

ASSEMBLY BILL NO. 366—ASSEMBLYMEN ARAUJO, BUSTAMANTE
ADAMS, FRIERSON, THOMPSON, YEAGER; PAUL
ANDERSON, BENITEZ-THOMPSON, CARLTON, JOINER,
MONROE-MORENO, OSCARSON AND SPRINKLE

MARCH 20, 2017

JOINT SPONSORS: SENATORS WOODHOUSE, FORD, RATTI,
GANSERT, KIECKHEFER; CANCELA, HARRIS AND MANENDO

Referred to Committee on Health and Human Services

SUMMARY—Creates four behavioral health regions in this State
and a regional behavioral health policy board for
each region. (BDR 39-987)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to mental health; creating four behavioral health
regions in this State; creating a regional behavioral health
policy board for each region to advise the Division of
Public and Behavioral Health and the Commission on
Behavioral Health of the Department of Health and
Human Services regarding certain behavioral health
issues; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 **Section 5** of this bill creates the Northern, Washoe, Rural and Southern
2 Behavioral Health Regions, each consisting of certain cities and counties in this
3 State. **Section 6** of this bill creates a regional behavioral health policy board for
4 each of the four regions. **Section 6** also provides that the membership of each
5 policy board consists of 12 persons, including: 11 members appointed by the
6 Director of the Department of Health and Human Services; and 1 member who
7 represents the criminal justice system appointed by the Governor. **Section 10** of this
8 bill staggers the terms for the appointed members of each policy board.
9 **Section 7** of this bill requires each policy board to: (1) advise the Department,
10 the Division of Public and Behavioral Health and the Commission on Behavioral
11 Health of the Department on certain regional behavioral health issues; (2) promote



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12 improvements in the delivery of behavioral health services in the behavioral health
13 region; and (3) coordinate and exchange information with the Department, Division
14 and Commission regarding behavioral health services in their respective behavioral
15 health region. **Section 8** of this bill revises the requirements of the report submitted
16 by the Commission annually to the Governor and biennially to the Legislature to
17 include: (1) recommendations from each policy board; (2) the epidemiologic
18 profiles of substance use and abuse, problem gambling and suicide; (3) relevant
19 behavioral health prevalence data for each behavioral health region; and (4) the
20 health priorities set for each behavioral health region.

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

1 **Section 1.** Chapter 433 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 7, inclusive of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless*
5 *the context otherwise requires, the words and terms defined in*
6 *sections 3 and 4 of this act have the meanings ascribed to them in*
7 *those sections.*

8 **Sec. 3.** *"Behavioral health region" means a behavioral*
9 *health region created by section 5 of this act.*

10 **Sec. 4.** *"Policy board" means a regional behavioral health*
11 *policy board created by section 6 of this act.*

12 **Sec. 5.** *Four behavioral health regions are hereby created as*
13 *follows:*

14 1. *The Northern Behavioral Health Region consisting of*
15 *Carson City and the counties of Churchill, Douglas, Lyon,*
16 *Mineral and Storey;*

17 2. *The Washoe Behavioral Health Region consisting of the*
18 *county of Washoe;*

19 3. *The Rural Behavioral Health Region consisting of the*
20 *counties of Elko, Eureka, Humboldt, Lander, Pershing and White*
21 *Pine; and*

22 4. *The Southern Behavioral Health Region consisting of the*
23 *counties of Clark, Esmeralda, Lincoln and Nye.*

24 **Sec. 6.** 1. *A regional behavioral health policy board is*
25 *hereby created for each behavioral health region.*

26 2. *Each policy board consists of 12 members as follows:*

27 (a) *Eleven members appointed by the Director of the*
28 *Department as follows:*

29 (1) *One member who is a health officer of a county or who*
30 *is in a position with duties similar to those of such a health*
31 *officer;*



1 (2) One member who is a psychiatrist or doctor of
2 psychology with clinical experience and who is licensed to practice
3 in this State;

4 (3) One member who represents private or public insurers
5 who offer coverage for behavioral health services;

6 (4) One member who represents the interests of behavioral
7 health patients or the families of behavioral health patients;

8 (5) One member who represents providers of emergency
9 services and who has experience providing emergency services to
10 behavioral health patients, which may include, without limitation,
11 a paramedic or physician;

12 (6) One member who represents law enforcement agencies;

13 (7) Two members who have extensive experience in the
14 delivery of social services in the field of behavioral health,
15 including, without limitation, directors or officers of social service
16 agencies in the behavioral health region; and

17 (8) Three members who represent the interests of one or
18 more of the following:

19 (I) Hospitals, residential long-term care facilities or
20 facilities that provide acute inpatient behavioral health services;

21 (II) Community-based organizations which provide
22 behavioral health services;

23 (III) Administrators or counselors who are employed at
24 facilities for the treatment of abuse of alcohol or drugs; or

25 (IV) Owners or administrators of residential treatment
26 facilities, transitional housing or other housing for persons who
27 are mentally ill or suffer from addiction or substance abuse.

