

Assembly Bill No. 336—Assemblymen Dini, Parks, Giunchigliani, Ohrenschall, Manendo, Anderson, Arberry, Bache, Buckley, Chowning, Claborn, Collins, de Braga, Freeman, Goldwater, Koivisto, Lee, Leslie, McClain, Mortenson, Neighbors, Ocegüera, Parnell, Perkins, Price, Smith and Williams

CHAPTER.....

AN ACT relating to the adoption of children; requiring the provision of certain information and assistance to certain adoptive parents, prospective adoptive parents and other persons involved in the process of adoption; requiring the division of child and family services of the department of human resources and a child-placing agency timely and diligently to schedule evaluations necessary to identify any special needs an adoptive child may have; and providing other matters properly relating thereto.

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

Section 1. NRS 127.009 is hereby amended to read as follows:

127.009 1. The division shall prepare a booklet on adoption in this state which includes the following information:

- (a) The legal basis of adoption;
- (b) The purpose of adoption;
- (c) The process of adoption;
- (d) The number of children who are waiting to be adopted, including statistical information regarding:
 - (1) The gender and ethnic background of the children who are waiting to be adopted;
 - (2) The number of children placed in foster homes who are waiting to be adopted;
 - (3) The number of children with special needs who are waiting to be adopted; and
 - (4) The number of siblings who are waiting to be adopted;
- (e) The name and location of agencies in Nevada that place children with adoptive parents;
- (f) The number of prospective adoptive parents;
- (g) A comparison of Nevada to the surrounding states regarding the placement of children with adoptive parents; ~~and~~
- (h) A comparison of the division to other agencies located in Nevada regarding the placement of children with adoptive parents ~~+~~; *and*
- (i) Any subsidies, assistance and other services that may be available to adoptive parents and prospective adoptive parents, including, without limitation, services for children with special needs.*

2. The division shall:

- (a) Revise the information in the booklet annually.
- (b) Distribute the booklet to persons and organizations whose patients or clients are likely to become involved with the process of adoption in this state. The booklet must also be distributed to prospective adoptive parents and natural parents giving children up for adoption.

3. The division may accept gifts and grants to assist in the production and distribution of the booklet.

Sec. 2. NRS 127.152 is hereby amended to read as follows:

127.152 1. Except as otherwise provided in subsection ~~2,~~ 3, the division or a licensed child-placing agency shall provide the adopting parents of a child with a report which includes:

(a) A copy of any medical records of the child which are in the possession of the division or licensed child-placing agency. ~~;~~ ~~and~~

(b) Any information obtained by the division or licensed child-placing agency during interviews of the natural parent regarding:

(1) The medical and sociological history of the child and the natural parents of the child; and

(2) Any behavioral, emotional or psychological problems that the child may have. Information regarding any behavioral, emotional or psychological problems that the child may have must be discussed in accordance with policies adopted by the division for the disclosure of such information.

(c) Written information regarding any subsidies, assistance and other services that may be available to the child if it is determined pursuant to NRS 127.186 that he has any special needs.

2. *The division or child-placing agency shall obtain from the adopting parents written confirmation that the adopting parents have received the report required pursuant to subsection 1.*

3. The report ~~created~~ *required* pursuant to subsection 1 must exclude any information that would lead to the identification of the natural parent.

Sec. 3. NRS 127.186 is hereby amended to read as follows:

127.186 1. The division, or a child-placing agency licensed by the division pursuant to this chapter, may consent to the adoption of a child under 18 years of age with special needs due to race, age or physical or mental problems who is in the custody of the division or the licensed agency by proposed adoptive parents when, in the judgment of the division or the licensed agency, it would be in the best interests of the child to be placed in that adoptive home.

2. The division or child-placing agency shall ~~determine whether~~ *in a timely and diligent manner:*

(a) Schedule any evaluations necessary to identify any special needs the child may have.

(b) If it determines that the child has any special needs ~~and notify~~ *:*

(1) Notify the proposed adoptive parents ~~of a child who is determined to have special needs:~~

~~—(a)—~~ *:*

(I) That they may be eligible for a grant of financial assistance pursuant to this section ~~if the petition for adoption is granted; and~~

~~—(b)—~~ *; and*

(II) The manner in which to apply for such financial assistance ~~;~~ *;*
and

(2) Assist the proposed adoptive parents in applying for and satisfying any other prerequisites necessary to obtain a grant of financial assistance pursuant to this section and any other relevant subsidies and services which may be available.

3. The division may grant financial assistance for attorney's fees in the adoption proceeding, for maintenance and for preexisting physical or

mental conditions to the adoptive parents *of a child with special needs* out of money provided for that purpose if the administrator of the division has reviewed and approved in writing the ~~proposed adoption and~~ grant of *financial* assistance.

4. The grant of financial assistance must be limited, both as to amount and duration, by agreement in writing between the division and the adoptive parents. ~~The agreement does~~ *Such an agreement must* not become effective ~~until~~ *before* the entry of the order of adoption.

5. Any grant of financial assistance must be reviewed and evaluated at least once annually by the division. The evaluation must be presented for approval to the administrator of the division. Financial assistance must be discontinued immediately upon written notification to the adoptive parents by the division that continued assistance is denied.

6. All financial assistance provided under this section ceases immediately when the child attains majority, becomes self-supporting, is emancipated or dies, whichever occurs first.

7. Neither a grant of financial assistance pursuant to this section nor any discontinuance of such assistance affects the legal status or respective obligations of any party to the adoption.

8. A court shall waive all court costs of the proposed adoptive parents in an adoption proceeding for a child with special needs if the division or child-placing agency consents to the adoption of such a child pursuant to this section.

Sec. 4. NRS 127.2817 is hereby amended to read as follows:

127.2817 *1.* The division shall ~~+~~

~~1. Adopt~~ *adopt* regulations setting forth the criteria to be used by the division or a licensed child-placing agency for determining whether a prospective adoptive home is suitable or unsuitable for the placement of a child for adoption. ~~+~~ *and*

~~2. If a determination is made pursuant to an investigation required by~~

2. Upon the completion of an investigation conducted by the division or a licensed child-placing agency pursuant to NRS 127.120 or 127.2805, the division or child-placing agency shall inform the prospective adoptive parent or parents of the results of the investigation. If, pursuant to the investigation, a determination is made that a prospective adoptive home is unsuitable for placement or detrimental to the interest of the child, the division or child-placing agency shall provide the prospective adoptive parent or parents with an opportunity to review and respond to the investigation with the division before the issuance of the results of the investigation. The identity of those persons who are interviewed or submit information concerning the investigation must remain confidential.

Sec. 5. Section 3 of this act becomes effective at 12:01 a.m. on October 1, 2001.