



JOE LOMBARDO
Governor



STATE OF NEVADA
PUBLIC EMPLOYEES' BENEFITS PROGRAM
3427 Goni Road, Suite 109 | Carson City, Nevada 89706
Telephone 775-684-7000 | 702-486-3100 | 1-800-326-5496
www.pebp.state.nv.us

LAURA RICH
Executive Officer

JACK ROBB
Board Chair

AGENDA ITEM

☒ Action Item

☐ Information Only

Date: April 21, 2023

Item Number: IV

Title: Legislative Tracking Report

This report addresses current proposed legislation that PEBP found to have an impact on PEBP.

From 1,191 Bill Draft Requests (BDR), PEBP has tracked a total of 187 BDR's, of which 25 were found to have an impact on PEBP and are listed below.

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**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 6 \(BDR 40-380\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to the cost of health care. AN ACT relating to health care; providing for the establishment of a health care cost growth benchmark for each year as a target for the maximum growth of total health care spending during that year; requiring certain state agencies to collaborate to develop and engage relevant persons and entities to implement strategies for meeting the health care cost growth benchmark; requiring certain insurers to report information relating to health care spending in this State; requiring the Director of the Department of Health and Human Services to publish an annual report concerning health care spending in this State; requiring the Patient Protection Commission within the Office of the Director to make certain recommendations concerning the health care cost growth benchmark and hold an annual informational public hearing concerning health care spending in this State; and providing other matters properly relating thereto. Amendments: None Patient Protection Commission/Assembly Committee on Health and Humans Services Effective Date: Upon passage and approval; January 1, 2026 for all other purposes	The implementation of a cap on healthcare costs will likely slow the growth of the cost of healthcare on the plan; however, there are concerns that this will also greatly impact the number of providers willing to practice in Nevada and therefore worsen the already critical provider shortage. Board Position Neutral Fiscal Note None Expected	Nov 16, 2022 Prefiled. Referred to Committee on Health and Human Services. To printer. Dec 01, 2022 From printer. Feb 06, 2023 Read first time. To committee. Feb 23, 2023 Notice of eligibility for exemption. Apr 13, 2023 From committee: Do pass. Apr 14, 2023 Read second time. Taken from General File. Rereferred to Committee on Ways and Means. Exemption effective. To committee.

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 52 \(BDR 19-416\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Makes various changes related to the Open Meeting Law. AN ACT relating to governmental administration; revising provisions relating to the determination of a quorum of a public body and the number of votes necessary for a public body to take action; clarifying the applicability of the Open Meeting Law to certain gatherings of the members of a public body; revising the notice requirements for certain meetings of a public body; revising provisions related to abstaining from voting by a member of a public body for certain conflicts of interest; creating exceptions to the Open Meeting Law for certain committees that prepare arguments relating to ballot measures; clarifying the applicability of the Open Meeting Law to certain foundations; and providing other matters properly relating thereto. Amendments: None Assembly Committee on Government Affairs Effective Date: This act becomes effective on July 1, 2023.	This bill updates the definition of a quorum and voting thresholds to be modified based on positions net of vacancies and net of nonvoting members. This bill adds to the definition of a meeting that will require some level of deliberation to occur; otherwise, the meeting doesn't qualify under Open Meeting Law.	Nov 16, 2022 Prefiled. Referred to Committee on Government Affairs. To printer. Dec 01, 2022 From printer. Feb 06, 2023 Read first time. To committee. Apr 06, 2023 From committee: Do pass. Apr 11, 2023 Read second time. Apr 13, 2023 Read third time. Passed. Title approved. (Yeas: 31, Nays: 11.) To Senate. Apr 17, 2023 In Senate. Read first time, Referred to Committee on Government Affairs. To Committee
	Board Position	
	Neutral	
	Fiscal Note None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

PEBP Legislative Tracking
2023 82nd Legislative Session

[AB 85 \(BDR 40-169\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Establishes procedures to fix rates for certain health care goods and services. AN ACT relating to health care; creating the Independent Commission on Rates for Health Care Services; establishing procedures for fixing the rates charged by hospitals, independent centers for emergency medical care and surgical centers for ambulatory patients for certain goods and services; authorizing the imposition of a civil penalty and initiation of disciplinary action against such a facility that fails to comply with provisions concerning rate fixing; creating certain causes of action to enforce those provisions; and providing other matters properly relating thereto. Amendments: Proposed on April 12, 2023 limit the procedures for fixing the rates to the Public Option pursuant to Senate Bill 420 (2021) and group insurance for State officers and employees through the Public Employees' Benefits Program; Assemblyman David Orentlicher Effective Date: Upon passage and approval; January 1, 2024 for all other purposes. Sections 13 to 27 on January 1, 2025 or one year after the date on which regulations adopted pursuant to section 12 of this act become effective.	This bill establishes fixed rates on <u>facility</u> charges and establishes an independent commission to oversee rates. Approved rates allow facilities to earn fair and reasonable profit and provide fair and adequate compensation to employees. This legislation would eliminate balance billing by facilities, however, PEBP is currently unable to determine at this time whether this would result in lower or increased costs to the program. This may also be perceived as unfavorable market conditions in the provider industry and further strained the provider shortage in Nevada. Update: The amendment essentially pilots this legislation through PEBP. This will likely require additional staff to oversee and implement, as well as likely contract amendments.	Jan 30, 2023 Prefiled. Referred to Committee on Health and Human Services. To printer. Feb 02, 2023 From printer. Feb 06, 2023 Read first time. To committee. Feb 16, 2023 Notice of eligibility for exemption. Mar 03, 2023 Heard Apr 12, 2023 Amend, and do pass as amended

