

SENATE BILL NO. 156—COMMITTEE ON
HEALTH AND HUMAN SERVICES

MARCH 1, 2021

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to crisis stabilization centers. (BDR 40-488)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 mental health; revising certain requirements for an endorsement as a crisis stabilization center; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Division of Public and Behavioral Health of the
2 Department of Health and Human Services to issue an endorsement as a crisis
3 stabilization center to the holder of a license to operate a psychiatric hospital that
4 meets certain requirements, including, without limitation, providing crisis
5 stabilization services. Existing law defines “crisis stabilization services” to mean
6 behavioral health services designed to: (1) de-escalate or stabilize a behavioral
7 crisis; and (2) avoid admission of a patient to another inpatient mental health
8 facility or hospital when appropriate. (NRS 449.0915) **Section 1** of this bill
9 expands the authority of the Division to issue an endorsement as a crisis
10 stabilization center by authorizing the Division to issue such an endorsement to the
11 holder of a license to operate any hospital that meets the requirements for the
12 endorsement. Existing law authorizes the State Board of Health to impose fees for
13 licensing by the Division and, thus, the State Board will be authorized to impose a
14 fee for the issuance or renewal of an endorsement as a crisis stabilization center
15 issued to a hospital pursuant to **section 1**. (NRS 439.150)

16 Under existing law, the Department is required to take any action necessary to
17 ensure that crisis stabilization services provided at a psychiatric hospital that holds
18 an endorsement as a crisis stabilization center are reimbursable under Medicaid.
19 (NRS 422.27238) **Section 2** of this bill expands this requirement to include crisis
20 stabilization services provided at any hospital that holds an endorsement as a crisis
21 stabilization center.

22 Existing law requires a health maintenance organization or managed care
23 organization that provides health care services to recipients of Medicaid or
24 enrollees in the Children’s Health Insurance Program to negotiate in good faith to
25 include a psychiatric hospital that holds an endorsement as a crisis stabilization



26 center in the network of providers under contract to provide services to such
27 persons. (NRS 695C.194, 695G.320) Sections 3 and 4 of this bill make conforming
28 changes to these provisions of existing law to reflect that any hospital meeting the
29 requirements for the endorsement may obtain an endorsement as a crisis
30 stabilization center.

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

1 **Section 1.** NRS 449.0915 is hereby amended to read as
2 follows:

3 449.0915 1. The Division may issue an endorsement as a
4 crisis stabilization center to the holder of a license to operate a
5 ~~{psychiatric}~~ hospital that meets the requirements of this section.

6 2. A ~~{psychiatric}~~ hospital that wishes to obtain an
7 endorsement as a crisis stabilization center must submit an
8 application in the form prescribed by the Division which must
9 include, without limitation, proof that the applicant meets the
10 requirements of subsection 3.

11 3. An endorsement as a crisis stabilization center may only be
12 issued if the ~~{psychiatric}~~ hospital to which the endorsement will
13 apply:

14 (a) ~~{Does not exceed a capacity of 16 beds or constitute an~~
15 ~~institution for mental diseases, as defined in 42 U.S.C. § 1396d;~~

16 ~~—(b)}~~ Operates in accordance with established administrative
17 protocols, evidenced-based protocols for providing treatment and
18 evidence-based standards for documenting information concerning
19 services rendered and recipients of such services in accordance with
20 best practices for providing crisis stabilization services;

21 ~~{(e)}~~ (b) Delivers crisis stabilization services:

22 (1) To patients ~~{for not less than 24 hours}~~ in an area devoted
23 to crisis stabilization or detoxification before releasing the patient
24 into the community, referring the patient to another facility or
25 transferring the patient to a bed within the hospital for short-term
26 treatment, if the ~~{psychiatric}~~ hospital has such beds;

27 (2) In accordance with best practices for the delivery of crisis
28 stabilization services; and

29 (3) In a manner that promotes concepts that are integral to
30 recovery for persons with ~~{mental illness,}~~ *behavioral health issues,*
31 including, without limitation, hope, personal empowerment, respect,
32 social connections, self-responsibility and self-determination;

33 ~~{(d)}~~ (c) Employs qualified persons to provide peer support
34 services, as defined in NRS 449.01566, when appropriate;



1 ~~(e)~~ (d) Uses a data management tool to collect and maintain
2 data relating to admissions, discharges, diagnoses and long-term
3 outcomes for recipients of crisis stabilization services;

4 ~~(f)~~ (e) Accepts all patients, without regard to:

