~~  
8 *439.635 to 439.690*, inclusive ~~[ ]~~, *and section 1 of this act*. If the  
9 Department uses another program to facilitate the provision of  
10 subsidies and services pursuant to this section, the Department shall  
11 not commingle the money available to carry out the provisions of  
12 this section and the money available to carry out the other program.

13 4. Money available to carry out the provisions of this section  
14 must be accounted for separately by the Department.

15 **Sec. 3.** NRS 439.620 is hereby amended to read as follows:

16 439.620 1. The Fund for a Healthy Nevada is hereby created  
17 in the State Treasury. The State Treasurer shall deposit in the Fund:

18 (a) Sixty percent of all money received by this State pursuant to  
19 any settlement entered into by the State of Nevada and a  
20 manufacturer of tobacco products; and

21 (b) Sixty percent of all money recovered by this State from a  
22 judgment in a civil action against a manufacturer of tobacco  
23 products.

24 2. The State Treasurer shall administer the Fund. As  
25 administrator of the Fund, the State Treasurer:

26 (a) Shall maintain the financial records of the Fund;

27 (b) Shall invest the money in the Fund as the money in other  
28 state funds is invested;

29 (c) Shall manage any account associated with the Fund;

30 (d) Shall maintain any instruments that evidence investments  
31 made with the money in the Fund;

32 (e) May contract with vendors for any good or service that is  
33 necessary to carry out the provisions of this section; and

34 (f) May perform any other duties necessary to administer the  
35 Fund.

36 3. The interest and income earned on the money in the Fund  
37 must, after deducting any applicable charges, be credited to the  
38 Fund. All claims against the Fund must be paid as other claims  
39 against the State are paid.

40 4. The State Treasurer or the Department may submit to the  
41 Interim Finance Committee a request for an allocation for  
42 administrative expenses from the Fund pursuant to this section.  
43 Except as otherwise limited by this subsection, the Interim Finance  
44 Committee may allocate all or part of the money so requested. The  
45 annual allocation for administrative expenses from the Fund must:



1 (a) Not exceed 2 percent of the money in the Fund, as calculated  
2 pursuant to this subsection, each year to pay the costs incurred by  
3 the State Treasurer to administer the Fund; and

4 (b) Not exceed 5 percent of the money in the Fund, as calculated  
5 pursuant to this subsection, each year to pay the costs incurred by  
6 the Department, including, without limitation, the Aging and  
7 Disability Services Division of the Department, to carry out its  
8 duties set forth in NRS 439.630 ~~[.]~~ and to administer the provisions  
9 of NRS 439.635 to 439.690, inclusive, and ~~[NRS 439.705 to~~  
10 ~~439.795, inclusive.] section 1 of this act.~~

11 ↪ For the purposes of this subsection, the amount of money  
12 available for allocation to pay for the administrative costs must be  
13 calculated at the beginning of each fiscal year based on the total  
14 amount of money anticipated by the State Treasurer to be deposited  
15 in the Fund during that fiscal year.

16 5. The money in the Fund remains in the Fund and does not  
17 revert to the State General Fund at the end of any fiscal year.

18 6. All money that is deposited or paid into the Fund is hereby  
19 appropriated to be used for any purpose authorized by the  
20 Legislature or by the Department for expenditure or allocation in  
21 accordance with the provisions of NRS 439.630. Money expended  
22 from the Fund must not be used to supplant existing methods of  
23 funding that are available to public agencies.

24 **Sec. 4.** NRS 439.630 is hereby amended to read as follows:

25 439.630 1. The Department shall:

26 (a) Conduct, or require the Grants Management Advisory  
27 Committee created by NRS 232.383 to conduct, public hearings to  
28 accept public testimony from a wide variety of sources and  
29 perspectives regarding existing or proposed programs that:

30 (1) Promote public health;

31 (2) Improve health services for children, senior citizens and  
32 persons with disabilities;

33 (3) Reduce or prevent alcohol and other substance use  
34 disorders; and

35 (4) Offer other general or specific information on health care  
36 in this State.

37 (b) Establish a process to evaluate the health and health needs of  
38 the residents of this State and a system to rank the health problems  
39 of the residents of this State, including, without limitation, the  
40 specific health problems that are endemic to urban and rural  
41 communities, and report the results of the evaluation to the  
42 Legislative Committee on Health Care on an annual basis.

