

SENATE BILL NO. 288—SENATOR WASHINGTON

MARCH 3, 1999

Referred to Committee on Finance

SUMMARY—Authorizes certain counties to enter into agreement to establish pilot program to provide continuity of care for children who receive protective services. (BDR 38-1028)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~for omitted material~~ is material to be omitted.

AN ACT relating to the protection of children; authorizing certain counties that are required to provide protective services for children to enter into an agreement with the division of child and family services of the department of human resources to establish a pilot program to provide continuity of care for children who receive protective services; requiring the division to report to the legislature; and providing other matters properly relating thereto.

- 1 WHEREAS, The system for providing protective services for children in
- 2 this state is bifurcated, with services being provided both by county
- 3 agencies and the division of child and family services of the department of
- 4 human resources; and
- 5 WHEREAS, There are disparities between the payments made to
- 6 providers of those services by the county agencies and the division; and
- 7 WHEREAS, Because of such disparities and because the county agencies
- 8 and the division contract with different providers of foster care, the
- 9 placement of a child in foster care is frequently disrupted to place the child
- 10 with a different provider of foster care; and
- 11 WHEREAS, Frequently changing the placement of children in foster care
- 12 is not in the best interests of those children; and
- 13 WHEREAS, On November 19, 1997, Congress enacted the Adoption and
- 14 Safe Families Act of 1997, which, as a condition to the receipt of federal
- 15 money, requires a plan for the permanent placement of a child in foster care
- 16 to be established no later than 12 months after a child has been placed in
- 17 foster care; and

1 WHEREAS, To comply with this federal law requires diligent effort on
2 the part of the county agencies and the division from the time that a child
3 first enters the system for providing protective services; and

4 WHEREAS, The bifurcated system for providing protective services to
5 children in this state does not uniformly provide the continuity in care and
6 services that are necessary to establish a plan for the permanent placement
7 of those children within the time frame required by federal law; now,
8 therefore,
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10 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
11 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
12

13 **Section 1.** NRS 432.040 is hereby amended to read as follows:

14 432.040 The nonfederal share of all expenses for special services and
15 maintenance provided to children and unmarried mothers pursuant to NRS
16 432.010 to 432.085, inclusive, *and section 3 of this act* must be paid from
17 money which may be provided to the division by direct legislative
18 appropriation.

19 **Sec. 2.** NRS 432.050 is hereby amended to read as follows:

20 432.050 All money appropriated by the legislature pursuant to the
21 provisions of NRS 432.040 must be accounted for in the state child welfare
22 services account, and all money received from the United States pursuant to
23 Parts B and E of Title IV of the Social Security Act, or for programs of
24 child welfare administered by the division pursuant to NRS 432.010 to
25 432.085, inclusive, must be deposited in the state treasury and credited to
26 the account, out of which must be paid the expenses incurred in providing
27 maintenance and special services under the provisions of NRS 432.010 to
28 432.085, inclusive ~~H~~, *and section 3 of this act.*

29 **Sec. 3.** Chapter 432B of NRS is hereby amended by adding thereto a
30 new section to read as follows:

31 *1. A county that is required to provide protective services to children*
32 *in that county pursuant to NRS 432B.325 may enter into an agreement*
33 *with the division of child and family services to establish a pilot program*
34 *to provide continuity of care for children who receive protective services.*

35 *A pilot program established pursuant to such an agreement may provide:*

36 *(a) For the county and the division of child and family services jointly*
37 *to furnish services relating to the assessment of a child and planning for*
38 *the provision of protective services to the child;*

39 *(b) For a child to be in the joint custody of the county and the division*
40 *of child and family services;*

41 *(c) For continuity in the placement of a child in foster care;*

1 (d) *That the rate of payment by the county for foster care and shelter*
2 *care must be equal to the rate of payment by the division of child and*
3 *family services for foster care and shelter care;*

4 (e) *For continuity in the management of a case for the provision of*
5 *protective services to a child; and*

6 (f) *For services designed to carry out a plan for the permanent*
7 *placement of a child established pursuant to NRS 432B.590 or the*
8 *Adoption and Safe Families Act of 1997, Public Law 105-89.*

9 2. *Notwithstanding any specific statute to the contrary, for the*
10 *purpose of a pilot program established pursuant to an agreement entered*
11 *into pursuant to this section, the division of child and family services may*
12 *deviate from the rate of payment for foster care approved by the*
13 *legislature.*

14 **Sec. 4.** On or before November 30, 2000, the division of child and
15 family services of the department of human resources shall submit a report
16 to the director of the legislative counsel bureau for transmittal to the
17 appropriate legislative committee. The report must include the following
18 information for each agreement entered into pursuant to section 3 of this
19 act:

20 1. The number of children involved in the pilot project established
21 pursuant to the agreement;

22 2. A description of the services provided to those children that
23 includes:

24 (a) The name of the agency that provided the services; and

25 (b) The costs incurred by the agency that provided the services;

26 3. If available, the disposition of the cases of those children; and

27 4. An analysis of the benefits, if any, to the children involved in the
28 pilot project and to the families of those children.

29 **Sec. 5.** This act becomes effective on July 1, 1999.