

Amendment No. 178

Assembly Amendment to Assembly Bill No. 293	(BDR 38-972)
Proposed by: Assembly Committee on Health and Human Services	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



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 and~~
2 administer ~~a State Plan for~~ Medicaid, ~~which includes a list of specific medical services~~
3 ~~required to be provided to Medicaid recipients.~~ (NRS ~~422.063,~~ 422.270) ~~42 U.S.C. §~~
4 ~~4396a.)~~ **Section 1** of this bill requires the Director of the Department, to the extent that money
5 and federal financial participation are available, to ~~cover~~ **include under Medicaid coverage**
6 **for** supports and services provided to recipients of Medicaid through medical-legal
7 partnerships that are aimed at addressing social determinants of health. **Section 1** also
8 authorizes the Department to apply to the Federal Government for any waiver granted
9 pursuant to federal law or amendment necessary to the State Plan for Medicaid to receive
10 federal funding to ~~include~~ **provide** such coverage ~~in the State Plan,~~ **under Medicaid.**
11 **Section 2** of this bill makes a conforming change to indicate that the provisions of **section 1**
12 will be administered in the same manner as the provisions of existing law governing ~~the State~~
13 ~~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 thereto a new
2 section to read as follows:
3 **1. The Director shall, to the extent that money and federal financial**
4 **participation are available, ~~cover~~ include under Medicaid coverage for supports**
5 **and services provided to recipients of Medicaid through medical-legal**
6 **partnerships that are aimed at addressing social determinants of health. Such**
7 **services:**
8 (a) *May be provided by a case manager.*
9 (b) *Must be limited to providing advice and counsel to recipients of Medicaid*
10 *concerning matters that have legal implications that influence the ability to*
11 *secure or maintain optimal health.*
12 (c) *Must not consist of legal representation.*

1 2. *The Department may apply to the Secretary of Health and Human*
2 *Services for any waiver granted pursuant to federal law or amendment to the*
3 *State Plan for Medicaid that authorizes the Department to receive federal*
4 *funding to ~~include in the State Plan for Medicaid~~ provide the coverage*
5 *described in subsection 1, ~~to~~ under Medicaid. The Department shall fully*
6 *cooperate in good faith with the Federal Government during the application*
7 *process to satisfy the requirements of the Federal Government for obtaining a*
8 *waiver or amendment pursuant to this section.*

9 3. *As used in this section, "medical-legal partnership" means the delivery of*
10 *services in a manner that integrates legal supports and services into a health-care*
11 *setting to address legal matters that may affect the health and well-being of a*
12 *person, including, without limitation, eviction, denial of health care coverage and*
13 *denial of social services or benefits.*

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

15 232.320 1. The Director:

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

- 18 (1) The Administrator of the Aging and Disability Services Division;
19 (2) The Administrator of the Division of Welfare and Supportive Services;
20 (3) The Administrator of the Division of Child and Family Services;
21 (4) The Administrator of the Division of Health Care Financing and

22 Policy; and

- 23 (5) The Administrator of the Division of Public and Behavioral Health.

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

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

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

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

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

45 (3) Provide for communication and the coordination of those services
46 among nonprofit organizations, agencies of local government, the State and the
47 Federal Government;

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

50 (5) Set forth sufficient information to assist the Department in providing
51 those services and in the planning and budgeting for the future provision of those
52 services; and

1 (6) Contain any other information necessary for the Department to
2 communicate effectively with the Federal Government concerning demographic
3 trends, formulas for the distribution of federal money and any need for the
4 modification of programs administered by the Department.

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

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

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

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

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

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

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