

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 guidelines and requirements for provision of care, management, treatment, services and opportunities to 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 guidelines and requirements for the provision of care, management, treatment, services and opportunities by agencies which provide child welfare services and providers of foster care to children who are placed in foster homes; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person from establishing a family or group foster home without receiving a license from the appropriate licensing authority. (NRS 424.030) Under existing law, if the licensing authority finds that a child in a foster home is subject to undesirable influences or lacks proper or wise care and management, the licensing authority must order the child to be removed from the home. (NRS 424.060)

This bill establishes certain guidelines and requirements for the provision of care, management, treatment, services and opportunities by agencies which provide child welfare services and providers of foster care to children who are placed in foster homes. These guidelines and requirements address various aspects of the life and activities of foster children, including the treatment of a child, contact with family members, choice of religious services, financial management, education and fair and equal access to services, placement and care. Foster children must also be



14 given a reasonable opportunity to confidentially contact an agency which provides
15 child welfare services concerning their care.

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

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

3 ***1. An agency which provides child welfare services shall***
4 ***ensure that each child it places in a foster home is able to:***

5 ***(a) Attend and participate in a court hearing which affects the***
6 ***child, to the extent authorized by law;***

7 ***(b) Be informed of any plan adopted for his permanent***
8 ***placement pursuant to NRS 432B.553 and of any changes made to***
9 ***the plan, if the child is over 12 years of age;***

10 ***(c) Receive information concerning his placement and be***
11 ***informed of any changes concerning his placement; and***

12 ***(d) Have fair and equal access to services, placement and care.***

13 ***2. Each provider of foster care shall provide wise care and***
14 ***management for each child placed in his care, including, without***
15 ***limitation, the provision of:***

16 ***(a) A safe, healthy and comfortable environment;***

17 ***(b) Respectful treatment;***

18 ***(c) Freedom from:***

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

20 ***(2) Corporal punishment, as defined in NRS 388.5225; and***

21 ***(3) Being locked in any room, building or premises of the***
22 ***foster home;***

23 ***(d) An education as required by law;***

24 ***(e) Adequate and healthy food and adequate clothing; and***

25 ***(f) Medical care, including dental, vision and mental health***
26 ***services, paid for with money of the State of Nevada, the Federal***
27 ***Government or a local government.***

28 ***3. Except as otherwise prohibited by a court order, each***
29 ***provider of foster care shall provide an opportunity for each child***
30 ***placed in his care to:***

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

34 ***(b) Contact and visit his siblings;***

35 ***(c) Confidentially contact and communicate with an agency***
36 ***which provides child welfare services concerning his care;***

37 ***(d) Attend religious services of his choice;***



1 (e) Maintain a bank account and manage personal income,
2 consistent with the age and developmental level of the child,
3 unless otherwise prohibited by an agency which provides child
4 welfare services;

5 (f) Participate in extracurricular, cultural and personal
6 enrichment activities which are consistent with the age and
7 developmental level of the child;

8 (g) Work and develop job skills, to the extent authorized by
9 law; and

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

15 ➡ The opportunities set forth in this subsection are subject to
16 reasonable restrictions by the provider of foster care as to the time,
17 place and manner in which they are provided.

18 4. As used in this section, "agency which provides child
19 welfare services" has the meaning ascribed to it in NRS 432B.030.



