

SENATE BILL NO. 264—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

MARCH 12, 2019

Referred to Committee on Health and Human Services

**SUMMARY**—Requires the Director of the Department of Health and Human Services to amend the State Plan for Medicaid to provide certain additional home and community-based services. (BDR 38-380)

**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 public welfare; requiring the Director of the Department of Health and Human Services to amend the State Plan for Medicaid to provide certain additional home and community-based services; requiring the Division of Health Care Financing and Policy of the Department to provide tenancy support services to the extent authorized by federal law; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under federal law, programs for home and community-based services for  
2 elderly and disabled individuals may be established at a statewide level under  
3 certain Medicaid provisions. Federal law authorizes states to implement certain  
4 home and community-based services, such as tenancy support services, for persons  
5 who are elderly or disabled. (42 U.S.C. § 1396n(i)) Existing law grants the Director  
6 of the Department of Health and Human Services broad authority to amend the  
7 State Plan for Medicaid to seek a Medicaid waiver under various Medicaid  
8 provisions. (NRS 422.270-422.27495)

9 This bill requires the Director to include in the State Plan for Medicaid an  
10 option to provide certain additional home and community-based services,  
11 including, to the extent authorized, tenancy support services. This bill also requires  
12 the Division of Health Care Financing and Policy of the Department of Health and  
13 Human Services to adopt regulations to ensure the option complies with the  
14 requirements of federal law. (42 U.S.C. § 1396n(i))



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 include in the State Plan for Medicaid**  
4 **an option to provide certain additional home and community-**  
5 **based services in a manner consistent with 42 U.S.C. § 1396n(i).**  
6 **To the extent authorized by federal law, the Division shall provide**  
7 **tenancy support services to assist recipients of Medicaid pursuant**  
8 **to that option.**

9       **2. The Division shall adopt any regulations necessary to**  
10 **comply with the requirements of 42 U.S.C. § 1396n(i).**

11       **3. As used in this section, “tenancy support services” means**  
12 **services authorized pursuant to federal law that assist a recipient**  
13 **of Medicaid in obtaining and remaining in housing the Division**  
14 **determines to be adequate.**

15       **Sec. 2.** This act becomes effective on July 1, 2019.