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2023 82nd Legislative Session**

	Board Position	
	Neutral	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 147 \(BDR 54-74\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to dentistry. AN ACT relating to dentistry; requiring dental hygienists and dental therapists to comply with certain requirements governing the provision of health care; requiring certain providers of dental care to receive training on teledentistry; prescribing certain requirements relating to the secure storage of electronic records; providing for the issuance of special endorsements for a dentist, dental hygienist or dental therapist to administer immunizations; imposing certain requirements relating to the administration of immunizations by the holder of such an endorsement; deeming certain conduct by a provider of dental care to be unprofessional conduct; authorizing the imposition of disciplinary action against a dentist, dental hygienist or dental therapist for certain violations; requiring hospitals and issuers of Medicaid managed care plans to take certain measures to ensure access by recipients of Medicaid to teledentistry; requiring a public or private school or child care facility to accept a dental examination, screening or assessment provided through teledentistry for certain purposes; imposing certain requirements relating to the provision of services through teledentistry; providing a penalty; and providing other matters properly relating thereto. Amendments: Adopted on April 14, 2023, adds dental hygienists and dental therapists as providers, licensee requirements, and other definitions. Assemblywoman Elaine Marzola Effective Date: Upon passage and approval; January 1, 2024 for all other purposes.	This bill amends NRS 287.04335 to remove the end date for teledentistry under the Declaration of Emergency for COVID-19 and requires teledentistry to be covered by PEBP. Prior to the pandemic, PEBP did not cover teledentistry.	Feb 13, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Feb 14, 2023 From printer. To committee. Mar 10, 2023 Notice of eligibility for exemption. Apr 14, 2023 From committee: Amend, and do pass as amended. April 17, 2023 Read second time, Amended. (Amend no. 74). Referred to Committee on Ways and Means. Exemption effective. To printer. April 18, 2023 From printer. To engrossment. Engrossed. First reprint. To committee
	Board Position	
	Neutral	
	Fiscal Note None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 155 \(BDR 40-305\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Establishes provisions relating to biomarker testing. AN ACT relating to health care; establishing the Task Force on Precision Medicine and Biomarker Testing; prescribing the membership and duties of the Task Force; establishing March as Precision Medicine and Biomarker Testing Awareness Month; requiring policies of health insurance to include coverage of biomarker testing in certain circumstances; establishing certain conditions relating to such required coverage; making an appropriation; providing for a study of certain matters relating to precision medicine and biomarker testing; and providing other matters properly relating thereto. Amendment proposed on March 17, 2023, makes several revisions, including clarifying language that allows insurers to provide coverage for <i>appropriate</i> management and <i>ongoing</i> monitoring. Assemblywoman Sarah Peters Assemblyman David Orentlicher Effective Date: Upon passage and approval; July 1, 2023; October 1, 2023 for all other purposes.	Biomarker testing is already covered under current plan rules for medical necessity; therefore, this would not require PEBP to make any changes.	Feb 13, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Feb 14, 2023 From printer. To committee. Feb 21, 2023 Notice of eligibility for exemption. Apr 12, 2023 Amend, and do pass as amended
	Board Position	
	Neutral	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 219 \(BDR 19-781\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Makes various changes to the Open Meeting Law. AN ACT relating to governmental administration; requiring, under certain circumstances, a public body to have an additional period devoted to public comment when a public meeting is continued to another day; prohibiting, with certain exceptions, a public body from considering any item that is not set forth on the original agenda for the meeting if a meeting is continued to a day other than the date set forth on the agenda for the meeting; requiring, under certain circumstances, a public body to post a copy of the notice of a meeting at the building in which the meeting is to be held; requiring, under certain circumstances, a meeting agenda to include clear and complete instructions for a member of the general public to call into a meeting to provide public comment; requiring a member of a public body to attend a certain number of meetings of the public body in person at a physical location; requiring, under certain circumstances, instructions for a member of the general public to call into a meeting to provide public comment to be read verbally verbatim before each period devoted to public comment begins; and providing other matters properly relating thereto. Amendments: Adopted on April 12, 2023, address public comments, and notification of remote meeting instructions for public comment. Assemblywoman Venicia Considine Effective Date: This act becomes effective on July 1, 2023	This bill reorganizes the public comment periods in an open meeting. Agendas with virtual meetings must include instructions for the general public to provide public comment. Prior to public comment, instructions must be verbally read, verbatim before each period devoted to public comment. Finally, each member must attend at least 25% of all meetings in person. For PEBP this is at least 2 meetings/year.	Feb 23, 2023 Read first time. Referred to Committee on Government Affairs. To printer. Feb 27, 2023 From printer. To committee. Mar 14, 2023 Notice of eligibility for exemption. Apr 12, 2023 Amend, and do pass as amended
	Board Position	
	Neutral	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 250 \(BDR 40-782\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Establishes provisions governing prescription drugs. AN ACT relating to health care; prohibiting certain actions related to pricing and reimbursement for certain drugs; creating a cause of action for violating such prohibitions; requiring certain entities to maintain a registered agent and office in this State; and providing other matters properly relating thereto. Amendments: <u>Adopted on April 14, 2023</u>, adds a price applicability period; specifies that each maximum fair price for each specific drug will be in effect in this State for the same time period it is in effect nationally for Medicare, based on the provisions of the federal Inflation Reduction Act of 2022; defines “health plan subject to collective bargaining,” “participating health plan subject to collective bargaining,” and “price applicability period.” Assemblywoman Venicia Considine Assemblywoman Natha Anderson Effective Date: Upon passage and approval; January 1, 2026 for all other purposes.	It is difficult to determine how this may impact PEBP. This legislation could result in overall net savings depending on the negotiated prices and how those compare to PEBP’s current net drug costs; however, this bill could also result in less favorable discounts on other drugs in order to compensate for the lower costs on the negotiated drugs. Additionally, there are other downstream considerations, such as potential possible access issues for these drugs since they would be dispensed at higher prices in other states. PEBP will not be able to determine potential impact until drugs and associated benchmark prices are published by CMS.	Mar 07, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Mar 08, 2023 From printer. To committee. Apr 14, 2023 Amend, and do pass as amended
	Board Position	
	Fiscal Note	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

