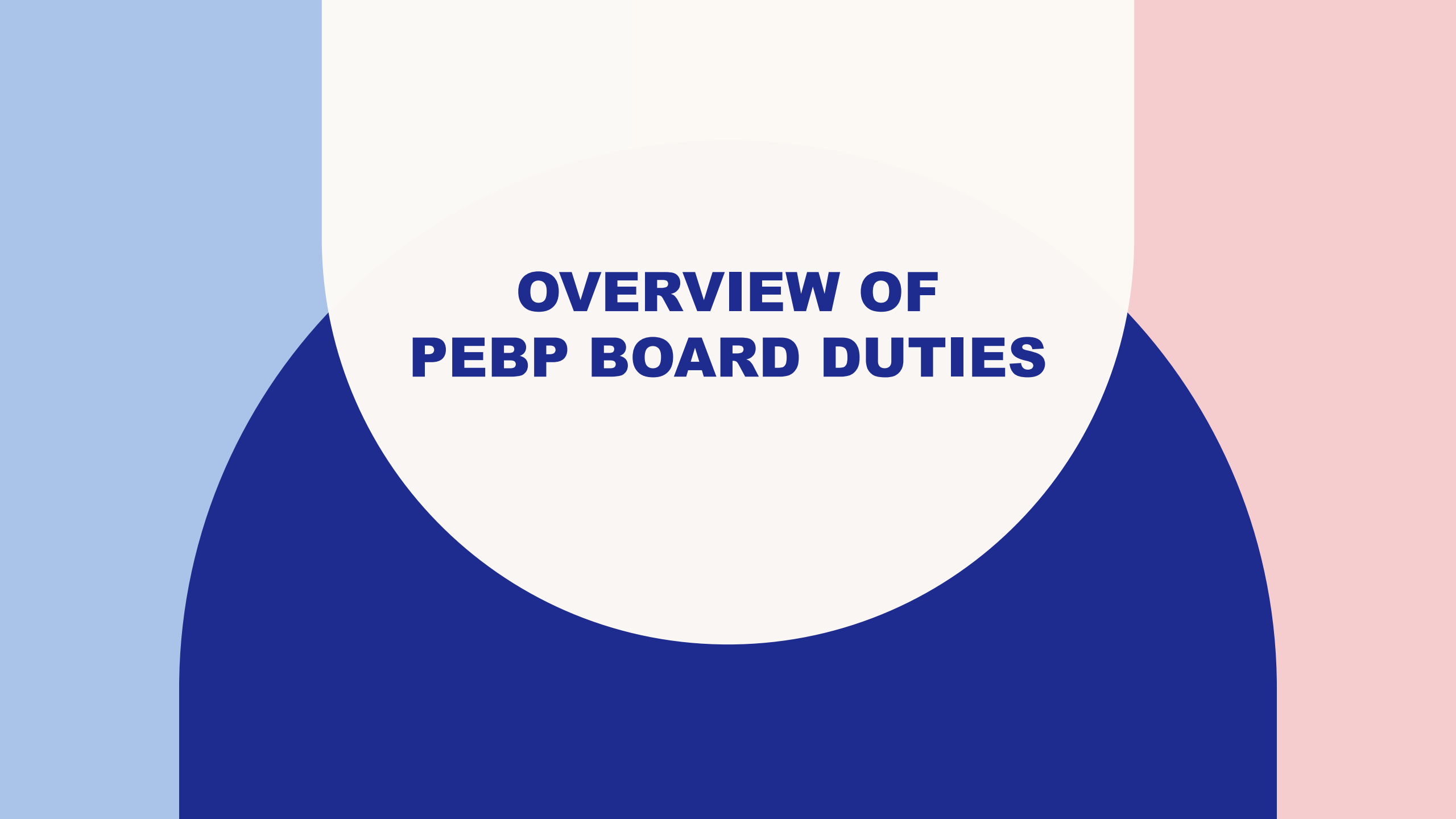


The background features a large white circle in the center, partially overlapping a light blue shape on the left and a light pink shape on the right. A dark blue shape is at the bottom, also overlapping the white circle. The text is centered within the white circle.

