

Legislative Update May 8th

The Week That Was

Federal Health Care: The U.S. House of Representatives narrowly passed its latest version of the American Health Care Act, the vehicle to replace and repeal the Affordable Care Act, by a 217-213 margin. The vote was taken even though (or because?) the Congressional Budget Office had not scored the amended bill. Mark Amodei (R), who represents Nevada's CD2, voted for the bill, and was one of several House Republicans who would not vote for previous versions but flipped to provide the margin for passage. It's in the U.S. Senate with many unanswered questions, and the only certainty is something different will be debated. Health care providers, insurers, hospitals and non-profits are united in their opposition to the House version.

Despite the accelerated pace of legislative activity in Nevada, legislators, staff, lobbyists and advocates watched closely the activity leading up to and after last Thursday's vote. The legislation that is ultimately sent to the president could have a major impact on the state budget, programs and long-term health care policy, necessitating a special session.

Nevada Economic Forum: As mentioned in last week's update, the Economic Forum met last Monday and provided a somewhat rosy revenue forecast for the remainder of this fiscal year and the next biennium, with an additional \$140 million total in general fund revenue than was forecast last December. However, the FY18-19 forecast is still short of the Governor's request for \$8.1 billion by over \$115 million. Therefore, fee and tax revenue from the recreational marijuana sales becomes the critical piece to filling that gap and generating a possible surplus. The Department of Administration has projected \$70 million in revenue for each year of the next biennium. The Legislative Counsel Bureau's fiscal division has yet to provide revenue projections and won't until the bills that propose to tax sales of recreational marijuana move further along.

Any revenue surplus for the remainder of this fiscal year will be accounted for by budget overruns, as evidenced by the flurry of bills introduced in both houses this past week to appropriate money to address those shortfalls. If there is a surplus for the FY18-19 biennium, the most likely destination for those funds is K-12 education, in the form of a modified weighted funding formula whereby schools and students in need will receive disproportionately more.

Lastly, in a joint meeting of the two Judiciary committees, the Department of Taxation unveiled its plans for the roll-out of retail recreational marijuana sales beginning July 1st.

NVPCA Legislation: As for policy bills that were heard in committees this past week, the NVPCA testified in support of legislation to: establish a state-funded program for family planning services (Senate Bill 122); codify certain key provisions of the Affordable Care Act into state law (Assembly Bill 408); allow for more efficient use of psychology assistants, interns and trainees (Senate Bill 162); and, allow for the collaborative practice of pharmacy and drug management therapy (Senate Bill 260).

The Week Ahead

With just four weeks to go, here's a look at what's at stake for the NVPCA this week:

- Patient-Centered Medical Homes: On May 8th, Senate Bill 139 will be heard in the Senate Finance committee. The fiscal notes from Medicaid and the Division of Public and Behavioral Health have been removed, clearing the way for passage out of committee and onto the Senate floor for a vote.
- State-Funded Program for Family Planning Services: Having just been heard in the Assembly Health and Human Services committee last Wednesday, Senate Bill 122 is scheduled for a work session, also on May 8th. There will be one more amendment presented, but it's expected a vote will be taken and it should pass. As previously mentioned, the question is will it continue to move forward with only Democrat support.
- Obesity and BMI: Senate Bill 165 will be heard May 8th in Assembly Health and Human Services (it was heard in Education in the Assembly). This past interim session, obesity was identified as a public health epidemic. Reinstating BMI in public schools was recommended as an effective way to help combat it and leverage federal funding opportunities.
- Sex Education: Assembly Bill 348 was to be heard in Assembly Ways and Means last Monday to address the fiscal impact to the State Department of Education and the State Charter School Authority, both of which are very minor costs. The fiscal impact to local school districts should have been addressed by how the bill was amended in the Assembly Education committee. It will be heard instead May 8th.
- Medicaid As A Public Option: A policy concept previously thought dead will be revived in the form of Assembly Bill 374. Collaboration among a number of key state stakeholders has resulted in new language. The bill is expected to be heard in Assembly Health and Human Services on May 12th, although it has not officially been posted yet. The NVPCA is expected to be an active supporter of the revised bill.
- Recreational Marijuana: One piece to the revenue puzzle will move forward this week when Senate Bill 487 is on the work session agenda for the Senate Revenue committee's meeting May 9th. SB487 would set legislative guidelines for taxing recreational sales and how the revenue would be distributed. While the majority of revenue would go to K-12 education, an account would be set up for mental health and substance abuse programs at the state and local levels to receive funds. SB487 would also streamline medical and recreational marijuana tax rates so recreational rates aren't more favorable and kill the medical market.

At this stage of the session with time getting short, things change very quickly, so there may be more on our agenda this week than is known now.