	None Expected	
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PEBP Legislative Tracking
2023 82nd Legislative Session

[AB 277 \(BDR 40-637\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Establishes provisions governing rural emergency hospitals. AN ACT relating to health care; establishing a rural emergency hospital as a type of medical facility licensed in this State; authorizing a rural emergency hospital that meets certain requirements to receive an endorsement as a crisis stabilization center; requiring the Department of Health and Human Services to take certain measures to increase reimbursement under Medicaid for certain services provided by rural emergency hospitals; and providing other matters properly relating thereto. Amendments: <u>Adopted on March 31, 2023</u>, adding co-sponsors. Assemblyman Gregory Koenig Assemblyman Toby Yurek Assemblyman Ken Gray Assemblyman Bert Gurr Assemblyman Rich DeLong Assemblywoman Jill Dickman Assemblyman Reuben D'Silva Assemblywoman Cecelia González Assemblywoman Michelle Gorelow Assemblyman Gregory Hafen Assemblywoman Alexis Hansen Assemblywoman Melissa Hardy Assemblyman Brian Hibbetts Assemblyman Duy Nguyen Assemblyman David Orentlicher Assemblywoman Sarah Peters Assemblywoman Angie Taylor Assemblywoman Clara Thomas	The No Surprises Act is applicable, therefore this legislation would not impact PEBP.	Mar 09, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Mar 10, 2023 From printer. To committee. Mar 15, 2023 Notice of eligibility for exemption. Apr 06, 2023 From committee: Amend, and do pass as amended. Apr 11, 2023 Read second time. Amended. (Amend. No. 70.) Apr 12, 2023 From printer. To engrossment. Engrossed. First reprint. To committee.
	Board Position	
	Fiscal Note None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

Assemblywoman Selena Torres		
Effective Date: Upon passage and approval; January 1, 2024 for all other purposes.		

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[AB 383 \(BDR 40-116\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to health care. AN ACT relating to health care; prohibiting a governmental entity from substantially burdening certain activity relating to contraception under certain circumstances; authorizing a person whose engagement in such activity has been so burdened to assert the violation as a claim or defense in a judicial proceeding; authorizing a court to award damages against a governmental entity that substantially burdens such activity in certain circumstances; expanding required insurance coverage of contraception; and providing other matters properly relating thereto. Amendments: Proposed on April 12, 2023 defines reproductive health services; government entity shall not enact or implement any limitation or requirements for reproductive health services. Assemblywoman Selena Torres Assemblywoman Sarah Peters Assemblywoman Michelle Gorelow Assemblywoman Cecelia González Assemblywoman Natha Anderson Assemblywoman Shannon Bilbray-Axelrod Assemblywoman Tracy Brown-May Assemblywoman Venicia Considine Assemblyman Reuben D'Silva Assemblywoman Bea Duran Assemblywoman Sandra Jauregui Assemblyman Cameron Miller Assemblywoman Sabra Newby Assemblywoman Shondra Summers-Armstrong Assemblywoman Clara Thomas	The bill expands health insurance coverage to include voluntary sterilization for men, clinical services related to contraceptives and language translation services that facilitate the provision of contraceptives. It also eliminates prior authorization for contraceptives. Although the amendment eliminates all sections relating to health insurance coverage, which results in no impact to PEBP, PEBP already provides coverage for most of these services.	Mar 22, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Mar 23, 2023 From printer. To committee. Apr 12, 2023 Amend, and do pass as amended.
	Board Position	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