OVERVIEW OF PEBP BOARD DUTIES

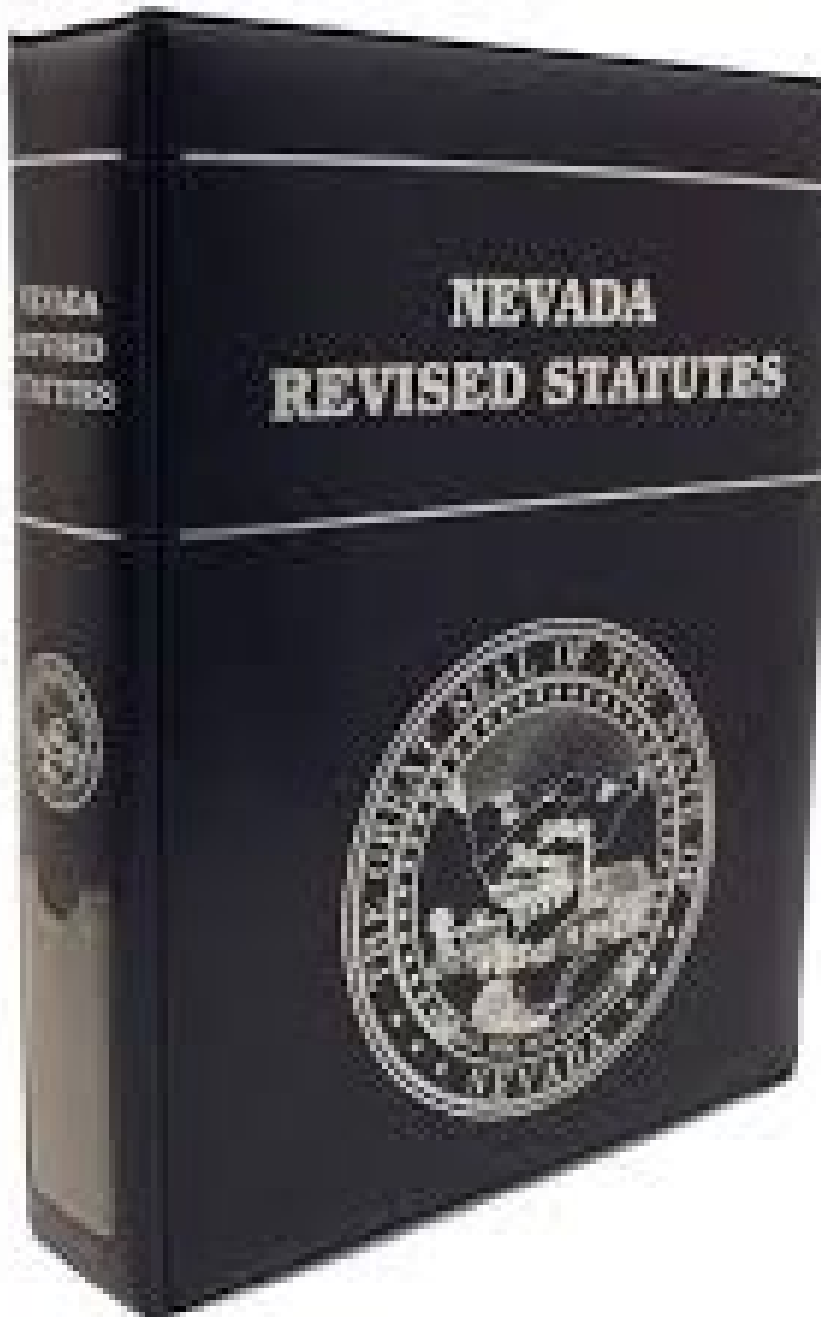
SOURCES

Nevada Revised Statutes

Including 2025 Legislative Updates

Nevada Administrative Code

Board Policies and Procedures



NEVADA REVISED STATUTES

NRS CHAPTER 287

Establishes PEBP and its Board

In part, sets forth Board powers and duties



SENATE BILL 494 (2025)

- Created the Nevada Health Authority (NVHA)
 - PEBP is part of new NVHA
 - Began July 1, 2025
 - NVHA was created to develop/implement improvements to access and minimize the costs of health care
 - Such plans will be periodically presented to Board for input
 - Will include recommendations to Board re: ways to improve value, quality and accessibility
- S.B. 494 adjusted some provisions of NRS Chapter 287

