
ASSEMBLY BILL NO. 76—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE SOUTHERN REGIONAL
BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to regional behavioral health policy boards. (BDR 39-470)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in Executive Budget.

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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 mental health; requiring the Commission on Behavioral Health to employ a coordinator for each regional behavioral health policy board; revising the counties that comprise certain behavioral health regions; revising the duties of a regional health policy board; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates four behavioral health regions and a regional behavioral
2 health policy board for each region, consisting of 13 members who possess certain
3 qualifications. (NRS 433.428, 433.429) **Section 2** of this bill removes Lincoln
4 County from the Rural Behavioral Health Region and instead places it in the
5 Southern Behavioral Health Region. **Section 3** of this bill authorizes the
6 appointment to a policy board of members with alternative qualifications if
7 members meeting certain qualifications prescribed by existing law are not
8 available.
9 Existing law prescribes the duties of the policy boards, which include: (1)
10 advising the Department of Health and Human Services, the Division of Public and
11 Behavioral Health of the Department and the Commission on Behavioral Health
12 concerning certain issues; and (2) submitting an annual report to the Commission.
13 (NRS 433.4295) **Section 4** of this bill additionally requires the policy boards to
14 advise the Department, Division and Commission concerning redundant,
15 conflicting or obsolete federal, state and local laws and regulations that relate to
16 behavioral health. **Section 4** also requires each behavioral health policy board to:



17 (1) establish an electronic repository of data and information concerning behavioral
18 health and behavioral health services in the behavioral health region; (2) track and
19 compile data concerning persons admitted involuntarily to mental health facilities,
20 hospitals and programs of community-based or outpatient services; and (3) identify
21 and coordinate with other entities that address issues relating to behavioral health.
22 Additionally, **section 4** revises the contents of the annual report that each policy
23 board is required to submit to the Commission.

24 **Section 1** of this bill requires the Commission on Behavioral Health to employ
25 for each policy board a coordinator to assist the policy board in carrying out its
26 duties, and **section 5** of this bill appropriates money to the Commission for the
27 compensation of those coordinators. (NRS 433.314)

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

1 **Section 1.** NRS 433.314 is hereby amended to read as follows:

2 433.314 The Commission shall:

3 1. Establish policies to ensure adequate development and
4 administration of services for persons with mental illness, persons
5 with intellectual disabilities, persons with developmental
6 disabilities, persons with substance use disorders or persons with co-
7 occurring disorders, including services to prevent mental illness,
8 intellectual disabilities, developmental disabilities, substance use
9 disorders and co-occurring disorders, and services provided without
10 admission to a facility or institution;

11 2. Set policies for the care and treatment of persons with
12 mental illness, persons with intellectual disabilities, persons with
13 developmental disabilities, persons with substance use disorders or
14 persons with co-occurring disorders provided by all state agencies;

15 3. Review the programs and finances of the Division;

16 4. Report at the beginning of each year to the Governor and at
17 the beginning of each odd-numbered year to the Legislature:

18 (a) Information concerning the quality of the care and treatment
19 provided for persons with mental illness, persons with intellectual
20 disabilities, persons with developmental disabilities, persons with
21 substance use disorders or persons with co-occurring disorders in
22 this State and on any progress made toward improving the quality of
23 that care and treatment; and

24 (b) In coordination with the Department, any recommendations
25 from the regional behavioral health policy boards created pursuant
26 to NRS 433.429. The report must include, without limitation:

27 (1) The epidemiologic profiles of substance use and abuse,
28 problem gambling and suicide;

29 (2) Relevant behavioral health prevalence data for each
30 behavioral health region created by NRS 433.428; and

31 (3) The health priorities set for each behavioral health region;



1 5. Hear appeals, conduct investigations and issue orders
2 pursuant to NRS 641.325, 641A.289, 641B.460 and 641C.800;
3 ~~and~~

4 6. Review and make recommendations concerning regulations
5 submitted to the Commission for review pursuant to NRS 641.100,
6 641A.160, 641B.160 and 641C.200 ~~and~~; and

7 *7. Employ, for each regional behavioral health policy board*
8 *created by NRS 433.429, a coordinator to assist the policy board in*
9 *carrying out its duties.*

10 **Sec. 2.** NRS 433.428 is hereby amended to read as follows:

11 433.428 Four behavioral health regions are hereby created as
12 follows:

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

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

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

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

23 **Sec. 3.** NRS 433.429 is hereby amended to read as follows:

24 433.429 1. A regional behavioral health policy board is
25 hereby created for each behavioral health region.