43 (c) Subject to legislative authorization, allocate money for direct  
44 expenditure by the Department to pay for prescription drugs,  
45 pharmaceutical services and, to the extent money is available, other



1 benefits, including, without limitation, dental and vision benefits  
2 and hearing aids or other devices that enhance the ability to hear, for  
3 senior citizens *and persons with disabilities* pursuant to NRS  
4 439.635 to 439.690, inclusive [ ], *and section 1 of this act*. From  
5 the money allocated pursuant to this paragraph, the Department may  
6 subsidize any portion of the cost of providing prescription drugs,  
7 pharmaceutical services and, to the extent money is available, other  
8 benefits, including, without limitation, dental and vision benefits  
9 and hearing aids or other devices that enhance the ability to hear, to  
10 senior citizens *and persons with disabilities* pursuant to NRS  
11 439.635 to 439.690, inclusive [ ], *and section 1 of this act*. The  
12 Department shall consider recommendations from the Grants  
13 Management Advisory Committee in carrying out the provisions of  
14 NRS 439.635 to 439.690, inclusive [ ], *and section 1 of this act*.  
15 The Department shall submit a quarterly report to the Governor, the  
16 Interim Finance Committee, the Legislative Committee on Health  
17 Care and any other committees or commissions the Director deems  
18 appropriate regarding the general manner in which expenditures  
19 have been made pursuant to this paragraph.

20 (d) Subject to legislative authorization, allocate, by contract or  
21 grant, money for expenditure by the Aging and Disability Services  
22 Division of the Department in the form of grants for existing or new  
23 programs that assist senior citizens and other specified persons with  
24 independent living, including, without limitation, programs that  
25 provide:

26 (1) Respite care or relief of informal caretakers, including,  
27 without limitation, informal caretakers of any person with  
28 Alzheimer's disease or other related dementia regardless of the age  
29 of the person;

30 (2) Transportation to new or existing services to assist senior  
31 citizens in living independently; and

32 (3) Care in the home which allows senior citizens to remain  
33 at home instead of in institutional care.

34 ➤ The Aging and Disability Services Division of the Department  
35 shall consider recommendations from the Grants Management  
36 Advisory Committee concerning the independent living needs of  
37 senior citizens.

38 (e) Allocate \$200,000 of all revenues deposited in the Fund for a  
39 Healthy Nevada each year for direct expenditure by the Director to  
40 award competitive grants to finance the establishment or expansion  
41 of assisted living facilities that provide services pursuant to the  
42 provisions of the home and community-based services waiver which  
43 are amended pursuant to NRS 422.3962. The Director shall develop  
44 policies and procedures for awarding grants pursuant to this  
45 paragraph. If any money allocated pursuant to this paragraph



1 remains after awarding grants to all eligible applicants, the Director  
2 must reallocate such money to the Aging and Disability Services  
3 Division of the Department to be used for the purposes described in  
4 paragraph (d).

5 (f) Subject to legislative authorization, allocate to the Division  
6 money for programs that are consistent with the guidelines  
7 established by the Centers for Disease Control and Prevention of the  
8 United States Department of Health and Human Services relating to  
9 evidence-based best practices to prevent, reduce or treat the use of  
10 tobacco and the consequences of the use of tobacco. In making  
11 allocations pursuant to this paragraph, the Division shall allocate the  
12 money, by contract or grant:

13 (1) To the district board of health in each county whose  
14 population is 100,000 or more for expenditure for such programs in  
15 the respective county;

16 (2) For such programs in counties whose population is less  
17 than 100,000; and

18 (3) For statewide programs for tobacco cessation and other  
19 statewide services for tobacco cessation and for statewide  
20 evaluations of programs which receive an allocation of money  
21 pursuant to this paragraph, as determined necessary by the Division  
22 and the district boards of health.

23 (g) Subject to legislative authorization, allocate, by contract or  
24 grant, money for expenditure for programs that improve the health  
25 and well-being of residents of this State, including, without  
26 limitation, programs that improve health services for children.