Assemblyman Howard Watts Senator Dallas Harris Effective Date: Upon passage and approval; January 1, 2024 for all other purposes.		
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**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 119 \(BDR S-336\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Provides for the continuation of certain requirements governing insurance coverage of telehealth services. AN ACT relating to health care; providing for the continuation of a requirement that certain third-party payers cover services provided through telehealth, except for services provided through audio-only interaction, in the same amount as services provided in person or through other means; and providing other matters properly relating thereto. Amendments: Adopted on April 11, 2023, aligns the bill with CMS requirements to cover telehealth services for a) Patients at eligible originating sites in rural areas; b) Mental health and substance abuse disorder telehealth services; and c) Federally qualified health centers and rural health clinics. Senate Committee on Health and Human Services Effective Date: Upon passage and approval and applies retroactively on and after May 20, 2023.	Continues current telehealth benefits enacted during COVID-19, indefinitely.	Feb 08, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Feb 09, 2023 From printer. To committee. Apr 11, 2023 Amend, and do pass as amended.
	Board Position	
	In Support	
	Fiscal Note None Expected	

PEBP Legislative Tracking
2023 82nd Legislative Session

[SB 134 \(BDR 57-642\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to vision insurance. AN ACT relating to health care; prohibiting an insurer from entering into a contract with a provider of vision care that contains certain provisions; and providing other matters properly relating thereto. Amendments: None Senator Heidi Seevers Gansert Senator Pete Goicoechea Senator Robin Titus Senator Carrie Buck Senator Jeff Stone Assemblywoman Heidi Kasama Senator Skip Daly Senator Dallas Harris Senator Julie Pazina Assemblyman Brian Hibbetts Assemblyman Gregory Koenig Effective Date: The amendatory provisions of section 1 of this act do not apply to any contract existing on October 1, 2023, between an insurer and a provider of vision care until the contract is renewed.	This bill prohibits an insurer from setting limits on the amount a vision provider can charge as well as requiring a vision provider to use specific labs. PEBP does not have a vision network nor does PEBP require that members use a certain lab to purchase ophthalmic devices (glasses, contacts, etc), so this legislation would not affect the program as it stands today. However, should PEBP want to require members to use certain lab(s) as a cost saving measure, it would not have the ability to do so. Board Position Neutral Fiscal Note None Expected	Feb 13, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Feb 14, 2023 From printer. To committee. Apr 13, 2023 From committee: Do pass. Apr 17, 2023 Read second time. April 18, 2023 Taken from General file. Placed on General File for next Legislative day. April 19, 2023 Read third time. Passed. Title approved (Yeas 21, Nays: none). To assembly.

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 146 \(BDR 40-462\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to health care. AN ACT relating to health care; revising provisions governing the regulation of hospitals; prohibiting a health carrier from denying certain providers of health care from entering into a contract to join the network of the health carrier under certain circumstances; and providing other matters properly relating thereto. Amendments: Adopted on April 11, 2023, adds applicant criteria and requirements for contracting agreements. Senator Roberta Lange Senator Pat Spearman Senator Fabian Doñate Effective Date: Upon passage and approval.	This “any willing provider” bill only applies to university faculty and therefore would not impact PEBP. This bill is intended to remove barriers for UNR and UNLV medical schools to hire medical school physicians and, in turn, increase the number of medical school graduates.	Feb 14, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Feb 15, 2023 From printer. To committee Apr 11, 2023 Amend, and do pass as amended.
	Board Position	
	In Support	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 163 \(BDR 57-129\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Requires certain health insurance to cover treatment of certain conditions relating to gender dysphoria, gender incongruence and other disorders of sexual development. AN ACT relating to insurance; requiring certain health insurance to include coverage for the treatment of conditions relating to gender dysphoria, gender incongruence and other disorders of sexual development; and providing other matters properly relating thereto. Amendments: Adopted on April 13, 2023, adds more medical professionals who can treat gender dysphoria, cosmetic surgeries are defined and excluded, defines and prohibits discrimination, requires insurers to include WPATH SOC. Senator Melanie Scheible Senator Dallas Harris Senator Pat Spearman Assemblywoman Cecelia González Effective Date: This act becomes effective on July 1, 2023.	PEBP already provides coverage in accordance to the provisions of this bill. It does, however, expand coverage to children under 17, which PEBP doesn't currently provide coverage for. The expanded benefit isn't projected to impact the plan significantly enough to warrant a fiscal note. Update: PEBP utilization management already takes into consideration WPATH guidelines along with other nationally recognized standards of care, however this legislation imposes the requirement.	Feb 15, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Feb 16, 2023 From printer. To committee. Apr 13, 2023 Amend, and do pass as amended
	Board Position	
	Neutral	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 167 \(BDR 57-81\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Prohibits the imposition of step therapy under certain circumstances. AN ACT relating to insurance; prohibiting the imposition of a step therapy protocol for a drug prescribed to treat a psychiatric condition under certain circumstances; and providing other matters properly relating thereto. Amendments: Adopted on April 5, 2023, removes step therapy requirements for any FDA-approved drug, lists providers who can prescribe and adds definitions. Senator Marilyn Dondero Loop Senator Pat Spearman Senator Nicole Cannizzaro Senator Skip Daly Senator Dallas Harris Senator Lisa Krasner Senator Dina Neal Senator Rochelle Nguyen Senator James Ohrenschall Senator Julie Pazina Senator Melanie Scheible Assemblywoman Clara Thomas Effective Date: This act becomes effective on July 1, 2023.	This bill requires a plan to allow members prescribed certain psychiatric drugs to bypass step therapy. Currently, 6,805 members are taking at least one of the 29 impacted drugs. Step therapy exists to keep drug costs down by having patients try less expensive alternatives prior to moving to the more expensive drug. In 37% of cases, patients found the less expensive alternative was effective.	Feb 16, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Feb 17, 2023 From printer. To committee. Apr 17, 2023 From committee: Amend, and do pass as amended. Placed on Second Reading File. Notice of eligibility for exemption. Read second time. Amended. (Amend. No. 104.) Taken from General File. Re-referred to Committee on Finance. Exemption effective. To printer. Apr 18, 2023 From printer. To engrossment. Engrossed. First reprint. To committee.
	Board Position	
	Neutral	
	Fiscal Note \$20,000/year; \$40,000/biennium Update: The amendment expands coverage to drugs, regardless of formulary or non-formulary status, which	