26 2. Each policy board consists of 13 members as follows:

27 (a) Six members appointed by the Governor or his or her
28 designee as follows:

29 (1) One member who represents the criminal justice system;

30 (2) Two members who have extensive experience in the
31 delivery of social services in the field of behavioral health,
32 including, without limitation, directors or officers of social service
33 agencies in the behavioral health region; and

34 (3) Three members who represent the interests of one or
35 more of the following:

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

38 (II) Community-based organizations which provide
39 behavioral health services;

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

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



1 ↪ At least one member of the policy board appointed by the
2 Governor or his or her designee for each region pursuant to this
3 subparagraph must be a behavioral health professional who has
4 experience in evaluating and treating children.

5 (b) Three members appointed by the Speaker of the Assembly as
6 follows:

7 (1) One member who is a health officer of a county , ~~for~~
8 who is in a position with duties similar to those of such a health
9 officer ~~or~~ *or, if no such person is available, an employee of a city,*
10 *county or Indian tribe who has experience in the field of public*
11 *health;*

12 (2) One member who is a psychiatrist or doctor of
13 psychology with clinical experience and who is licensed to practice
14 in this State ~~or~~ *or, if no such person is available, a provider of*
15 *health care, as defined in NRS 629.031, who has experience*
16 *working with persons with mental illness or who abuse alcohol or*
17 *drugs;* and

18 (3) One member who represents private or public insurers
19 who offer coverage for behavioral health services ~~or~~ *or, if no such*
20 *person is available, another person who has experience in the field*
21 *of insurance or working with insurers.*

22 (c) Three members appointed by the Majority Leader of the
23 Senate as follows:

24 (1) One member who has received behavioral health services
25 in this State or a family member of such a person or, if such a
26 person is not available, a person who represents the interests of
27 behavioral health patients or the families of behavioral health
28 patients;

29 (2) One member who represents providers of emergency
30 medical services or fire services and who has experience providing
31 emergency services to behavioral health patients, which may
32 include, without limitation, a paramedic or physician; and

33 (3) One member who represents law enforcement agencies
34 and who has experience with and knowledge of matters relating to
35 people in need of behavioral health services.

36 (d) One member who is a Legislator, appointed by the
37 Legislative Commission.

38 3. In making appointments, preference must be given to
39 persons who reside in the behavioral health region served by the
40 policy board.

41 4. Each member of the policy board serves without
42 compensation for a term of 2 years and may be reappointed. The
43 appointing authority may remove a member from the policy board if
44 the appointing authority determines the member has neglected his or



1 her duties. Any vacancy in the membership of a policy board must
2 be filled in the same manner as the original appointment.

3 5. Each policy board shall meet not later than 60 days after all
4 appointments to such board have been made and elect one member
5 of the policy board to act as the Chair for the biennium. The
6 Director of the Department or his or her designee shall preside over
7 the election of the Chair for each policy board at each board's first
8 meeting. ~~Each~~ *Except as otherwise provided in subsection 6, each*
9 policy board shall thereafter meet at least quarterly at the call of the
10 Chair.

11 6. *A policy board is not required to meet during any*
12 *legislative session. If a policy board meets during a legislative*
13 *session, the member of the policy board who is a Legislator is*
14 *excused from attendance.*

15 7. As used in this section, "social services agency" means any
16 public agency or organization that provides social services in this
17 State, including, without limitation, welfare and health care services.

18 **Sec. 4.** NRS 433.4295 is hereby amended to read as follows:

19 433.4295 **1.** Each policy board shall:

20 ~~1.~~ (a) Advise the Department, Division and Commission
21 regarding:

22 ~~(a)~~ (1) The behavioral health needs of adults and children in
23 the behavioral health region;

24 ~~(b)~~ (2) Any progress, problems or proposed plans relating to
25 the provision of behavioral health services and methods to improve
26 the provision of behavioral health services in the behavioral health
27 region;

28 ~~(c)~~ (3) Identified gaps in the behavioral health services which
29 are available in the behavioral health region and any
30 recommendations or service enhancements to address those gaps;

31 ~~and~~

32 ~~(d)~~ (4) *Any federal, state or local law or regulation that*
33 *relates to behavioral health which it determines is redundant,*
34 *conflicts with other laws or is obsolete and any recommendation to*
35 *address any such redundant, conflicting or obsolete law or*
36 *regulation; and*

37 (5) Priorities for allocating money to support and develop
38 behavioral health services in the behavioral health region.