27 (h) Subject to legislative authorization, allocate, by contract or  
28 grant, money for expenditure for programs that improve the health  
29 and well-being of persons with disabilities. In making allocations  
30 pursuant to this paragraph, the Department shall, to the extent  
31 practicable, allocate the money evenly among the following three  
32 types of programs:

33 (1) Programs that provide respite care or relief of informal  
34 caretakers for persons with disabilities;

35 (2) Programs that provide positive behavioral supports to  
36 persons with disabilities; and

37 (3) Programs that assist persons with disabilities to live  
38 safely and independently in their communities outside of an  
39 institutional setting.

40 (i) ~~Subject to legislative authorization, allocate money for direct~~  
41 ~~expenditure by the Department to subsidize any portion of the cost~~  
42 ~~of providing prescription drugs, pharmaceutical services and, to the~~  
43 ~~extent money is available, other benefits, including, without~~  
44 ~~limitation, dental and vision benefits and hearing aids or other~~  
45 ~~devices that enhance the ability to hear, to persons with disabilities~~



1 ~~pursuant to NRS 439.705 to 439.795, inclusive. The Department~~  
2 ~~shall consider recommendations from the Grants Management~~  
3 ~~Advisory Committee in carrying out the provisions of NRS 439.705~~  
4 ~~to 439.795, inclusive.~~

5 ~~—(j)~~ Maximize expenditures through local, federal and private  
6 matching contributions.

7 ~~{(k)}~~ (j) Ensure that any money expended from the Fund will  
8 not be used to supplant existing methods of funding that are  
9 available to public agencies.

10 ~~{(k)}~~ (k) Develop policies and procedures for the administration  
11 and distribution of contracts, grants and other expenditures to state  
12 agencies, political subdivisions of this State, nonprofit  
13 organizations, universities, state colleges and community colleges.  
14 A condition of any such contract or grant must be that not more than  
15 8 percent of the contract or grant may be used for administrative  
16 expenses or other indirect costs. The procedures must require at  
17 least one competitive round of requests for proposals per biennium.

18 ~~{(m)}~~ (l) To make the allocations required by paragraphs (f), (g)  
19 and (h):

20 (1) Prioritize and quantify the needs for these programs;

21 (2) Develop, solicit and accept applications for allocations;

22 (3) Review and consider the recommendations of the Grants  
23 Management Advisory Committee submitted pursuant to  
24 NRS 232.385;

25 (4) Conduct annual evaluations of programs to which  
26 allocations have been awarded; and

27 (5) Submit annual reports concerning the programs to the  
28 Governor, the Interim Finance Committee, the Legislative  
29 Committee on Health Care and any other committees or  
30 commissions the Director deems appropriate.

31 ~~{(n)}~~ (m) Transmit a report of all findings, recommendations  
32 and expenditures to the Governor, each regular session of the  
33 Legislature, the Legislative Committee on Health Care and any  
34 other committees or commissions the Director deems appropriate.

35 ~~{(o)}~~ (n) After considering the recommendations submitted to  
36 the Director pursuant to subsection 6, develop a plan each biennium  
37 to determine the percentage of available money in the Fund for a  
38 Healthy Nevada to be allocated from the Fund for the purposes  
39 described in paragraphs (c), (d), (f), (g) ~~{(h)}~~ and (h) . ~~{(i)}~~ The  
40 plan must be submitted as part of the proposed budget submitted to  
41 the Chief of the Budget Division of the Office of Finance pursuant  
42 to NRS 353.210.

43 ~~{(p)}~~ (o) On or before September 30 of each even-numbered  
44 year, submit to the Grants Management Advisory Committee, the  
45 Nevada Commission on Aging created by NRS 427A.032 and the



1 Nevada Commission on Services for Persons with Disabilities  
2 created by NRS 427A.1211 a report on the funding plan submitted  
3 to the Chief of the Budget Division of the Office of Finance  
4 pursuant to paragraph ~~[(e)]~~ (n).

5 2. The Department may take such other actions as are  
6 necessary to carry out its duties.

