

ASSEMBLY BILL NO. 43—COMMITTEE ON HEALTH
AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILDREN, YOUTH AND FAMILIES)

PREFILED FEBRUARY 4, 2005

Referred to Committee on Health and Human Services

SUMMARY—Establishes certain rights for children who are placed
in foster homes. (BDR 38-672)

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

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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 protection of children; establishing certain
rights for children who are placed in foster homes; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law prohibits a person from establishing a family or group foster home
- 2 without receiving a license from the appropriate licensing authority. (NRS 424.030)
- 3 Under existing law, if the licensing authority finds that a child in a foster home is
- 4 subject to undesirable influences or lacks proper or wise care and management, the
- 5 licensing authority must order the child to be removed from the home.
- 6 (NRS 424.060)
- 7 This bill establishes a "bill of rights" for children who are placed in foster
- 8 homes. These rights address various aspects of the life and activities of foster
- 9 children, including the treatment of a child, contact with family members, choice of
- 10 religious services, financial management, education and fair and equal access to
- 11 services, placement and care. Foster children are also given the right to
- 12 confidentially contact an agency which provides child welfare services concerning
- 13 their care.



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

Section 1. Chapter 424 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Every child placed in a foster home has the right to:

(a) Live in a safe, healthy and comfortable environment.

(b) Be treated with respect.

(c) Be free from:

(1) Abuse or neglect, as defined in NRS 432B.020; and

(2) Corporal punishment, as defined in NRS 388.5225.

(d) Receive adequate and healthy food and adequate clothing.

(e) Receive medical care, including dental, vision and mental health services, paid for with money of the State of Nevada, the Federal Government or a local government.

(f) Except as otherwise prohibited by a court order:

(1) Contact a family member, social worker, attorney, advocate for children receiving foster care services, counsel or guardian ad litem appointed by a court and probation officer; and

(2) Contact and visit his siblings.

↪ A provider of foster care may impose reasonable restrictions as to the time, place and manner in which the contact may occur pursuant to this paragraph.

(g) Confidentially contact and communicate with an agency which provides child welfare services concerning his care.

(h) Attend religious services of his choice.

(i) Maintain a bank account and manage personal income, consistent with the age and developmental level of the child, unless otherwise prohibited by an agency which provides child welfare services.

(j) Not be locked in any room, building or premises of a foster home.

(k) Receive an education as required by law.

(l) Participate in extracurricular, cultural and personal enrichment activities which are consistent with the age and developmental level of the child. A provider of foster care may impose reasonable restrictions as to the time, place and manner in which a child may participate in such activities.

(m) Work and develop job skills, to the extent authorized by law.

(n) Attend a class or program concerning independent living for which he is qualified that is offered by an agency which provides child welfare services, the State of Nevada or any contractor or agent of the agency which provides child welfare services or of the State of Nevada.



- 1 (o) Attend and participate in a court hearing which affects the
2 child, to the extent authorized by law.
3 (p) Be informed of any plan adopted for his permanent
4 placement pursuant to NRS 432B.553 and of any changes made to
5 the plan, if the child is over 12 years of age.
6 (q) Receive information concerning his placement and be
7 informed of any changes concerning his placement.
8 (r) Have fair and equal access to services, placement and care.
9 2. As used in this section, "agency which provides child
10 welfare services" has the meaning ascribed to it in NRS 432B.030.



