

ASSEMBLY BILL NO. 46—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—Makes various changes concerning provision of
child welfare services. (BDR 17-666)

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 protection of children; revising the provisions governing the Legislative Committee on Children, Youth and Families; extending the prospective expiration of the Committee; requiring the Committee to conduct a study of the child support collection process in this State; requiring the Division of Child and Family Services of the Department of Human Resources to develop a plan for funding the provision of child welfare services in this State and to transfer certain duties of the Division to an agency of the county in certain large counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Legislative Committee on Children, Youth and Families, which is scheduled to cease operation on June 30, 2005. (NRS 218.5372-218.53727)

This bill extends the operation of the Legislative Committee on Children, Youth and Families to June 30, 2007, broadens the Committee's scope with regard to the issues it may study, comment and make recommendations on and provides for the additional appointment of nonvoting advisory members to the Committee to facilitate the work of the Committee. This bill also directs the Committee to conduct a study of the child support collection process in this State.



Existing law gives responsibility for duties relating to the provision of child welfare services, including foster care services, to agencies of counties in each county whose population is 100,000 or more (currently Clark and Washoe Counties). (Chapters 424 and 432B of NRS) The duties were transferred from the Division of Child and Family Services of the Department of Human Resources to such counties in 2001. (Chapter 1, Statutes of Nevada 2001, 17th Special Session, at page 1) At that time, the Division was specifically required to provide child welfare services in such counties as necessary until an agency in the county is fully capable of providing child welfare services. (Section 135, Chapter 1, Statutes of Nevada 2001, 17th Special Session, at page 61)

This bill requires the Division and each agency which provides child welfare services in a county whose population is 100,000 or more to develop a plan to fund child welfare services in this State.

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

Section 1. Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Committee shall conduct a study of the child support collection process in this State. The study must include, without limitation:

(a) An evaluation of the current structure, method and processes used to enforce child support obligations in this State.

(b) Federal and state laws concerning the enforcement of child support obligations.

(c) Any other matters that, in the determination of the Committee, affect child support in this State.

2. The Committee may conduct investigations and hold hearings in connection with its powers pursuant to this section.

3. The Committee may request that the Legislative Counsel Bureau assist in the study.

4. The Committee shall make recommendations to the Legislature concerning the manner in which the child support collection process in this State may be improved.

Sec. 2. NRS 218.5372 is hereby amended to read as follows:

218.5372 As used in NRS 218.5372 to 218.53727, inclusive, ***and section 1 of this act***, “Committee” means the Legislative Committee on Children, Youth and Families.

Sec. 3. NRS 218.53723 is hereby amended to read as follows:

218.53723 1. There is hereby established a Legislative Committee on Children, Youth and Families consisting of:

(a) Five members appointed by the Majority Leader of the Senate, at least two of whom were members of the Committee on Finance during the immediately preceding legislative session; and



(b) Five members appointed by the Speaker of the Assembly, at least two of whom were members of the Committee on Ways and Means during the immediately preceding legislative session.

2. The members of the Committee shall elect a Chairman and Vice Chairman from among their members. The Chairman must be elected from one house of the Legislature and the Vice Chairman from the other house. After the initial election of a Chairman and Vice Chairman, each of those officers holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the Chairmanship or Vice Chairmanship, the members of the Committee shall elect a replacement for the remainder of the unexpired term.

3. *The Chairman may appoint additional nonvoting advisory members as he deems necessary to facilitate the work of the Committee.*

4. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next session of the Legislature.

~~4.1~~ 5. Vacancies on the Committee must be filled in the same manner as the original appointments.

Sec. 4. NRS 218.53725 is hereby amended to read as follows:

218.53725 1. The members of the Committee shall meet throughout each year at the times and places specified by a call of the Chairman or a majority of the Committee.

2. The Director of the Legislative Counsel Bureau or his designee shall act as the nonvoting recording Secretary.

3. The Committee shall prescribe regulations for its own management and government.

4. Except as otherwise provided in subsection 5, six voting members of the Committee constitute a quorum.

5. Any recommended legislation proposed by the Committee must be approved by a majority of the members of the Senate and by a majority of the members of the Assembly appointed to the Committee.

6. Except during a regular or special session of the Legislature, the *voting* members of the Committee are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207 for each day or portion of a day of attendance at a meeting of the Committee and while engaged in the business of the Committee. The salaries and expenses paid pursuant to this



1 subsection and the expenses of the Committee must be paid from the
2 Legislative Fund.