7 3. To make the allocations required by paragraph (d) of  
8 subsection 1, the Aging and Disability Services Division of the  
9 Department shall:

10 (a) Prioritize and quantify the needs of senior citizens and other  
11 specified persons for these programs;

12 (b) Develop, solicit and accept grant applications for allocations;

13 (c) As appropriate, expand or augment existing state programs  
14 for senior citizens and other specified persons upon approval of the  
15 Interim Finance Committee;

16 (d) Award grants, contracts or other allocations;

17 (e) Conduct annual evaluations of programs to which grants or  
18 other allocations have been awarded; and

19 (f) Submit annual reports concerning the allocations made by  
20 the Aging and Disability Services Division pursuant to paragraph  
21 (d) of subsection 1 to the Governor, the Interim Finance Committee,  
22 the Legislative Committee on Health Care and any other committees  
23 or commissions the Director deems appropriate.

24 4. The Aging and Disability Services Division of the  
25 Department shall submit each proposed grant or contract which  
26 would be used to expand or augment an existing state program to  
27 the Interim Finance Committee for approval before the grant or  
28 contract is awarded. The request for approval must include a  
29 description of the proposed use of the money and the person or  
30 entity that would be authorized to expend the money. The Aging  
31 and Disability Services Division of the Department shall not expend  
32 or transfer any money allocated to the Aging and Disability Services  
33 Division pursuant to this section to subsidize any portion of the cost  
34 of providing prescription drugs, pharmaceutical services and other  
35 benefits, including, without limitation, dental and vision benefits  
36 and hearing aids or other devices that enhance the ability to hear, to  
37 senior citizens *or persons with disabilities* pursuant to NRS 439.635  
38 to 439.690, inclusive, ~~[or to subsidize any portion of the cost of~~  
39 ~~providing prescription drugs, pharmaceutical services and other~~  
40 ~~benefits, including, without limitation, dental and vision benefits~~  
41 ~~and hearing aids or other devices that enhance the ability to hear, to~~  
42 ~~persons with disabilities pursuant to NRS 439.705 to 439.795,~~  
43 ~~inclusive.] and section 1 of this act.~~

44 5. A veteran may receive benefits or other services which are  
45 available from the money allocated pursuant to this section for





1 senior citizens or persons with disabilities to the extent that the  
2 veteran does not receive other benefits or services provided to  
3 veterans for the same purpose if the veteran qualifies for the benefits  
4 or services as a senior citizen or a person with a disability, or both.

5 6. On or before June 30 of each even-numbered year, the  
6 Grants Management Advisory Committee, the Nevada Commission  
7 on Aging and the Nevada Commission on Services for Persons with  
8 Disabilities each shall submit to the Director a report that includes,  
9 without limitation, recommendations regarding community needs  
10 and priorities that are determined by each such entity after any  
11 public hearings held by the entity.

12 **Sec. 5.** NRS 439.635 is hereby amended to read as follows:

13 439.635 As used in NRS 439.635 to 439.690, inclusive, *and*  
14 *section 1 of this act*, unless the context otherwise requires, the  
15 words and terms defined in NRS ~~[439.640, 439.645 and]~~ 439.650  
16 *and section 1 of this act* have the meanings ascribed to them in  
17 those sections.

18 **Sec. 6.** NRS 439.650 is hereby amended to read as follows:

19 439.650 "Senior citizen" means a person who is ~~[domiciled in~~  
20 ~~this state and is 62]~~ 60 years of age or older.

21 **Sec. 7.** NRS 439.655 is hereby amended to read as follows:

22 439.655 The Department is responsible for the administration  
23 of the provisions of NRS 439.635 to 439.690, inclusive, *and section*  
24 *1 of this act* and may:

25 1. Prescribe the content and form of a request for a subsidy  
26 required to be submitted pursuant to NRS 439.670.

27 2. Designate the proof that must be submitted with such a  
28 request.

29 3. Adopt regulations to protect the confidentiality of  
30 information supplied by a senior citizen *or a person with a*  
31 *disability* requesting a subsidy pursuant to NRS 439.670.

32 4. Adopt such other regulations as may be required to carry out  
33 the provisions of NRS 439.635 to 439.690, inclusive ~~[ ]~~, *and*  
34 *section 1 of this act*.

