
SENATE BILL NO. 189—SENATOR SCHEIBLE

MARCH 8, 2021

JOINT SPONSOR: ASSEMBLYWOMAN GORELOW

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the eligibility of children for Medicaid. (BDR 38-56)

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.

AN ACT relating to Medicaid; requiring the State Plan for Medicaid to provide coverage for a child eligible for coverage under the Medicaid program for a certain period of time; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Health and Human Services to develop
2 and administer a State Plan for Medicaid which includes a list of specific medical
3 services required to be covered by Medicaid. (NRS 422.270, 422.2717-422.27242)
4 **Section 1** of this bill requires the State Plan for Medicaid to include a requirement
5 that a child remain continuously eligible for coverage under the Medicaid program
6 until the earliest of: (1) 12 months after the date of enrollment of the child; (2) the
7 date on which the child ceases to reside in this State; (3) the 19th birthday of the
8 child; (4) a voluntary request by the child or his or her representative to terminate
9 the coverage of the child; (5) the date on which the child ceases to reside in the
10 household of the parent or guardian of the child; (6) a determination by the
11 Department that the child was found eligible because of an error, fraud, abuse or
12 perjury; or (7) the death of the child. **Section 1** also requires the State Plan for
13 Medicaid to limit the period of continuous eligibility for coverage to not more than
14 12 months. **Section 2** of this bill makes a conforming change to include the
15 requirements of **section 1** in the duties of the Director of the Department.



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 *The Director shall include in the State Plan for Medicaid a*
4 *requirement that:*

5 1. *A child under 19 years of age enrolled in Medicaid must*
6 *remain continuously eligible for coverage under the Medicaid*
7 *program until the earliest of:*

8 (a) *Twelve months after the date of enrollment of the child;*

9 (b) *The date on which the child ceases to reside in this State;*

10 (c) *The 19th birthday of the child;*

11 (d) *A voluntary request by the child or his or her*
12 *representative to terminate the coverage of the child;*

13 (e) *The date on which the child ceases to reside in the*
14 *household of the parent or guardian of the child;*

15 (f) *A determination by the Department that the child was*
16 *found eligible because of an error by the Department or fraud,*
17 *abuse or perjury by the child or his or her representative; or*

18 (g) *The death of the child.*

19 2. *The period of continuous eligibility for coverage under the*
20 *Medicaid program must not exceed 12 months.*

21 **Sec. 2.** NRS 232.320 is hereby amended to read as follows:

22 232.320 1. The Director:

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

26 (1) The Administrator of the Aging and Disability Services
27 Division;

28 (2) The Administrator of the Division of Welfare and
29 Supportive Services;

30 (3) The Administrator of the Division of Child and Family
31 Services;

32 (4) The Administrator of the Division of Health Care
33 Financing and Policy; and

34 (5) The Administrator of the Division of Public and
35 Behavioral Health.

36 (b) Shall administer, through the divisions of the Department,
37 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
38 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
39 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
40 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
41 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
42 and 445A.010 to 445A.055, inclusive, and all other provisions of



1 law relating to the functions of the divisions of the Department, but
2 is not responsible for the clinical activities of the Division of Public
3 and Behavioral Health or the professional line activities of the other
4 divisions.

5 (c) Shall administer any state program for persons with
6 developmental disabilities established pursuant to the
7 Developmental Disabilities Assistance and Bill of Rights Act of
8 2000, 42 U.S.C. §§ 15001 et seq.

9 (d) Shall, after considering advice from agencies of local
10 governments and nonprofit organizations which provide social
11 services, adopt a master plan for the provision of human services in
12 this State. The Director shall revise the plan biennially and deliver a
13 copy of the plan to the Governor and the Legislature at the
14 beginning of each regular session. The plan must:

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

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

19 (3) Provide for communication and the coordination of those
20 services among nonprofit organizations, agencies of local
21 government, the State and the Federal Government;

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

24 (5) Set forth sufficient information to assist the Department
25 in providing those services and in the planning and budgeting for the
26 future provision of those services; and

27 (6) Contain any other information necessary for the
28 Department to communicate effectively with the Federal
29 Government concerning demographic trends, formulas for the
30 distribution of federal money and any need for the modification of
31 programs administered by the Department.

32 (e) May, by regulation, require nonprofit organizations and state
33 and local governmental agencies to provide information regarding
34 the programs of those organizations and agencies, excluding
35 detailed information relating to their budgets and payrolls, which the
36 Director deems necessary for the performance of the duties imposed
37 upon him or her pursuant to this section.

38 (f) Has such other powers and duties as are provided by law.

39 2. Notwithstanding any other provision of law, the Director, or
40 the Director's designee, is responsible for appointing and removing
41 subordinate officers and employees of the Department.

42 **Sec. 3.** This act becomes effective on July 1, 2021.