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2023 82nd Legislative Session**

	increases the Fiscal Note to approximately \$150k/year.	
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**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 194 \(BDR 57-885\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to step therapy protocols. AN ACT relating to insurance; requiring certain insurers to use evidence-based guidelines when developing a step therapy protocol; requiring such insurers to create a process by which an attending practitioner and an insured are authorized to apply for an exemption from a step therapy protocol; requiring such insurers to grant such an exemption in certain circumstances; and providing other matters properly relating thereto. Amendments: Adopted on April 12, 2023, explicitly removes PEBP from this bill. Senator James Ohrenschall Senator Edgar Flores Senator Lisa Krasner Senator Roberta Lange Effective Date: Upon passage and approval.	This bill requires the plan to establish an appeal/exemption process for step therapy. ESI already has a process in place so adhering to the requirements in this legislation would only require minor changes. Additionally, the bill requires the insurer to grant an exemption to step therapy if the provider submits justification and documentation to support the argument. PEBP currently estimates a savings of approximately 3.4M annually from the use of step therapy protocols. Step therapy exists to keep drug costs down by having patients try less expensive (but equal) alternatives prior to moving to the more expensive drug. In almost 40% of cases, patients found the less expensive alternative is an effective option. It is reasonable to assume that if step therapy can be bypassed, it would be	Feb 23, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Feb 27, 2023 From printer. Mar 01, 2023 To committee. Apr 12, 2023 Work Session Amend and Do Pass Apr 18, 2023 From committee: Amend, and do pass as amended. Placed on Second Reading File. Apr 19, 2023 Read second time. Amended. (Amend. 240.) To printer.

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2023 82nd Legislative Session**