3 **Sec. 5.** NRS 218.53727 is hereby amended to read as follows:
4 218.53727 The Committee ~~shall~~ *may*:

5 1. Study and comment upon issues ~~related to the~~ *relating to:*

6 *(a) Youth and families within this State, including, without*
7 *limitation:*

8 *(1) Programs for the provision of services to youth and*
9 *families in this State;*

10 *(2) Methods to enhance such programs and to ensure that*
11 *youth and families are receiving services in the most appropriate*
12 *setting;*

13 *(3) Federal and state laws concerning youth and families;*

14 *(4) The availability of useful information and data as*
15 *needed for the State of Nevada effectively to make decisions, plan*
16 *budgets and monitor costs and outcomes of services provided to*
17 *youth and families;*

18 *(5) Methods to increase the availability of such information*
19 *and data;*

20 *(6) Compliance with federal requirements which affect*
21 *youth and families; and*

22 *(7) Any other matters that, in the determination of the*
23 *Committee, affect youth and families.*

24 *(b) The* provision of child welfare services within this State,
25 including, without limitation:

26 ~~[(a)]~~ *(1) Programs for the provision of child welfare services;*

27 ~~[(b)]~~ *(2) Licensing and reimbursement of providers of foster*
28 *care;*

29 ~~[(c)]~~ *(3) Mental health services; and*

30 ~~[(d)]~~ *(4) Compliance with federal requirements.*

31 2. Receive progress reports and testimony from the Division of
32 Child and Family Services of the Department of Human Resources
33 on the activities of each mental health consortium established
34 pursuant to NRS 433B.333.

35 3. Conduct investigations and hold hearings in connection with
36 its powers pursuant to this section.

37 4. Request that the Legislative Counsel Bureau assist in the
38 study of issues related to *youth and families and* the provision of
39 child welfare services within this State.

40 5. Make recommendations to the Legislature concerning ~~the~~ :

41 *(a) Issues involving youth and families within this State; and*

42 *(b) The manner in which the provision of child welfare services*
43 *within this State may be improved.*



Sec. 6. Section 139 of Chapter 1, Statutes of Nevada 2001, 17th Special Session, at page 62, is hereby amended to read as follows:

Sec. 139. 1. This section and sections 128, 134, 136 and 140 of this act become effective upon passage and approval.

2. Sections 35 to 39, inclusive, 131, 137 and 138 of this act become effective on July 1, 2001.

3. Sections 1 to 9, inclusive, 11, 13 to 20, inclusive, 22 to 34, inclusive, 40 to 92, inclusive, 94 to 126, inclusive, 129, 130, 132, 133 and 135 of this act become effective on October 1, 2001.

4. Sections 10, 21 and 93 of this act become effective at 12:01 a.m. on October 1, 2001.

5. Section 12 of this act becomes effective at 12:02 a.m. on October 1, 2001.

6. Section 126 of this act expires by limitation on January 1, 2005.

7. Sections 35 to 39, inclusive, 122 and 131 of this act expire by limitation on June 30, ~~2005~~ 2007.

8. Section 127 of this act becomes effective on July 1, ~~2005~~ 2007.

Sec. 7. Section 3 of Chapter 24, Statutes of Nevada 2003, at page 359, is hereby amended to read as follows:

Sec. 3. 1. This section and section 1 of this act become effective on October 1, 2003.

2. Section 1 of this act expires by limitation on June 30, ~~2005~~ 2007.

3. Section 2 of this act becomes effective ~~at 12:01 a.m.~~ on July 1, ~~2005~~ 2007.

Sec. 8. 1. The Division of Child and Family Services of the Department of Human Resources, in consultation with each agency which provides child welfare services in a county whose population is 100,000 or more, shall develop a plan for funding the provision of child welfare services in this State. The plan must:

(a) For a county whose population is 100,000 or more, include, without limitation, a proposal for transferring the responsibility for children who are receiving higher levels of care from the Division of Child and Family Services to the agency which provides child welfare services in the county; and

(b) Address the fiscal responsibility of the State and each county whose population is 100,000 or more for any increases in the costs of providing child welfare services.

2. The Division of Child and Family Services shall submit the plan developed pursuant to this section to the Legislative Committee



1 on Children, Youth and Families established pursuant to NRS
2 218.53723, the Interim Finance Committee and the Governor on or
3 before August 1, 2006, for their review.

4 3. As used in this section, “higher levels of care” includes,
5 without limitation, all levels of foster care above care that is
6 provided in a family foster home, including, without limitation,
7 foster care which is provided in a therapeutic care home or in a
8 group, residential treatment or institutional setting.

9 **Sec. 9.** 1. This act becomes effective on June 30, 2005.

10 2. Sections 1 to 5, inclusive, of this act expire by limitation on
11 June 30, 2007.