BOARD CHARACTERISTICS

NRS 287.041

- “There is hereby created the Board of the Public Employees’ Benefits Program.” NRS 287.041(1).
- Also addresses composition of board, appointment and qualifications of board members, and terms.
 - S.B. 494 adjusted some provisions; for example, some Board members now appointed by legislators

BOARD MEETINGS

NRS 287.0415

- Chair elected by Board members at beginning of each calendar year
- Vice chair designated by Governor
- Must meet at least once a quarter “and at other times upon the call of the Chair”
- Can be closed for certain specified purposes but generally must be public and comply with Nevada’s Open Meeting Law (NRS Chapter 241)
- Board may appoint advisory committees as it deems necessary in carrying out its duties

BOARD AND EXECUTIVE OFFICER

- Board interviews/ recommends candidates
- The EO shall, as directed by Director of NVHA and the Board, “manage the operations of the Program and assist in developing innovative purchasing and contracting strategies” in providing services under PEBP
- “The Board may delegate to the Executive Officer the exercise or discharge of any power, duty or function vested in or imposed upon the Board.” NRS 287.0424(1).
 - Captured in Board Policies & Procedures
 - Last revised January 2021
 - Revisions being discussed today



Annual Report

NRS 287.0425(1) requires the Executive Officer to submit to the Board (and others) an annual report regarding the administration and operation of the Program, which must include:

- Audited financial statement of the Program Fund for the immediately preceding fiscal year
- Audited financial statement of the Retirees' Fund for the immediately preceding fiscal year
- Report of the utilization of the Program by participants during the immediately preceding plan year
- Enrollment materials provided generally to participants/prospective participants for the current plan year



Biennial Reports

NRS 287.0425(2) requires the Executive Officer to submit to the Board (and others) a biennial report that includes:

- An independent certified actuarial valuation and report of the State's health and welfare benefits for current and future state retirees
- Compliance review: A review of the Program to determine whether it complies with federal and state laws relating to taxes and employee benefits.
- **New report required by S.B. 494 § 65.5:**
 - To extent resources are available, Board to compile report re: cost for retirees to obtain Medicare coverage through PEBP actuarially comparable to non-Medicare retiree coverage through PEBP
 - Due August 31 in even-numbered years (starting in 2026)



BOARD POWERS AND DUTIES

NRS 287.043

- Board shall establish and carry out PEBP program, which
 - Must include:
 - Program relating to group life, accident or health insurance, or any combination of these
 - May include:
 - Plan that offers flexibility in benefits, with rates based on experience of participants, or
 - Program to reduce taxable compensation of employees/participants

POWERS AND DUTIES CONT'D

- Board also charged with ensuring that Program is “funded on an actuarially sound basis and operated in accordance with sound insurance and business practices.”
 - New provision of S.B. 494 allows Board to use actuarial services/other appropriate resources of NVHA or NVHA contractors
- S.B. 494 added new provision that Board shall:

“Within the limits of available resources, maximize the benefits available to participants in the Program and the ability of such participants to access available benefits to promote the recruitment and retention of state employees, including, without limitation, by establishing programs to ensure the provision of high quality customer service to assist participants in navigating the benefits available under the Program.”

POWERS AND DUTIES CONT'D

- Adopt regulations necessary to carry out Program
- May use State Purchasing Division in procuring services OR new services established by NVHA for such procurement
- May make recommendations to the Legislature “concerning legislation that [the Board] deems necessary and appropriate regarding the Program”