	bypassed approximately 40-50% of the time. This will drive utilization of more costly drugs.	
	Update: No Impact.	
	Board Position	
	Neutral	
	Fiscal Note	
	As presented, \$1.5M annually based on current utilization, assuming step therapy protocols are bypassed 40-50% of the time. Update on 04/12/2023: No Impact	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 272 \(BDR 27-876\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to governmental administration. AN ACT relating to governmental administration; requiring a state agency or local government to post certain information on its Internet website relating to certain purchasing contracts, performance contracts and contracts for public works; and providing other matters properly relating thereto. Amendments: None. Senator Pat Spearman Senator Fabian Doñate Senator Skip Daly Senator Marilyn Dondero Loop Senator Dallas Harris Senator Roberta Lange Senator Rochelle Nguyen Senator Julie Pazina Effective Date: This act becomes effective on July 1, 2023.	PEBP must post vendor contracts online along with supplemental information.	Mar 14, 2023 Read first time. Referred to Committee on Government Affairs. To printer.
	Board Position	
	Fiscal Note	Mar 15, 2023 From printer. To committee.
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 280 \(BDR 57-161\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions governing contraception. AN ACT relating to health care; requiring a hospital to provide for the insertion of certain intrauterine contraceptive devices if requested by a patient giving birth at a hospital; prohibiting an insurer from refusing to cover the insertion of certain intrauterine contraceptive devices at a hospital immediately after an insured gives birth; and providing other matters properly relating thereto. Amendments: <u>Adopted on April 11, 2023</u>, restricts payment amounts and adds provisions for STD testing. Senator Rochelle Nguyen Effective Date: Upon passage and approval; January 1, 2024, for all other purposes.	PEBP provides coverage for the services covered in this bill, therefore there is no impact.	Mar 15, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Mar 16, 2023 From printer. To committee. Apr 11, 2023 Amend, and do pass as amended
	Board Position	
	Fiscal Note None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 320 \(BDR 23-194\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions related to the Legislature. AN ACT relating to the Legislature; requiring the Legislative Counsel Bureau to pay a certain amount to the Public Employees' Benefits Program if a member of the Senate or Assembly elects to participate in the Program; requiring any such member to arrange to pay the Program the cost of premiums and contributions to the Program; and providing other matters properly relating thereto. Amendments: Adopted on April 14, 2023, clarifies that only elected officials can benefit starting November 5, 2024. Senator Dallas Harris Senator Jeff Stone Senator Fabian Doñate Assemblyman Howard Watts Assemblywoman Sarah Peters Assemblywoman Cecelia González Assemblywoman Heidi Kasama Senator Skip Daly Senator Scott Hammond Senator Lisa Krasner Senator James Ohrenschall Senator Melanie Scheible Assemblywoman Natha Anderson Assemblywoman Venicia Considine Assemblywoman Selena La Rue Hatch Assemblywoman Brittney Miller Assemblywoman Erica Mosca Effective Date: This act becomes effective on July 1, 2023	State legislators will have the option to become PEBP participants. There is no cost impact to PEBP since the subsidies are paid by the agency.	Mar 20, 2023 Read first time. Referred to Committee on Government Affairs. To printer. Mar 21, 2023 From printer. To committee. Apr 06, 2023 Notice of eligibility for exemption. Apr 18, 2023 From committee: Amend, and do pass as amended. Placed on Second Reading File. Apr 19 2023 Read second time. Amended. (Amend. No. 466.) Taken from General file. Re-referred to Committee on Finance. Exemption effective. To Printer.
	Board Position	
	Neutral	
	Fiscal Note	
	None Expected	

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SB 330 \(BDR 57-161\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions related to health care. AN ACT relating to health care; revising requirements for certain health insurance plans to provide certain benefits for preventative health care relating to breast cancer; requiring health insurance offered through plans of self-insurance by local governmental agencies of this State to provide certain benefits for preventative health care relating to breast cancer; and providing other matters properly relating thereto. Amendments: None Senator Lange Effective Date: Upon passage and approval.	Removes cost sharing for diagnostic mammograms, ultrasounds and MRI's and extends coverage to all members regardless of age or gender. PEBP would be unable to remove cost sharing for those members enrolled in the CDHP when billed as diagnostic services per IRS regulations. Update: Section 8 of this bill specifically excludes PEBP from the impacts of this bill by amending NRS 287.04335 and bypassing the change to NRS 695G.1713. Board Position Support Fiscal Note \$150k in FY 24 and \$300k in FY25 and subsequent years Update: Fiscal Note removed	Mar 20, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer. Mar 21, 2023 From printer. To committee. Apr 10, 2023 From committee: Do pass. Apr 11, 2023 Taken from Second Reading File. Placed on Secretary's desk.

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[SB 352 \(BDR 57-134\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to prescription drugs. AN ACT relating to health care; clarifying that a pharmacy benefit manager is subject to certain provisions of law governing an insurer for which the pharmacy benefit manager manages prescription drug coverage; expanding required insurance coverage of contraception; revising requirements governing the dispensing of a drug used for contraception; and providing other matters properly relating thereto. Amendments: Adopted on April 12, 2023, health carrier must give members notice of participating pharmacies, prescription supply limitations, provides calculations for prescription charges, and defines network. Senator Melanie Scheible Senator Jeff Stone Effective Date: Upon passage and approval; January 1, 2024 for all other purposes.	PEBP already adheres to much or all of the language in this bill and any potential impacts would be nominal.	Mar 22, 2023 Read first time. Referred to Committee on Commerce and Labor. To printer.
	PEBP has requested more information from PBM regarding the requirements in the adopted amendment.	
	Board Position	Mar 23, 2023 From printer. To committee.
	Fiscal Note	
	None Expected	

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[SB 373 \(BDR 18-1034\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to language access. AN ACT relating to governmental administration; requiring the head of each agency of the Executive Department of the State Government to designate certain information and documents as vital information and documents; requiring the head of each such agency to ensure that such vital information and documents are translated and made available in certain languages; and providing other matters properly relating thereto. Amendments: Adopted on April 14, 2023, adds sign language to this bill. Senator Edgar Flores Senator Fabian Doñate Senator Rochelle Nguyen Senator Dina Neal Assemblywoman Cecelia González Assemblyman Reuben D'Silva Assemblywoman Selena Torres Effective Date: Upon passage and approval.	Requires PEBP to actively translate all significant documents, such as MPD's, SPD's and benefit guides in top 12 languages spoken in Nevada.	Mar 23, 2023 Read first time. Referred to Committee on Government Affairs. To printer.
	Board Position	Mar 24, 2023 From printer. To committee.
	Fiscal Note \$1,484,343.63 per biennium.	Apr 14, 2023 Amend, and do pass as amended.

