
ASSEMBLY BILL NO. 189—ASSEMBLYWOMEN GORELOW, TITUS,
BILBRAY-AXELROD, CARLTON, MONROE-MORENO;
ANDERSON, BROWN-MAY, COHEN, CONSIDINE, DURAN,
GONZÁLEZ, KRASNER, MARTINEZ, MARZOLA, BRITNEY
MILLER, NGUYEN, PETERS, SUMMERS-ARMSTRONG,
THOMAS AND TORRES

MARCH 4, 2021

JOINT SPONSORS: SENATORS CANNIZZARO, DONDERO LOOP,
D. HARRIS, LANGE AND SCHEIBLE

Referred to Committee on Health and Human Services

SUMMARY—Establishes presumptive Medicaid eligibility for
certain pregnant women. (BDR 38-130)

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, to the extent authorized by
federal law, the Director of the Department of Health and
Human Services to include in the State Plan for Medicaid
presumptive Medicaid eligibility for certain pregnant
women; 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 provided to Medicaid recipients. (NRS 422.063, 422.270; 42
4 U.S.C. § 1396a) **Section 1** of this bill requires the Director of the Department, to
5 the extent authorized by federal law, to include in the State Plan a provision that
6 pregnant women who are determined by certain entities to qualify for Medicaid are
7 presumptively eligible for Medicaid for a prescribed period of time, without
8 submitting an application for enrollment in Medicaid which includes additional
9 proof of eligibility. **Section 2** of this bill makes a conforming change to indicate
10 that **section 1** will be administered in the same manner as the provisions of existing
11 law governing the State 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 in the State Plan for Medicaid authorization for a**
5 **pregnant woman who is determined by a qualified provider to be**
6 **presumptively eligible for Medicaid to enroll in Medicaid until the**
7 **last day of the month immediately following the month of**
8 **enrollment without submitting an application for enrollment in**
9 **Medicaid which includes additional proof of eligibility.**

10 **2. As used in this section, "qualified provider" has the**
11 **meaning ascribed to it in 42 U.S.C. § 1396r-1.**

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

13 232.320 1. The Director:

14 (a) Shall appoint, with the consent of the Governor,
15 administrators of the divisions of the Department, who are
16 respectively designated as follows:

17 (1) The Administrator of the Aging and Disability Services
18 Division;

19 (2) The Administrator of the Division of Welfare and
20 Supportive Services;

21 (3) The Administrator of the Division of Child and Family
22 Services;

23 (4) The Administrator of the Division of Health Care
24 Financing and Policy; and

25 (5) The Administrator of the Division of Public and
26 Behavioral Health.

27 (b) Shall administer, through the divisions of the Department,
28 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
29 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
30 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, **and**
31 **section 1 of this act**, 422.580, 432.010 to 432.133, inclusive,
32 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
33 and 445A.010 to 445A.055, inclusive, and all other provisions of
34 law relating to the functions of the divisions of the Department, but
35 is not responsible for the clinical activities of the Division of Public
36 and Behavioral Health or the professional line activities of the other
37 divisions.

38 (c) Shall administer any state program for persons with
39 developmental disabilities established pursuant to the
40 Developmental Disabilities Assistance and Bill of Rights Act of
41 2000, 42 U.S.C. §§ 15001 et seq.



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

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

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

11 (3) Provide for communication and the coordination of those
12 services among nonprofit organizations, agencies of local
13 government, the State and the Federal Government;

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

16 (5) Set forth sufficient information to assist the Department
17 in providing those services and in the planning and budgeting for the
18 future provision of those services; and

19 (6) Contain any other information necessary for the
20 Department to communicate effectively with the Federal
21 Government concerning demographic trends, formulas for the
22 distribution of federal money and any need for the modification of
23 programs administered by the Department.

24 (e) May, by regulation, require nonprofit organizations and state
25 and local governmental agencies to provide information regarding
26 the programs of those organizations and agencies, excluding
27 detailed information relating to their budgets and payrolls, which the
28 Director deems necessary for the performance of the duties imposed
29 upon him or her pursuant to this section.

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

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

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