35 **Sec. 8.** NRS 439.665 is hereby amended to read as follows:

36 439.665 1. The Department may:

37 (a) Enter into contracts with private insurers who transact health  
38 insurance in this State to subsidize the cost of prescription drugs,  
39 pharmaceutical services and, to the extent money is available, other  
40 benefits, including, without limitation, dental and vision benefits  
41 and hearing aids or other devices that enhance the ability to hear, for  
42 senior citizens *and persons with disabilities* by arranging for the  
43 availability, at a reasonable cost, of policies of health insurance that  
44 provide coverage to senior citizens *and persons with disabilities* for  
45 prescription drugs, pharmaceutical services and, to the extent money



1 is available, other benefits, including, without limitation, dental and  
2 vision benefits and hearing aids or other devices that enhance the  
3 ability to hear; or

4 (b) Subsidize the cost of prescription drugs, pharmaceutical  
5 services and, to the extent money is available, other benefits,  
6 including, without limitation, dental and vision benefits and hearing  
7 aids or other devices that enhance the ability to hear, for senior  
8 citizens *and persons with disabilities* in any other manner.

9 2. Within the limits of the money available for this purpose in  
10 the Fund for a Healthy Nevada, a senior citizen *or person with a*  
11 *disability* who is not eligible for Medicaid and who is eligible for a  
12 subsidy that is made available pursuant to subsection 1 ~~is entitled to~~  
13 ~~an annual grant~~ *may receive assistance* from the Fund to subsidize  
14 the cost of prescription drugs, pharmaceutical services and, to the  
15 extent money is available, other benefits, including, without  
16 limitation, dental and vision benefits and hearing aids or other  
17 devices that enhance the ability to hear, if the senior citizen ~~has~~  
18 ~~been domiciled in this State for at least 1 year immediately~~  
19 ~~preceding the date of application and except as otherwise provided~~  
20 ~~in subsection 5:~~

21 ~~—(a) If the senior citizen is single, his or her income is not over~~  
22 ~~\$21,500; or~~

23 ~~—(b) If the senior citizen is married, his or her household income~~  
24 ~~is not over \$28,660.~~

25 ~~↪ The monetary amounts set forth in this subsection must be~~  
26 ~~adjusted for each fiscal year by adding to each amount the product~~  
27 ~~of the amount shown multiplied by the percentage increase in the~~  
28 ~~Consumer Price Index from December 2002 to the December~~  
29 ~~preceding the fiscal year for which the adjustment is calculated.~~

30 ~~—3. The subsidy granted pursuant to this section must not exceed~~  
31 ~~the annual cost of prescription drugs, pharmaceutical services and to~~  
32 ~~the extent money is available, other benefits, including, without~~  
33 ~~limitation, dental and vision benefits and hearing aids or other~~  
34 ~~devices that enhance the ability to hear, provided to the senior~~  
35 ~~citizen.~~

36 ~~—4. A subsidy that is made available pursuant to subsection 1~~  
37 ~~must provide for:~~

38 ~~—(a) A copayment of not more than \$10 per prescription drug or~~  
39 ~~pharmaceutical service that is generic as set forth in the formulary of~~  
40 ~~the insurer or as set forth by the Department; and~~

41 ~~—(b) A copayment of not more than \$25 per prescription drug or~~  
42 ~~pharmaceutical service that is preferred as set forth in the formulary~~  
43 ~~of the insurer or as set forth by the Department.~~



1 ~~—5.]~~ *or person with a disability, as applicable, is a resident of*  
2 *this State and meets the requirements prescribed by regulation of*  
3 *the Department.*

4 3. The Department may waive ~~the~~ *any* eligibility requirement  
5 set forth in subsection 2 ~~[regarding household income] or the~~  
6 *regulations adopted pursuant thereto* upon written request of the  
7 applicant or enrollee based on ~~one or more of the following~~  
8 *circumstances:*

9 ~~—(a) Illness;~~

10 ~~—(b) Disability; or~~

11 ~~—(c) Extreme]~~ *illness or extreme* financial hardship, when  
12 considering the current financial circumstances of the applicant or  
13 enrollee.

14 ~~→~~ An applicant or enrollee who requests such a waiver shall  
15 include with that request all medical and financial documents that  
16 support the request.