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[SB 419 \(BDR 40-748\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Makes revisions relating to public health. AN ACT relating to public health; requiring the adoption of a framework for the electronic transmittal, maintenance and exchange of certain health information; requiring governmental entities, health care providers, insurers and insurance administrators to maintain, transmit and exchange health information electronically; requiring the suspension of the license, certificate, registration or similar credential of a health care provider, insurer or insurance administrator that fails to comply with that requirement; removing authorization to establish a statewide health information exchange; clarifying that certain persons are immune from certain criminal and civil liability for transmitting, accessing, utilizing or disclosing electronic health records in accordance with existing law; establishing and prescribing the duties of the Chief Data Officer of the Nevada Innovation Hub, the Nevada Innovation Hub and the Medicaid Outreach Advisory Committee; authorizing a business to receive a partial abatement of certain taxes under certain conditions; authorizing certain persons to enroll in Medicaid; requiring the Joint Interim Standing Committee on Health and Human Services to study the feasibility of providing certain coverage under Medicaid; requiring the Department of Health and Human Services to evaluate certain issues and take certain actions relating to its workforce; making an appropriation; and providing other matters properly relating thereto. Amendments: Adopted on April 13, 2023, removes licensure penalties, adds authority to regulatory bodies, adds requirements for DHHS.	This bill largely applies to DHHS, however should there be electronic data requirements that are imposed on PEBP, PEBP has already built these considerations into current contracts and thus, would not have a fiscal impact on the program.	Mar 27, 2023 Read first time. Referred to Committee on Health and Human Services. To printer. Mar 28, 2023 From printer. To committee.
	Board Position	Apr 13, 2023 Amend, and do pass as amended
	Fiscal Note	
	None Expected	

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Senate Committee on Health and Human Services		
Effective Date: Upon passage and approval; January 1, 2024 or July 1, 2025, for all other purposes		

**PEBP Legislative Tracking
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[SB 431 \(BDR 18-1089\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to governmental administration. AN ACT relating to governmental administration; establishing and prescribing the duties and powers of cabinet secretaries to serve as members of the Governor's cabinet; prescribing the duties and jurisdiction of each cabinet secretary; revising the duties of the Chief Information Officer; providing for the appointment and prescribing the duties of a Chief Innovation Officer; revising provisions relating to development, deployment and improvement of broadband infrastructure; creating the Office of Nevada Boards, Commissions and Councils Standards within the Department of Business and Industry and prescribing the duties and responsibilities of the Office with respect to regulatory bodies and other entities; creating the Department of Workforce to replace the Department of Employment, Training and Rehabilitation; moving certain entities into the Department of Workforce; prohibiting, with certain exception, an appointing authority from executing any contract for employment with any state employee; requiring the Administrator of the Division of Human Resource Management of the Department of Administration to develop certain audit functions and centralized systems relating to the Human Resources System of the State; renaming the Personnel System, the Personnel Commission and the Personnel Operating Fund; revising provisions relating to classified positions; revising provisions relating to the annual leave of state employees; limiting the authority of the Interim Finance Committee to take certain actions that interfere with or intervene in the execution of the operations of the State Government; revising provisions governing the approval of work programs and allotments; requiring the Economic Forum to provide certain estimates for reserves in the Account to Stabilize the Operation of the State	If passed, various HR changes would provide the agency more authority on hiring and retention, including starting pay rates for new employees and promotional moves. This legislation creates 5 cabinet level positions, each overseeing certain areas of state government. PEBP oversight would fall under the Secretary of Commerce and Administration.	Mar 27, 2023 Read first time. Referred to Committee on Government Affairs. To printer. Mar 29, 2023 From printer. To committee. Apr 03, 2023 Notice of eligibility for exemption. Waiver granted effective: March 30, 2023. Apr 13, 2023 Mentioned no jurisdiction Apr 17, 2023 Mentioned no jurisdiction
	Board Position	
	Fiscal Note	
	None Expected.	

