

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, OCEGUERA, PARNELL, PERKINS, PRICE, SMITH AND WILLIAMS

MARCH 13, 2001

Referred to Committee on Health and Human Services

SUMMARY—Requires provision of certain information and assistance to certain adoptive parents, prospective adoptive parents and other persons involved in adoption of child. (BDR 38-1186)

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

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

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, under certain circumstances, the division of child and family services of the department of human resources and a child-placing agency 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:

- 1 **Section 1.** Chapter 127 or NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *When the division or a child-placing agency licensed by the*
4 *division pursuant to this chapter receives an application by a person to*
5 *receive the placement of a child for adoption, the division or child-*
6 *placing agency shall:*
7 (a) *Provide to the applicant accurate and detailed written information*
8 *regarding any subsidies, assistance and other services that may be*
9 *available to the applicant if the child has been or is later determined to*
10 *have any special needs; and*
11 (b) *Obtain from the applicant written confirmation that the applicant*
12 *has received the required information.*



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1 ***2. The division shall adopt regulations specifying the information***
2 ***that must be provided pursuant to subsection 1.***

3 **Sec. 2.** NRS 127.009 is hereby amended to read as follows:

4 127.009 1. The division shall prepare a booklet on adoption in this
5 state which includes the following information:

6 (a) The legal basis of adoption;

7 (b) The purpose of adoption;

8 (c) The process of adoption;

9 (d) The number of children who are waiting to be adopted, including
10 statistical information regarding:

11 (1) The gender and ethnic background of the children who are
12 waiting to be adopted;

13 (2) The number of children placed in foster homes who are waiting to
14 be adopted;

15 (3) The number of children with special needs who are waiting to be
16 adopted; and

17 (4) The number of siblings who are waiting to be adopted;

18 (e) The name and location of agencies in Nevada that place children
19 with adoptive parents;

20 (f) The number of prospective adoptive parents;

21 (g) A comparison of Nevada to the surrounding states regarding the
22 placement of children with adoptive parents; ~~and~~

23 (h) A comparison of the division to other agencies located in Nevada
24 regarding the placement of children with adoptive parents ~~+~~; ***and***

25 ***(i) Any subsidies, assistance and other services that may be available***
26 ***to adoptive parents and prospective adoptive parents, including, without***
27 ***limitation, services for children with special needs.***

28 2. The division shall:

29 (a) Revise the information in the booklet annually.

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

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

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

37 127.186 1. The division, or a child-placing agency licensed by the
38 division pursuant to this chapter, may consent to the adoption of a child
39 under 18 years of age with special needs due to race, age or physical or
40 mental problems who is in the custody of the division or the licensed
41 agency by proposed adoptive parents when, in the judgment of the division
42 or the licensed agency, it would be in the best interests of the child to be
43 placed in that adoptive home.

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

46 ***(a) Upon:***

47 ***(1) Its discovery of any facts indicating that a child in its custody***
48 ***may have any special needs;***



1 (2) *The request of a proposed adoptive parent with whom it*
2 *proposes to place a child for adoption; or*

3 (3) *The request of an adoptive parent who has completed*
4 *the adoption of a child with whom it placed the child for*
5 *adoption,*
6 *schedule any evaluations necessary to identify any special needs the child*
7 *may have.*

8 (b) *If it determines, either before or after the adoption of a child*
9 *whom it has placed for adoption, that the child has any special needs* ~~and~~
10 ~~notify~~ :

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

13 ~~—(a)—~~ :

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

16 ~~—(b)—~~ ; and

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

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

23 3. The division may grant financial assistance for attorney's fees and
24 court costs in the adoption proceeding, for maintenance and for preexisting
25 physical or mental conditions to the adoptive parents *of a child with*
26 *special needs* out of money provided for that purpose if the administrator
27 of the division has reviewed and approved in writing the ~~proposed~~
28 ~~adoption and~~ grant of *financial* assistance. *If the adoptive parents of a*
29 *child with special needs apply for a grant of financial assistance*
30 *pursuant to this section after the completion of proceedings for the*
31 *adoption of the child, the division may, within the limitations of available*
32 *funding, provide the financial assistance specified in this subsection for*
33 *such expenses as are incurred after the administrator of the division has*
34 *reviewed and approved in writing the grant of financial assistance.*

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

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

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

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



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1 **Sec. 4.** NRS 127.2817 is hereby amended to read as follows:
2 127.2817 The division shall:
3 1. Adopt regulations setting forth the criteria to be used by the division
4 or a licensed child-placing agency for determining whether a prospective
5 adoptive home is suitable or unsuitable for the placement of a child for
6 adoption; and
7 2. ~~If a determination is made pursuant to an investigation required by~~
8 *Upon the completion of an investigation conducted by the division*
9 *pursuant to NRS 127.120 or 127.2805 , inform the prospective adoptive*
10 *parents of the results of the investigation. If, pursuant to the*
11 *investigation, a determination is made* that a prospective adoptive home is
12 unsuitable for placement or detrimental to the interest of the child, *the*
13 *division shall* provide the prospective adoptive ~~parent or~~ parents with an
14 opportunity to review and respond to the investigation with the division
15 before the issuance of the results of the investigation. The identity of those
16 persons who are interviewed or submit information concerning the
17 investigation must remain confidential.