SPECIFIC LAWS

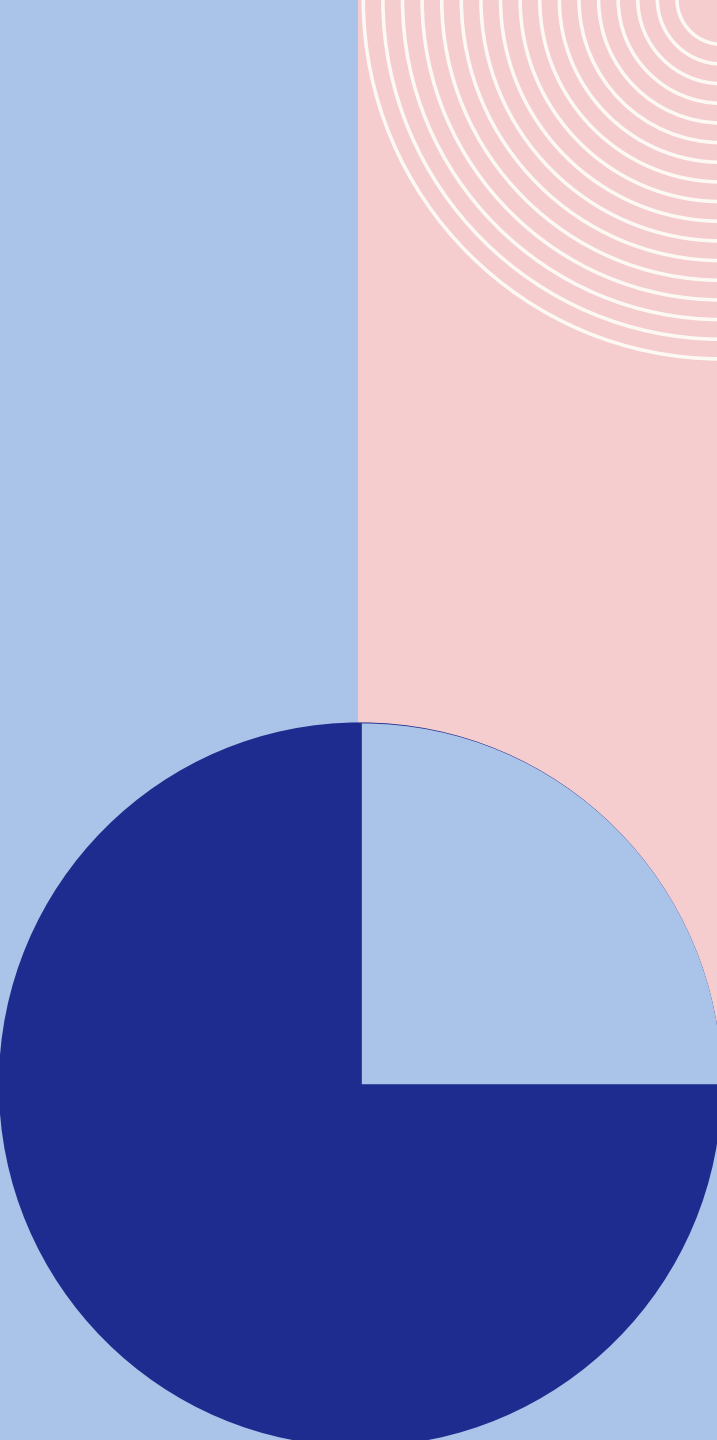
NRS 287.04335

Statute contains list of provisions relating to health insurance with which Board must comply, including, for example:

- Emergency medical services
- Certain screening/vaccinations
- Mammograms
- Systems for resolving complaints on insureds

CONTRACTS

- Board may enter into contracts relating to the administration of the Program. NRS 287.0434.



