

ASSEMBLY BILL NO. 31—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE SOUTHERN REGIONAL
BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 14, 2024

Referred to Committee on Health and Human Services

SUMMARY—Provides for certain Medicaid reimbursement of providers of nonemergency secure behavioral health transport services. (BDR 38-368)

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; providing for certain reimbursement under Medicaid of providers of nonemergency secure behavioral health transport services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Health and Human Services, through
2 the Division of Health Care Financing and Policy of the Department, to administer
3 Medicaid. (NRS 422.2357, 422.270) **Section 1** of this bill requires the Director of
4 the Department to include under Medicaid a requirement that providers of
5 nonemergency secure behavioral health transport services that are covered by
6 Medicaid be reimbursed for certain distances traveled while going to pick up or
7 returning from dropping off a patient. **Section 2** of this bill makes a conforming
8 change to require the Director to administer the provisions of **section 1** in the same
9 manner as the provisions of existing law governing Medicaid. **Section 3** of this bill
10 requires the Director to apply for any federal authority that is necessary to increase
11 by: (1) at least 15 percent the rate of reimbursement for nonemergency secure
12 behavioral health transport services covered by Medicaid when the pick-up location
13 or drop-off location, or both, are located in a county whose population is less than
14 100,000 (currently all counties other than Clark and Washoe Counties); and (2) at
15 least 10 percent for all other nonemergency secure behavioral health transport
16 services covered by Medicaid.



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 ***1. The Director shall, to the extent that federal financial***
4 ***participation is available, include under Medicaid a requirement***
5 ***that providers of nonemergency secure behavioral health***
6 ***transport services that are covered by Medicaid be reimbursed for***
7 ***the distance traveled between:***

8 ***(a) The location where a vehicle of the provider is based and***
9 ***the location at which the vehicle picks up a patient who is being***
10 ***transported; and***

11 ***(b) The location at which a vehicle of the provider drops off a***
12 ***patient who is being transported and the location where the***
13 ***vehicle is based.***

14 **2. The Department shall:**

15 ***(a) Apply to the Secretary of Health and Human Services for***
16 ***any waiver of federal law or apply for any amendment of the State***
17 ***Plan for Medicaid that is necessary for the Department to receive***
18 ***federal funding to provide the reimbursement described in***
19 ***subsection 1.***

20 ***(b) Fully cooperate in good faith with the Federal Government***
21 ***during the application process to satisfy the requirements of the***
22 ***Federal Government for obtaining a waiver or amendment***
23 ***pursuant to paragraph (a).***

24 **3. As used in this section, "nonemergency secure behavioral**
25 ***health transport services" has the meaning ascribed to it in***
26 ***NRS 433.3317.***

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

28 232.320 1. The Director:

29 **(a) Shall appoint, with the consent of the Governor,**
30 **administrators of the divisions of the Department, who are**
31 **respectively designated as follows:**

32 **(1) The Administrator of the Aging and Disability Services**
33 **Division;**

34 **(2) The Administrator of the Division of Welfare and**
35 **Supportive Services;**

36 **(3) The Administrator of the Division of Child and Family**
37 **Services;**

38 **(4) The Administrator of the Division of Health Care**
39 **Financing and Policy; and**

40 **(5) The Administrator of the Division of Public and**
41 **Behavioral Health.**



1 (b) Shall administer, through the divisions of the Department,
2 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
3 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
4 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
5 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
6 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
7 and 445A.010 to 445A.055, inclusive, and all other provisions of
8 law relating to the functions of the divisions of the Department, but
9 is not responsible for the clinical activities of the Division of Public
10 and Behavioral Health or the professional line activities of the other
11 divisions.

12 (c) Shall administer any state program for persons with
13 developmental disabilities established pursuant to the
14 Developmental Disabilities Assistance and Bill of Rights Act of
15 2000, 42 U.S.C. §§ 15001 et seq.

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

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

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

26 (3) Provide for communication and the coordination of those
27 services among nonprofit organizations, agencies of local
28 government, the State and the Federal Government;

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

31 (5) Set forth sufficient information to assist the Department
32 in providing those services and in the planning and budgeting for the
33 future provision of those services; and

34 (6) Contain any other information necessary for the
35 Department to communicate effectively with the Federal
36 Government concerning demographic trends, formulas for the
37 distribution of federal money and any need for the modification of
38 programs administered by the Department.

39 (e) May, by regulation, require nonprofit organizations and state
40 and local governmental agencies to provide information regarding
41 the programs of those organizations and agencies, excluding
42 detailed information relating to their budgets and payrolls, which the
43 Director deems necessary for the performance of the duties imposed
44 upon him or her pursuant to this section.

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



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

4 **Sec. 3.** 1. On or before October 1, 2025, the Director of the
5 Department of Health and Human Services shall submit to the
6 United States Secretary of Health and Human Services a request to
7 amend the State Plan for Medicaid or for any other necessary federal
8 authority to increase by:

9 (a) At least 15 percent the rate of reimbursement for
10 nonemergency secure behavioral health transport services covered
11 by Medicaid when the location where the patient is picked up, the
12 location where the patient is dropped off or both the location where
13 the patient is picked up and the location where the patient is dropped
14 off are in a county whose population is less than 100,000; and

15 (b) At least 10 percent the rate of reimbursement for
16 nonemergency secure behavioral health transport services covered
17 by Medicaid, other than the nonemergency secure behavioral health
18 transport services described in paragraph (a).

19 2. As used in this section, "nonemergency secure behavioral
20 health transport services" has the meaning ascribed to it in
21 NRS 433.3317.

22 **Sec. 4.** 1. This section becomes effective upon passage and
23 approval.

24 2. Sections 1, 2 and 3 of this act become effective:

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

28 (b) On October 1, 2025, for all other purposes.