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Government and the Education Stabilization Account and a biennial report to the Governor and the Legislature; creating the Nevada Way Account; revising provisions relating to the approval and acceptance of grants by state agencies; revising provisions relating to certain declarations of emergency or disaster; eliminating the requirement for the Department of Education to establish the Competency-Based Education Network; eliminating the authority of the Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease to appoint an advisory group to study the delivery of health care through patient-centered medical homes; eliminating certain limitations on the salaries of persons employed by the State or a state agency; transferring the duties of the Division of Enterprise Information Technology Services of the Department of Administration and the Administrator of the Division to the Office of the Chief Information Officer and the Chief of the Office of the Chief Information Officer; making various other changes relating to governmental administration; and providing other matters properly relating thereto. Senate Committee on Government Affairs Effective Date: Upon passage and approval.		
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**PEBP Legislative Tracking
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[SB 439 \(BDR 40-987\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Revises provisions relating to communicable diseases. AN ACT relating to communicable diseases; requiring certain state and local agencies to develop policies to provide uninterrupted services during a public health emergency to certain persons; authorizing a person who has been convicted of certain crimes to petition a court to vacate the judgment and seal certain records; requiring a public or private detention facility to take certain measures to ensure the access of prisoners to treatment for and methods to prevent the acquisition of human immunodeficiency virus; revising provisions governing certain crimes committed by prisoners; requiring the board of trustees of a school district to establish a course or unit of a course of evidence-based, factual instruction in sexuality education; requiring certain public and private health insurers to provide certain coverage; requiring such an insurer to reimburse an advanced practice registered nurse or physician assistant at the same rate as a physician for certain services; imposing certain requirements relating to cost sharing for prescription drugs; authorizing providers of health care to receive credit toward requirements for continuing education for certain training relating to the human immunodeficiency virus; requiring certain providers of health care to complete such training; providing that the repeal or revision of certain crimes applies retroactively; and providing other matters properly relating thereto. Amendments: Adopted on April 13, 2023, removes condoms, exempts local government self-funded plans, and removes age requirements. Senator Dallas Harris Senator Melanie Scheible	PEBP already provides much or all of the coverage included in this bill, however the amendment exempts PEBP so there is no impact.	Mar 27, 2023 Read first time. Referred to Committee on Health and Human Services. To printer.
	Board Position	
	Fiscal Note	Mar 28, 2023 From printer. To committee.
	None Expected	Apr 13, 2023 Amend, and do pass as amended

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Senator Fabian Doñate		
Effective Date: Upon passage and approval.		

**PEBP Legislative Tracking
2023 82nd Legislative Session**

[SJR 7 \(BDR C-864\)](#)

Bill Number & Description	Impact to PEBP	Bill Status
Proposes to amend the Nevada Constitution to establish certain rights relating to reproductive health. Senator Nicole Cannizzaro, Senator Roberta Lange, Senator Melanie Scheible, Senator Pat Spearman, Senator Rochelle Nguyen, Assemblywoman Sandra Jauregui, Assemblywoman Lesley Cohen, Assemblywoman Shea Backus, Assemblywoman Elaine Marzola, Assemblywoman Michelle Gorelow, Senator Skip Daly, Senator Fabian Doñate, Senator Marilyn Dondero Loop, Senator Edgar Flores, Senator Dallas Harris, Senator James Ohrenschall, Senator Julie Pazina, Assemblywoman Natha Anderson, Assemblywoman Shannon Bilbray-Axelrod, Assemblywoman Tracy Brown-May, Assemblyman Max Carter, Assemblywoman Venicia Considine, Assemblyman Reuben D'Silva, Assemblywoman Bea Duran, Assemblywoman Cecelia González, Assemblywoman Selena La Rue Hatch, Assemblywoman Brittney Miller, Assemblyman Cameron Miller, Assemblywoman Daniele Monroe-Moreno, Assemblywoman Erica Mosca, Assemblywoman Sabra Newby, Assemblyman Duy Nguyen, Assemblyman David Orentlicher, Assemblywoman Sarah Peters, Assemblywoman Shondra Summers-Armstrong, Assemblywoman Angie Taylor, Assemblywoman Clara Thomas, Assemblywoman Selena Torres, Assemblyman Howard Watts, Assemblyman Steve Yeager Amendments: Adopted on March 30, 2023, adds individuals or entities providing abortion care or providing reproductive care services and “Nothing herein narrows or limits the rights to equality and equal protection.” Effective Date: Effective upon passage.	This proposes to amend to guarantee a fundamental right to reproductive freedom and protection to providers from prosecution. Although this does not impact PEBP directly, this may have positive effects on access and provider availability within the state.	Mar 16, 2023 Resolution read. Referred to Committee on Legislative Operations and Elections. To printer. Mar 17, 2023 From printer. To committee. Mar 30, 2023 Amend, and do pass as amended Apr 13, 2023 From committee: Amend, and be adopted as amended. Apr 17, 2023 Resolution read. Amended. (Amend. No. 204.) To printer. From printer. To engrossment. Engrossed. First reprint. Resolution read. Passed, as amended. Title approved. (Yeas: 13, Nays: 8.) To Assembly.
	Board Position	
	Fiscal Note None expected.	

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		Apr 19, 2023 In Assembly. Resolution read. Referred to Committee on Legislative Operations and Elections. To Committee.
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Bills Previously Reported

This is a brief summary of bills that were previously reported to the PEBP Board and determined to no longer impact PEBP.

Bill Number	Description
BDR 40-330	Bill dead: Pursuant to Joint Standing Rule No. 14.3.1, no further action allowed.
SB 156 (BDR 19-884)	Pursuant to Joint Standing Rule No. 14.3.1, no further action allowed.