

SENATE BILL NO. 138—SENATOR CANNIZZARO

PREFILED JANUARY 30, 2025

Referred to Committee on Health and Human Services

SUMMARY—Makes revisions governing Medicaid eligibility and enrollment for certain infants. (BDR 38-580)

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 the establishment of presumptive eligibility under Medicaid and automatic enrollment in Medicaid for certain infants admitted to a neonatal intensive care unit; 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 that must be provided to recipients of Medicaid. (NRS 422.063, 422.270;
4 42 U.S.C. § 1396a) Existing federal law authorizes a state to provide benefits under
5 Medicaid for a prescribed period of presumptive eligibility to a child who is
6 determined to be eligible for Medicaid by an entity that meets certain requirements.
7 (42 U.S.C. § 1396r-1a) **Section 1** of this bill requires the Department to establish
8 such presumptive eligibility under Medicaid for an infant who has been admitted to
9 a neonatal intensive care unit. **Section 1** also requires the Department to establish
10 automatic enrollment in Medicaid for such an infant, if the Social Security
11 Administration determines that the infant or the parent or legal guardian of the
12 infant is eligible to receive benefits from the Supplemental Security Income
13 Program, which is a federal program to supplement the income of certain persons
14 who are aged, blind or disabled. (42 U.S.C. §§ 1381 et seq.) **Section 2** of this bill
15 makes a conforming change to require the Director of the Department to administer
16 **section 1** in the same manner as the provisions of existing law governing the State
17 Plan for 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 authorized by federal law,**
4 **include under Medicaid:**

5 **(a) Authorization for an infant who is admitted to a neonatal**
6 **intensive care unit and is determined by a qualified entity to be**
7 **presumptively eligible for Medicaid to enroll in Medicaid until the**
8 **last day of the month immediately following the month of**
9 **enrollment without submitting an application for enrollment in**
10 **Medicaid which includes additional proof of eligibility; and**

11 **(b) Automatic enrollment in Medicaid without a separate**
12 **application for an infant who is admitted to a neonatal intensive**
13 **care unit if the Social Security Administration determines that the**
14 **infant or the parent or legal guardian of the infant is eligible to**
15 **receive benefits under the Supplemental Security Income**
16 **Program.**

17 **2. As used in this section:**

18 **(a) "Qualified entity" has the meaning ascribed to it in 42**
19 **U.S.C. § 1396r-1a.**

20 **(b) "Supplemental Security Income Program" has the**
21 **meaning ascribed to it in NRS 422A.075.**

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

23 232.320 1. The Director:

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

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

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

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

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

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

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



1 and 445A.010 to 445A.055, inclusive, and all other provisions of
2 law relating to the functions of the divisions of the Department, but
3 is not responsible for the clinical activities of the Division of Public
4 and Behavioral Health or the professional line activities of the other
5 divisions.

6 (c) Shall administer any state program for persons with
7 developmental disabilities established pursuant to the
8 Developmental Disabilities Assistance and Bill of Rights Act of
9 2000, 42 U.S.C. §§ 15001 et seq.

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

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

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

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

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

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

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

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

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

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

43 **Sec. 3.** 1. This section becomes effective upon passage and
44 approval.

45 2. Sections 1 and 2 of this act become effective:



- 1 (a) Upon passage and approval for the purpose of adopting any
2 regulations and performing any other preparatory administrative
3 tasks that are necessary to carry out the provisions of this act; and
4 (b) On January 1, 2026, for all other purposes.