5 (1) The race, ethnicity, gender, socioeconomic status, sexual
6 orientation or place of residence of the patient;

7 (2) Any social conditions that affect the patient;

8 (3) The ability of the patient to pay; or

9 (4) Whether the patient is admitted voluntarily to the
10 ~~psychiatric~~ hospital pursuant to NRS 433A.140 or admitted to the
11 ~~psychiatric~~ hospital under an emergency admission pursuant to
12 NRS 433A.150;

13 ~~(g)~~ (f) Performs an initial assessment on any patient who
14 presents at the ~~psychiatric~~ hospital, regardless of the severity of the
15 behavioral health issues that the patient is experiencing;

16 ~~(h)~~ (g) Has the equipment and personnel necessary to conduct
17 a medical examination of a patient pursuant to NRS 433A.165; and

18 ~~(i)~~ (h) Considers whether each patient would be better served
19 by another facility and transfer a patient to another facility when
20 appropriate.

21 4. Crisis stabilization services that may be provided pursuant to
22 paragraph ~~(e)~~ (b) of subsection 3 may include, without limitation:

23 (a) Case management services, including, without limitation,
24 such services to assist patients to obtain housing, food, primary
25 health care and other basic needs;

26 (b) Services to intervene effectively when a behavioral health
27 crisis occurs and address underlying issues that lead to repeated
28 behavioral health crises;

29 (c) Treatment specific to the diagnosis of a patient; and

30 (d) Coordination of aftercare for patients, including, without
31 limitation, at least one follow-up contact with a patient not later than
32 72 hours after the patient is discharged.

33 5. An endorsement as a crisis stabilization center must be
34 renewed at the same time as the license to which the endorsement
35 applies. An application to renew an endorsement as a crisis
36 stabilization center must include, without limitation:

37 (a) The information described in subsection 3; and

38 (b) Proof that the ~~psychiatric~~ hospital is accredited by the
39 Commission on Accreditation of Rehabilitation Facilities, or its
40 successor organization, or the Joint Commission, or its successor
41 organization.

42 6. As used in this section, “crisis stabilization services” means
43 behavioral health services designed to:



1 (a) De-escalate or stabilize a behavioral crisis, including,
2 without limitation, a behavioral health crisis experienced by a
3 person with a co-occurring substance use disorder; and

4 (b) When appropriate, avoid admission of a patient to another
5 inpatient mental health facility or hospital and connect the patient
6 with providers of ongoing care as appropriate for the unique needs
7 of the patient.

8 **Sec. 2.** NRS 422.27238 is hereby amended to read as follows:

9 422.27238 The Department shall take any action necessary to
10 ensure that crisis stabilization services provided at a ~~psychiatric~~
11 hospital ~~established~~ *with an endorsement as a crisis stabilization*
12 *center* pursuant to NRS 449.0915 are reimbursable under Medicaid
13 to the same extent as if the services were provided in another
14 covered facility.

15 **Sec. 3.** NRS 695C.194 is hereby amended to read as follows:

16 695C.194 A health maintenance organization that provides
17 health care services to recipients of Medicaid under the State Plan
18 for Medicaid or insurance pursuant to the Children's Health
19 Insurance Program pursuant to a contract with the Division of
20 Health Care Financing and Policy of the Department of Health and
21 Human Services shall negotiate in good faith to enter into a contract
22 with a ~~psychiatric~~ hospital with an endorsement as a crisis
23 stabilization center pursuant to NRS 449.0915 to include the
24 ~~psychiatric~~ hospital in the network of providers under contract
25 with the health maintenance organization to provide services to
26 recipients of Medicaid or enrollees in the Children's Health
27 Insurance Program, as applicable.

28 **Sec. 4.** NRS 695G.320 is hereby amended to read as follows:

29 695G.320 A managed care organization that provides health
30 care services to recipients of Medicaid under the State Plan for
31 Medicaid or insurance pursuant to the Children's Health Insurance
32 Program pursuant to a contract with the Division of Health Care
33 Financing and Policy of the Department of Health and Human
34 Services shall negotiate in good faith to enter into a contract with a
35 ~~psychiatric~~ hospital with an endorsement as a crisis stabilization
36 center pursuant to NRS 449.0915 to include the ~~psychiatric~~
37 hospital in the network of providers under contract with the
38 managed care organization to provide services to recipients of
39 Medicaid or insureds in the Children's Health Insurance Program, as
40 applicable.

41 **Sec. 5.** This act becomes effective on July 1, 2021.