17 ~~6.]~~ 4. If the Federal Government provides any coverage for:

18 (a) Prescription drugs and pharmaceutical services; or

19 (b) Other benefits, including, without limitation, dental or vision  
20 benefits or hearing aids or other devices that enhance the ability to  
21 hear,

22 ↪ for senior citizens *or persons with disabilities* who are eligible  
23 for a subsidy pursuant to subsections 1 ~~[to 5, inclusive,]~~, *2 and 3,*  
24 the Department may, upon approval of the Legislature, or the  
25 Interim Finance Committee if the Legislature is not in session,  
26 change any program established pursuant to NRS 439.635 to  
27 439.690, inclusive, *and section 1 of this act* and otherwise provide  
28 assistance with prescription drugs, pharmaceutical services and, to  
29 the extent money is available, other benefits, including, without  
30 limitation, dental and vision benefits and hearing aids or other  
31 devices that enhance the ability to hear, for senior citizens *and*  
32 *persons with disabilities* within the limits of the money available for  
33 this purpose in the Fund.

34 ~~7.]~~ 5. The provisions of subsections 1 ~~[to 5, inclusive,]~~, *2 and*  
35 *3* do not apply to the extent that the Department provides assistance  
36 with prescription drugs, pharmaceutical services and other benefits,  
37 including, without limitation, dental and vision benefits and hearing  
38 aids or other devices that enhance the ability to hear, for senior  
39 citizens *and persons with disabilities* pursuant to subsection ~~6.]~~ 4.

40 ~~8.]~~ 6. A veteran may receive assistance with prescription  
41 drugs, pharmaceutical services and other benefits, including,  
42 without limitation, dental and vision benefits and hearing aids or  
43 other devices that enhance the ability to hear, pursuant to this  
44 section to the extent that the veteran does not receive other services  
45 or benefits provided to veterans for the same purpose if the veteran



1 qualifies for the assistance as a senior citizen ~~[ ]~~ *or a person with a*  
2 *disability.*

3 **Sec. 9.** NRS 439.670 is hereby amended to read as follows:

4 439.670 1. A senior citizen *or person with a disability* who  
5 wishes to receive a subsidy pursuant to NRS 439.665 must file a  
6 request therefor with the Department.

7 2. The request must be made under oath and filed in such form  
8 and content, and accompanied by such proof, as the Department  
9 may prescribe.

10 3. The Department shall, within 45 days after receiving a  
11 request for a subsidy, examine the request and grant or deny it.

12 4. The Department shall determine which senior citizens *and*  
13 *persons with disabilities* are eligible to receive a subsidy pursuant to  
14 NRS 439.665 and, if the Department has entered into a contract  
15 pursuant to NRS 439.665 to provide the subsidy, pay the subsidy  
16 directly to the person or entity with whom the Department has  
17 entered into the contract.

18 **Sec. 10.** NRS 439.675 is hereby amended to read as follows:

19 439.675 1. The Department shall deny any request for a  
20 subsidy received pursuant to NRS 439.670 ~~[to which]~~ *if* the senior  
21 citizen *or person with a disability, as applicable,* is not ~~[entitled.]~~  
22 *eligible to receive the subsidy pursuant to NRS 439.665.*

23 2. The Department may deny in total any request which it finds  
24 to have been filed with fraudulent intent. If any such request has  
25 been paid and is afterward denied, the amount of the subsidy must  
26 be repaid by the senior citizen *or person with a disability, as*  
27 *applicable,* to the Department.

28 3. Any amounts received by the Department pursuant to this  
29 section must be deposited with the State Treasurer for credit to the  
30 Fund for a Healthy Nevada.

31 **Sec. 11.** NRS 439.685 is hereby amended to read as follows:

32 439.685 Any subsidy granted pursuant to NRS 439.665 to a  
33 senior citizen *or person with a disability* who is not qualified for  
34 such a subsidy may be revoked by the Department. If a subsidy is so  
35 revoked, the senior citizen *or person with a disability, as*  
36 *applicable,* shall make restitution to the Department for any subsidy  
37 that the senior citizen *or person with a disability* has improperly  
38 received, and the Department shall take all proper actions to collect  
39 the amount of the subsidy as a debt.