PURCHASING

NRS 287.04345/NVHA PROCUREMENT

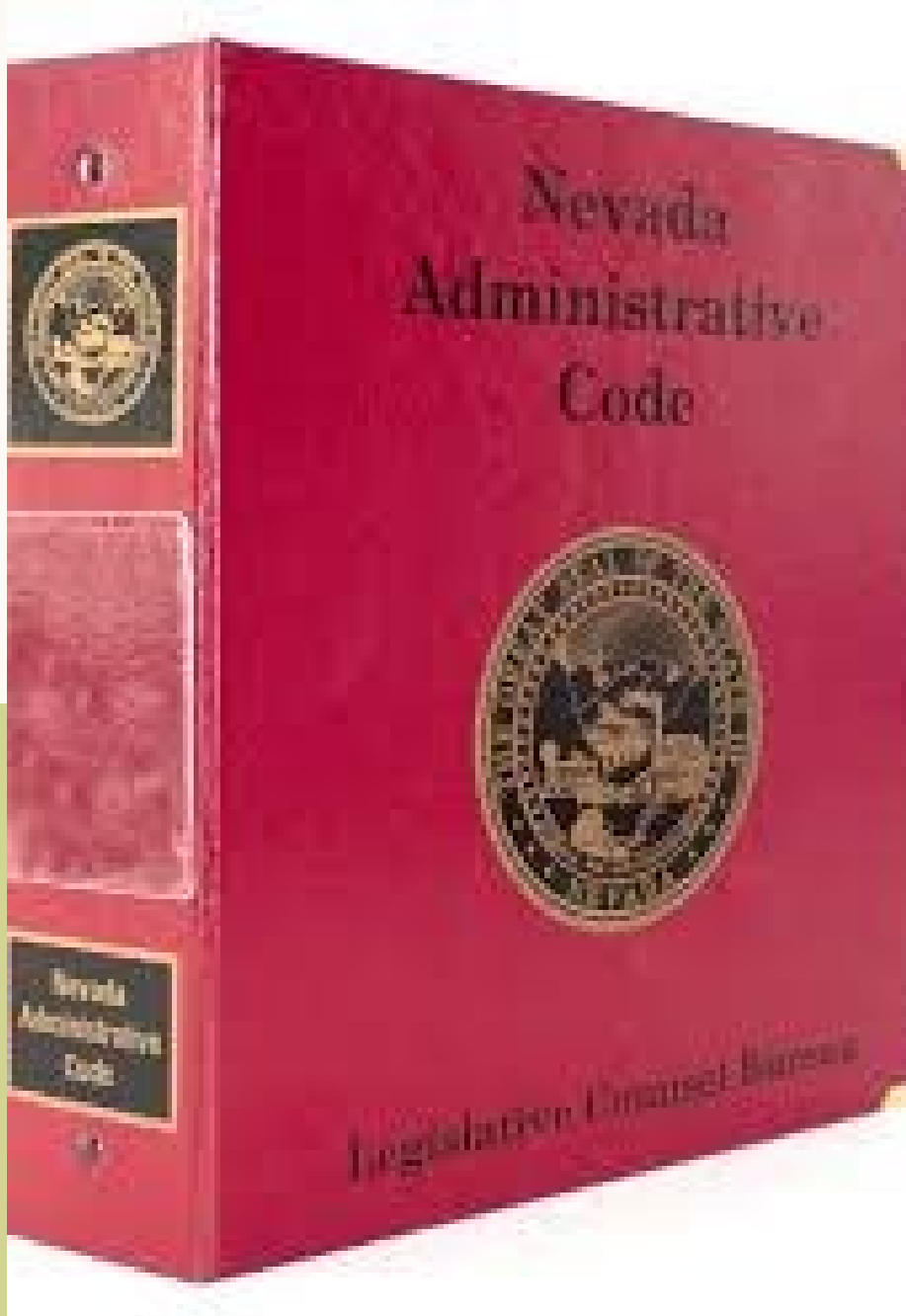
- S.B. 494 allows the Board to delegate to the Executive Officer any/all of the duties of a purchasing officer, including assisting a committee to evaluate proposals for a contract
- If Board chooses to review evaluation results, must be done in closed meeting; however, action on the contract, including award of contract, must be in open meeting

NRS CHAPTER 281A

- Nevada Ethics in Government Law
- Administered by Nevada Commission on Ethics (www.ethics.nv.gov)
- Board members are “public officers” subject to Ethics Law
- Some highlights:

Public officers shall **not**:

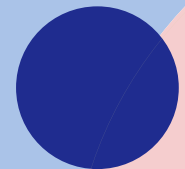
- Seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in position to depart from the faithful and impartial discharge of public duties
- Use position to secure or grant unwarranted privileges, preferences, exemptions or advantages
- Participate as an agent of government in the negotiation or execution of a contract between the government and the public officer
- Accept compensation for performance of duties as a public officer
- Use information acquired through public duties or relationships, which by law or practice is not at the time available to people generally, to further a significant pecuniary interest
- Suppress any governmental report or other official document because it might tend to affect unfavorably a significant pecuniary interest
- Use governmental time, property, equipment or other facility to benefit a significant personal or pecuniary interest
- Attempt to benefit a significant personal or pecuniary interest of the public officer or employee or any person to whom the public officer or employee has a commitment in a private capacity through the influence of a subordinate.