39 ~~2.~~ (b) Promote improvements in the delivery of behavioral
40 health services in the behavioral health region.

41 ~~3.~~ (c) Coordinate and exchange information with the other
42 policy boards to provide unified and coordinated recommendations
43 to the Department, Division and Commission regarding behavioral
44 health services in the behavioral health region.



1 ~~[4.]~~ (d) Review the collection and reporting standards of
2 behavioral health data to determine standards for such data
3 collection and reporting processes.

4 ~~[5.]~~ (e) *To the extent feasible, establish an organized,
5 sustainable and accurate electronic repository of data and
6 information concerning behavioral health and behavioral health
7 services in the behavioral health region that is accessible to
8 members of the public on an Internet website maintained by the
9 policy board.*

10 (f) *To the extent feasible, track and compile data concerning
11 persons admitted to mental health facilities and hospitals pursuant
12 to NRS 433A.145 to 433A.197, inclusive, and to mental health
13 facilities and programs of community-based or outpatient services
14 pursuant to NRS 433A.200 to 433A.330, inclusive, in the
15 behavioral health region, including, without limitation:*

16 (1) *The outcomes of treatment provided to such persons;*
17 *and*

18 (2) *Measures taken upon and after the release of such
19 persons to address behavioral health issues and prevent future
20 admissions.*

21 (g) *Identify and coordinate with other entities in the
22 behavioral health region and this State that address issues relating
23 to behavioral health to increase awareness of such issues and
24 avoid duplication of efforts.*

25 (h) In coordination with existing entities in this State that
26 address issues relating to behavioral health services, submit an
27 annual report to the Commission which includes, without limitation
28 ~~[the]~~:

29 (1) *The specific behavioral health needs of the behavioral
30 health region ~~[Such a]~~;*

31 (2) *A description of the methods used by the policy board to
32 collect and analyze data concerning the behavioral health needs
33 and problems of the behavioral health region and gaps in
34 behavioral health services which are available in the behavioral
35 health region, including, without limitation, a list of all sources of
36 such data used by the policy board;*

37 (3) *A description of the manner in which the policy board
38 has carried out the requirements of paragraphs (c) and (g) of
39 subsection 1 and the results of those activities; and*

40 (4) *The data compiled pursuant to paragraph (f) of
41 subsection 1 and any conclusions that the policy board has derived
42 from such data.*

43 2. A report *described in paragraph (h) of subsection 1* may be
44 submitted more often than annually if the policy board determines



1 that a specific behavioral health issue requires an additional report
2 to the Commission.

3 **Sec. 5.** 1. There is hereby appropriated from the State
4 General Fund to the Commission on Behavioral Health for the
5 compensation of the coordinators for the regional behavioral health
6 policy boards employed pursuant to subsection 7 of NRS 433.314,
7 as amended by section 1 of this act, the following sums:

8 For the Fiscal Year 2019-2020.....\$283,604

9 For the Fiscal Year 2020-2021.....\$352,508

10 2. Any balance of the sums appropriated by subsection 1
11 remaining at the end of the respective fiscal years must not be
12 committed for expenditure after June 30 of the respective fiscal
13 years by the entity to which the appropriation is made or any entity
14 to which money from the appropriation is granted or otherwise
15 transferred in any manner, and any portion of the appropriated
16 money remaining must not be spent for any purpose after
17 September 18, 2020, and September 17, 2021, respectively, by
18 either the entity to which the money was appropriated or the entity
19 to which the money was subsequently granted or transferred,
20 and must be reverted to the State General Fund on or before
21 September 18, 2020, and September 17, 2021, respectively.

22 3. As used in this section, “regional behavioral health policy
23 board” means a regional behavioral health policy board created by
24 NRS 433.429, as amended by section 3 of this act.

25 **Sec. 6.** This act becomes effective on July 1, 2019.