40 **Sec. 12.** NRS 439.690 is hereby amended to read as follows:

41 439.690 No person may publish, disclose or use any personal  
42 or confidential information contained in a request for a subsidy  
43 submitted pursuant to NRS 439.670 except for purposes relating to  
44 the administration of ~~[NRS 439.635 to 439.690, inclusive.]~~ *a*  
45 *program of the Department.*



1     **Sec. 13.** NRS 612.607 is hereby amended to read as follows:

2     612.607 1. All payments collected pursuant to NRS 612.606  
3 must be deposited in the Unemployment Compensation  
4 Administration Fund. At the end of each fiscal year, the State  
5 Controller shall transfer to the Clearing Account in the  
6 Unemployment Compensation Fund the amount by which  
7 the unencumbered balance of the money deposited in the  
8 Unemployment Compensation Administration Fund pursuant to this  
9 subsection exceeds the amount of that money which the Legislature  
10 has authorized for expenditure during the first 90 days of the  
11 succeeding fiscal year.

12     2. Except for money transferred from the Unemployment  
13 Compensation Administration Fund pursuant to subsection 1, the  
14 Administrator may only expend the money collected for the  
15 employment and training of unemployed persons and persons  
16 employed in this State to:

17     (a) Establish and administer an employment training program  
18 which must foster job creation, minimize unemployment costs of  
19 employers and meet the needs of employers for skilled workers by  
20 providing training to unemployed persons.

21     (b) Establish or provide support for job training programs in the  
22 public and private sectors for training, retraining or improving the  
23 skills of persons employed in this State.

24     (c) Establish a program to provide grants of money to a  
25 nonprofit private entity to be used to make loans of money to  
26 veterans and senior citizens to start small businesses. The  
27 Administrator shall adopt regulations establishing criteria and  
28 standards relating to the eligibility for and use of any grants made  
29 pursuant to this paragraph.

30     (d) Pay the costs of the collection of payments required pursuant  
31 to NRS 612.606.

32     3. The money used for the program for the employment and  
33 training of unemployed persons and persons employed in this State  
34 must supplement and not displace money available through existing  
35 employment training programs conducted by any employer or  
36 public agency and must not replace, parallel, supplant, compete with  
37 or duplicate in any way existing apprenticeship programs approved  
38 by the State Apprenticeship Council.

39     4. As used in this section:

40     (a) “Senior citizen” ~~has the meaning ascribed to it in NRS~~  
41 ~~439.650.]~~ *means a person who is domiciled in this State and is 62*  
42 *years of age or older.*

43     (b) “Small business” means a business conducted for profit  
44 which:

45     (1) Employs 50 or fewer full-time employees; and



1 (2) Has gross annual sales of less than \$5,000,000.

2 **Sec. 14.** NRS 439.640, 439.645, 439.705, 439.715, 439.725,  
3 439.735, 439.745, 439.755, 439.765, 439.775, 439.785 and 439.795  
4 are hereby repealed.

5 **Sec. 15.** 1. This section becomes effective upon passage and  
6 approval.

7 2. Sections 1 to 14, inclusive, of this act become effective:

8 (a) Upon passage and approval for the purpose of adopting any  
9 regulations and performing any other preparatory administrative  
10 tasks that are necessary to carry out the provisions of this act; and

11 (b) On January 1, 2022, for all other purposes.

---

---

### LEADLINES OF REPEALED SECTIONS

---

---

**439.640** "Household income" defined.

**439.645** "Income" defined.

**439.705** Definitions.

**439.715** "Household income" defined.

**439.725** "Income" defined.

**439.735** Administration: Powers and duties of Department.

**439.745** Contracts to subsidize cost of prescription drugs,  
pharmaceutical services and other benefits; eligibility for and  
amount of subsidies; copayments; waiver of eligibility  
requirements; coverage provided by Federal Government;  
authority of Department to change programs; eligibility of  
veterans for subsidies.

**439.755** Request for subsidy; action on request; payment of  
subsidy.

**439.765** Denial of request for subsidy; repayment of  
amount received pursuant to fraudulent request.

**439.775** Judicial review of decision to deny request for  
subsidy.

**439.785** Revocation of subsidy and payment of restitution.

**439.795** Restrictions on use of information contained in  
request for subsidy.