28 ↪ At least one member of the policy board appointed by the
29 Director of the Department for each region pursuant to this
30 subparagraph must be a behavioral health professional who has
31 experience in evaluating and treating children.

32 (b) One member who represents the criminal justice system,
33 appointed by the Governor.

34 3. In making appointments, preference must be given to
35 persons who reside in the behavioral health region served by the
36 policy board.

37 4. Each member of the policy board serves without
38 compensation for a term of 2 years and may be reappointed. The
39 Director of the Department may remove a member from the policy
40 board if the Director determines the member has neglected his or
41 her duties. Any vacancy in the membership of a policy board must
42 be filled in the same manner as the original appointment.

43 5. On or before July 1 of each odd-numbered year, the
44 Speaker of the Assembly shall designate one member of each



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1 *policy board to act as the Chair for the biennium. Each policy*
2 *board shall meet at least quarterly at the call of the Chair.*

3 6. *As used in this section, "social services agency" means any*
4 *public agency or organization that provides social services in this*
5 *State, including, without limitation, welfare and health care*
6 *services.*

7 **Sec. 7. Each policy board shall:**

8 1. *Advise the Department, Division and Commission*
9 *regarding:*

10 (a) *The behavioral health needs of adults and children in the*
11 *behavioral health region;*

12 (b) *Any progress, problems or proposed plans relating to the*
13 *provision of behavioral health services and methods to improve*
14 *the provision of behavioral health services in the behavioral*
15 *health region;*

16 (c) *Identified gaps in the behavioral health services which are*
17 *available in the behavioral health region and any*
18 *recommendations or service enhancements to address those gaps;*
19 *and*

20 (d) *Priorities for allocating money to support and develop*
21 *behavioral health services in the behavioral health region.*

22 2. *Promote improvements in the delivery of behavioral health*
23 *services in the behavioral health region.*

24 3. *Coordinate and exchange information with the*
25 *Department, Division and Commission regarding behavioral*
26 *health services in the behavioral health region.*

27 **Sec. 8. NRS 433.314 is hereby amended to read as follows:**

28 433.314 The Commission shall:

29 1. *Establish policies to ensure adequate development and*
30 *administration of services for persons with mental illness, persons*
31 *with intellectual disabilities and persons with related conditions,*
32 *persons with substance use disorders or persons with co-occurring*
33 *disorders, including services to prevent mental illness, intellectual*
34 *disabilities and related conditions, substance use disorders and co-*
35 *occurring disorders, and services provided without admission to a*
36 *facility or institution;*

37 2. *Set policies for the care and treatment of persons with*
38 *mental illness, persons with intellectual disabilities and persons with*
39 *related conditions, persons with substance use disorders or persons*
40 *with co-occurring disorders provided by all state agencies;*

41 3. *Review the programs and finances of the Division; and*

42 4. *Report at the beginning of each year to the Governor and*
43 *at the beginning of each odd-numbered year to the Legislature on*
44 *the* :



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1 (a) *Information concerning the quality of the care and*
2 *treatment provided for persons with mental illness, persons with*
3 *intellectual disabilities and persons with related conditions, persons*
4 *with substance use disorders or persons with co-occurring disorders*
5 *in this State and on any progress made toward improving the quality*
6 *of that care and treatment [] ; and*

7 (b) *In coordination with the Department, any*
8 *recommendations from the regional behavioral health policy*
9 *boards created pursuant to section 6 of this act. The report must*
10 *include, without limitation:*

11 (1) *The epidemiologic profiles of substance use and abuse,*
12 *problem gambling and suicide;*

13 (2) *Relevant behavioral health prevalence data for each*
14 *behavioral health region created by section 5 of this act; and*

15 (3) *The health priorities set for each behavioral health*
16 *region.*

17 **Sec. 9.** The provisions of subsection 1 of NRS 218D.380 do
18 not apply to any provision of this act which adds or revises a
19 requirement to submit a report to the Legislature.

20 **Sec. 10.** As soon as practicable on or after July 1, 2017, the
21 Director of the Department of Health and Human Services shall
22 make the appointments required by paragraph (b) of subsection 2 of
23 section 6 of this act to each of the four regional behavioral health
24 policy boards created by section 6 of this act. Notwithstanding the
25 provisions of section 6 of this act, members appointed by the
26 Director to serve on a regional behavioral health policy board must
27 be appointed to serve the following initial terms:

- 28 1. Five persons for an initial term of 1 year.
- 29 2. Six persons for an initial term of 2 years.

30 **Sec. 11.** This act becomes effective on July 1, 2017.

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