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ASSEMBLY BILL NO. 422—ASSEMBLYWOMAN GORELOW

MARCH 27, 2023

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Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to autism spectrum disorder. (BDR 38-774)

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.

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AN ACT relating to persons with disabilities; providing for presumptive eligibility of certain infants and toddlers who are determined to be at risk of autism spectrum disorder for certain early intervention services; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 The federal Individuals with Disabilities Education Act establishes a federal  
2 grant program to assist states in operating a statewide comprehensive system of  
3 early intervention services for infants and toddlers with disabilities. (20 U.S.C. §§  
4 1431 et seq.) Existing law establishes the Autism Treatment Assistance Program  
5 within the Aging and Disability Services Division of the Department of Health and  
6 Human Services to serve as the primary autism program within the Department and  
7 to provide and coordinate services to persons diagnosed or determined to have  
8 autism spectrum disorders through the age of 19 years. (NRS 427A.875) Existing  
9 law requires the Division to refer an infant or toddler with a disability who has  
10 autism spectrum disorder and is eligible for early intervention services to the  
11 Program and develop a plan of treatment for the infant or toddler. (NRS 427A.880)  
12 This bill: (1) provides that certain infants or toddlers who are determined to be at  
13 risk for having autism spectrum disorder are presumptively eligible for early  
14 intervention services provided according to the Individuals with Disabilities  
15 Education Act; and (2) requires the Division to refer such a child to the Autism  
16 Treatment Assistance Program.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1       **Section 1.** NRS 427A.880 is hereby amended to read as  
2 follows:

3       427A.880 *1.* For an infant or toddler with a disability who  
4 has autism spectrum disorder and is eligible for early intervention  
5 services, the Division shall refer the infant or toddler to the Autism  
6 Treatment Assistance Program established by NRS 427A.875 and  
7 coordinate with the Program to develop a plan of treatment for the  
8 infant or toddler pursuant to that section.

9       *2. If an infant or toddler is less than 3 years of age and is*  
10 *determined to be at risk of having autism spectrum disorder*  
11 *according to the assessment and evaluation conducted pursuant to*  
12 *NRS 427A.872:*

13       *(a) The infant or toddler is presumptively eligible for early*  
14 *intervention services provided in accordance with Part C of the*  
15 *Individuals with Disabilities Education Act, 20 U.S.C. §§ 1431 et*  
16 *seq.; and*

17       *(b) The Division shall refer the infant or toddler to the Autism*  
18 *Treatment Assistance Program as required by subsection 1.*

19       **Sec. 2.** 1. This section becomes effective on passage and  
20 approval.

21       2. Section 1 of this act becomes effective:

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

25       (b) On January 1, 2024, for all other purposes.

