

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 11-1186)

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 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:

- 1 **Section 1.** NRS 127.009 is hereby amended to read as follows:
2 127.009 1. The division shall prepare a booklet on adoption in this
3 state which includes the following information:
4 (a) The legal basis of adoption;
5 (b) The purpose of adoption;
6 (c) The process of adoption;
7 (d) The number of children who are waiting to be adopted, including
8 statistical information regarding:
9 (1) The gender and ethnic background of the children who are
10 waiting to be adopted;
11 (2) The number of children placed in foster homes who are waiting to
12 be adopted;



- 1 (3) The number of children with special needs who are waiting to be
2 adopted; and
3 (4) The number of siblings who are waiting to be adopted;
4 (e) The name and location of agencies in Nevada that place children
5 with adoptive parents;
6 (f) The number of prospective adoptive parents;
7 (g) A comparison of Nevada to the surrounding states regarding the
8 placement of children with adoptive parents; ~~and~~
9 (h) A comparison of the division to other agencies located in Nevada
10 regarding the placement of children with adoptive parents ~~and~~; and
11 *(i) Any subsidies, assistance and other services that may be available*
12 *to adoptive parents and prospective adoptive parents, including, without*
13 *limitation, services for children with special needs.*
14 2. The division shall:
15 (a) Revise the information in the booklet annually.
16 (b) Distribute the booklet to persons and organizations whose patients
17 or clients are likely to become involved with the process of adoption in this
18 state. The booklet must also be distributed to prospective adoptive parents
19 and natural parents giving children up for adoption.
20 3. The division may accept gifts and grants to assist in the production
21 and distribution of the booklet.
22 **Sec. 2.** NRS 127.152 is hereby amended to read as follows:
23 127.152 1. Except as otherwise provided in subsection ~~2,~~ 3, the
24 division or a licensed child-placing agency shall provide the adopting
25 parents of a child with a report which includes:
26 (a) A copy of any medical records of the child which are in the
27 possession of the division or licensed child-placing agency. ~~and~~
28 (b) Any information obtained by the division or licensed child-placing
29 agency during interviews of the natural parent regarding:
30 (1) The medical and sociological history of the child and the natural
31 parents of the child; and
32 (2) Any behavioral, emotional or psychological problems that the
33 child may have. Information regarding any behavioral, emotional or
34 psychological problems that the child may have must be discussed in
35 accordance with policies adopted by the division for the disclosure of such
36 information.
37 *(c) Written information regarding any subsidies, assistance and other*
38 *services that may be available to the child if it is determined pursuant to*
39 *NRS 127.186 that he has any special needs.*
40 2. *The division or child-placing agency shall obtain from the*
41 *adopting parents written confirmation that the adopting parents have*
42 *received the report required pursuant to subsection 1.*
43 3. The report ~~created~~ *required* pursuant to subsection 1 must exclude
44 any information that would lead to the identification of the natural parent.
45 **Sec. 3.** NRS 127.186 is hereby amended to read as follows:
46 127.186 1. The division, or a child-placing agency licensed by the
47 division pursuant to this chapter, may consent to the adoption of a child
48 under 18 years of age with special needs due to race, age or physical or
49 mental problems who is in the custody of the division or the licensed



1 agency by proposed adoptive parents when, in the judgment of the division
2 or the licensed agency, it would be in the best interests of the child to be
3 placed in that adoptive home.

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

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

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

9 *(I) Notify* the proposed adoptive parents ~~{of a child who is~~
10 ~~determined to have special needs:~~

11 ~~—(a)—~~ :

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

14 ~~—(b)—~~ ; and

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

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

21 3. The division may grant financial assistance for attorney's fees in the
22 adoption proceeding, for maintenance and for preexisting physical or
23 mental conditions to the adoptive parents *of a child with special needs* out
24 of money provided for that purpose if the administrator of the division has
25 reviewed and approved in writing the ~~{proposed adoption and}~~ grant of
26 *financial* assistance.

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

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

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

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

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

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

47 127.2817 *1.* The division shall ~~{}~~

48 ~~—1. Adopt}~~ *adopt* regulations setting forth the criteria to be used by the
49 division or a licensed child-placing agency for determining whether a



1 prospective adoptive home is suitable or unsuitable for the placement of a
2 child for adoption. ~~1; and~~

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

4 *2. Upon the completion of an investigation conducted by the division*
5 *or a licensed child-placing agency pursuant to NRS 127.120 or*
6 *127.2805, the division or child-placing agency shall inform the*
7 *prospective adoptive parent or parents of the results of the investigation.*
8 *If, pursuant to the investigation, a determination is made* that a
9 prospective adoptive home is unsuitable for placement or detrimental to the
10 interest of the child, *the division or child-placing agency shall* provide the
11 prospective adoptive parent or parents with an opportunity to review and
12 respond to the investigation with the division before the issuance of the
13 results of the investigation. The identity of those persons who are
14 interviewed or submit information concerning the investigation must
15 remain confidential.

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

