

Amendment No. 40

Assembly Amendment to Assembly Bill No. 35	(BDR 38-667)
Proposed by: Committee on Health and Human Services	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 2, page 2, by deleting lines 3 through 7 and inserting:

“Sec. 2. 1. Except as otherwise provided in subsection 2, a youth who is in foster care may enter into an agreement with an agency which provides child welfare services to continue to receive maintenance and special services if the youth:

(a) Is enrolled as a full-time student at a university, college, trade school or technical school; and

(b) Maintains at least a 2.0 grade point average on a 4.0 grading scale.

2. The Division shall establish criteria with respect to youth who have a documented physical or mental disability to exempt those youth from the requirement to be enrolled full time to enter into an agreement pursuant to subsection 1.”.

Amend sec. 2, page 2, line 8, by deleting “2.” and inserting “3.”.

YMG/LH

Date: 4/4/2005

A.B. No. 35—Makes various changes concerning provision of public services for children.

Amend sec. 2, page 2, line 9, by deleting “*child must*” and inserting “*youth must*”.

Amend sec. 2, page 2, by deleting lines 11 and 12 and inserting:

“evidencing his satisfaction of the requirements of subsection 1 to the extent that he is not exempt pursuant to subsection 2.”.

Amend sec. 2, page 2, line 13, by deleting “3.” and inserting “4.”.

Amend sec. 2, page 2, by deleting lines 15 through 24 and inserting:

“youth.

5. The agreement may be terminated by:

(a) Mutual agreement;

(b) The agency which provides child welfare services if the youth fails to comply with any term or condition in the agreement; or

(c) The youth if the youth no longer wishes to receive maintenance and special services pursuant to the agreement.

6. As used in this section, “youth” means a person who is 18 years of age or older but less than 22 years of age and who was in foster care when he reached 18 years of age.”.

Amend sec. 6, page 4, line 35, after “*child*” by inserting:

“is a youth who”.

Amend sec. 7, page 6, line 1, by deleting “*child*” and inserting “*youth*”.

Amend sec. 7, page 6, line 5, by deleting “*child.*” and inserting “*youth.*”.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law defines an agency which provides child welfare services as the local office of the Division of Child and Family Services of the Department of Human Resources or the county agency that provides or arranges for necessary child welfare services. (NRS 432B.030) Under existing law, an agency which provides child welfare services is required to provide, to some extent, maintenance and special services to children waiting to be adopted and children placed in foster homes, homes of relatives or other facilities or institutions. (NRS 432.020) Maintenance includes general expenses for care such as board, shelter, clothing, transportation and other necessary or incidental expenses. Special services include medical, hospital, psychiatric, surgical or dental services. Maintenance and special services must be provided until the child reaches the age of 18 or until graduation from high school. (NRS 432.010)

This bill authorizes a youth who is at least 18 years of age, but less than 22 years of age, and who was in foster care when he reached 18 years of age to enter into an agreement with an agency which provides child welfare services to continue to receive maintenance and special services. Such an agreement may be entered only if the youth is enrolled as a full-time student at a university, college, trade school or technical school and maintains at least a 2.0 grade point average, unless the youth is exempt from that requirement because of a disability. Any such agreement must not extend beyond the 22nd birthday of the youth.

This bill requires an agency which provides child welfare services to develop a plan for a child to transition from foster care to economic self-sufficiency. This plan must be developed for each child who is likely to remain in foster care until the age of 18 years. The plan must include, among other items, the manner in which the agency will assist the child in obtaining such things as a social security card, medical insurance and housing assistance. The plan must be submitted to the court for its review not later than 6 months before the child reaches the age of 18 years.