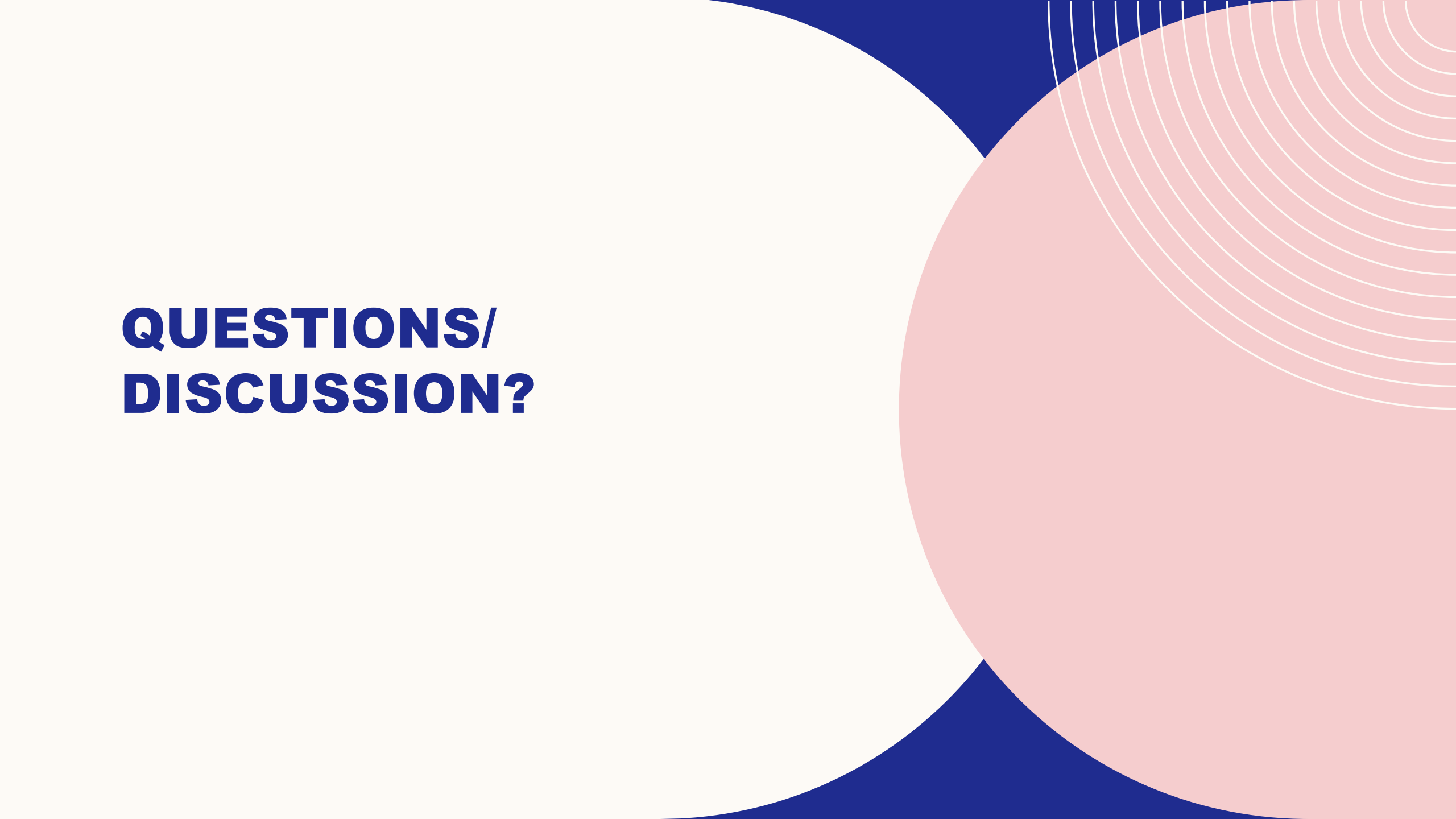


NEVADA ADMINISTRATIVE CODE

NAC CHAPTER 287

- Regulations need to be revisited in light of NVHA
- Some pertinent provisions:
 - Chair determines agenda of Board meetings (NAC 287.174)
 - Any Board member may submit to the Executive Officer a request for a matter to be placed on a Board meeting agenda
 - All Board action must be approved by majority of the members present (NAC 287.176)
 - Motions require a second to the motion for consideration by the Board





**QUESTIONS/
DISCUSSION?**