

ASSEMBLY BILL NO. 293—ASSEMBLYMAN ORENTLICHER

MARCH 14, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing Medicaid. (BDR 38-972)

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 Medicaid program to provide coverage of certain services provided by a medical-legal partnership; 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 that money and federal financial participation are available, to cover
6 supports and services provided to recipients of Medicaid through medical-legal
7 partnerships that are aimed at addressing social determinants of health. **Section 1**
8 also authorizes the Department to apply to the Federal Government for any waiver
9 granted pursuant to federal law or amendment necessary to the State Plan for
10 Medicaid to receive federal funding to include such coverage in the State Plan.
11 **Section 2** of this bill makes a conforming change to indicate that the provisions of
12 **section 1** will be administered in the same manner as the provisions of existing law
13 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 that money and federal*
4 *financial participation are available, cover supports and services*
5 *provided to recipients of Medicaid through medical-legal*



1 *partnerships that are aimed at addressing social determinants of*
2 *health. Such services:*

3 (a) *May be provided by a case manager.*

4 (b) *Must be limited to providing advice and counsel to*
5 *recipients of Medicaid concerning matters that have legal*
6 *implications that influence the ability to secure or maintain*
7 *optimal health.*

8 (c) *Must not consist of legal representation.*

9 2. *The Department may apply to the Secretary of Health and*
10 *Human Services for any waiver granted pursuant to federal law or*
11 *amendment to the State Plan for Medicaid that authorizes the*
12 *Department to receive federal funding to include in the State Plan*
13 *for Medicaid the coverage described in subsection 1. The*
14 *Department shall fully cooperate in good faith with the Federal*
15 *Government during the application process to satisfy the*
16 *requirements of the Federal Government for obtaining a waiver or*
17 *amendment pursuant to this section.*

18 3. *As used in this section, “medical-legal partnership” means*
19 *the delivery of services in a manner that integrates legal supports*
20 *and services into a health-care setting to address legal matters that*
21 *may affect the health and well-being of a person, including,*
22 *without limitation, eviction, denial of health care coverage and*
23 *denial of social services or benefits.*

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

25 232.320 1. The Director:

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

29 (1) The Administrator of the Aging and Disability Services
30 Division;

31 (2) The Administrator of the Division of Welfare and
32 Supportive Services;

33 (3) The Administrator of the Division of Child and Family
34 Services;

35 (4) The Administrator of the Division of Health Care
36 Financing and Policy; and

37 (5) The Administrator of the Division of Public and
38 Behavioral Health.

39 (b) Shall administer, through the divisions of the Department,
40 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
41 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
42 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
43 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
44 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
45 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.** 1. This section becomes effective upon passage and
43 approval.

44 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, 2024, for all other purposes.

