

ASSEMBLY BILL NO. 263—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE DIVISION OF CHILD AND FAMILY SERVICES)

MARCH 8, 2007

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Referred to Committee on Health and Human Services

SUMMARY—Makes various changes to provisions governing the abuse and neglect of children. (BDR 38-598)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

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AN ACT relating to children; making various changes to provisions governing the abuse and neglect of children; requiring district attorneys, under certain circumstances, to prosecute certain incidents involving a child fatality; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Existing law authorizes an agency which provides child welfare services to  
2 organize one or more multidisciplinary teams to review the death of a child. (NRS  
3 432B.405) **Section 4** of this bill authorizes the Administrator of the Division of  
4 Child and Family Services of the Department of Health and Human Services to  
5 organize a multidisciplinary team to oversee the child fatality review process for  
6 such agencies. **Section 5** of this bill imposes civil penalties upon members of teams  
7 and committees involved in the child fatality review process who disclose any  
8 confidential information concerning the death of the child. **Section 6** of this bill  
9 provides that multidisciplinary and administrative teams may hold a closed  
10 meeting, or portion thereof, to consider confidential information related to a child  
11 fatality. A multidisciplinary team must prepare a written summary of any meeting  
12 or hearing and make such summary available to the public upon request.

13 **Section 7** of this bill requires a district attorney to notify the appropriate district  
14 court of any incident that involves a child fatality and of his decision whether or not  
15 to prosecute. **Section 7** further requires that in certain counties a grand jury be  
16 impeaneled to inquire into the incident if the prosecutor decides not to prosecute.  
17 The district attorney shall prosecute the case if the grand jury completes its inquiry  
18 and returns an indictment. **Section 7** also requires the court to forward information  
19 received from the district attorneys to the Court Administrator. **Section 20** of this  
20 bill requires the Court Administrator to compile the information and provide an



annual report to the Director of the Legislative Counsel Bureau. The report also must be made available to the public.

**Section 8** of this bill requires the Division of Child and Family Services to evaluate child welfare services provided in this State and to take certain corrective action against an agency which provides child welfare services that fails to comply with federal or state laws relating to the provision of child welfare services. (NRS 432B.180)

**Section 12** of this bill expands existing law by authorizing a designee of an agency investigating a report of abuse or neglect of a child to interview a sibling of the child concerning any possible abuse or neglect without the consent of any person responsible for the child's welfare. (NRS 432B.270)

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

**Section 1.** NRS 432.0155 is hereby amended to read as follows:

432.0155 1. The Department, through the Division, is the sole state agency for the establishment of standards for the receipt of federal money in the field of ~~juvenile~~ :

(a) *Juvenile* development and for programs to prevent, combat and control delinquency ~~;~~ ; and

(b) *Child welfare and child welfare services.*

*↪ The Department, through the Division, shall enforce such standards.*

2. The Administrator, with the approval of the Director, may develop *and enforce* state plans, make reports to the Federal Government and comply with such other conditions as may be imposed by the Federal Government for the receipt of assistance for ~~those~~ *such* programs ~~and~~ *and services described in subsection 1.* In developing and revising state plans, the Administrator shall consider, among other things, the amount of money available from the Federal Government for ~~those~~ *such* programs and *services*, the conditions attached to that money ~~and~~ and the limitations of legislative appropriations for the programs ~~and~~ *and services.*

~~2-~~ 3. The Administrator shall cause to be deposited with the State Treasurer all money allotted to this State by the Federal Government for the purposes described in this section and shall cause to be paid out of the State Treasury the money therein deposited for those purposes.

4. *As used in this section, "child welfare services" has the meaning ascribed to it in NRS 432B.044.*

**Sec. 2.** Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 7, inclusive, of this act.

**Sec. 3.** (Deleted by amendment.)



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1     **Sec. 4. 1.** *The Administrator of the Division of Child and*  
2 *Family Services may organize a multidisciplinary team to oversee*  
3 *any review of the death of a child conducted by a multidisciplinary*  
4 *team that is organized by an agency which provides child welfare*  
5 *services pursuant to NRS 432B.405.*

6     2. *A multidisciplinary team organized pursuant to subsection*  
7 *1 is entitled to the same access and privileges granted to a*  
8 *multidisciplinary team to review the death of a child pursuant to*  
9 *NRS 432B.407.*

10    **Sec. 5. 1.** *Each member of a multidisciplinary team*  
11 *organized pursuant to NRS 432B.405, a multidisciplinary team*  
12 *organized pursuant to section 4 of this act, an administrative*  
13 *team organized pursuant to NRS 432B.408 or the Executive*  
14 *Committee to Review the Death of Children established pursuant*  
15 *to NRS 432B.409 who discloses any confidential information*  
16 *concerning the death of a child is personally liable for a civil*  
17 *penalty of not more than \$500.*

18    2. *The Administrator of the Division of Child and Family*  
19 *Services:*

20    (a) *May bring an action to recover a civil penalty imposed*  
21 *pursuant to subsection 1 against a member of a multidisciplinary*  
22 *team organized pursuant to section 4 of this act, an administrative*  
23 *team or the Executive Committee; and*

24    (b) *Shall deposit any money received from the civil penalty*  
25 *with the State Treasurer for credit to the State General Fund.*

26    3. *Each director or other authorized representative of the*  
27 *agency which provides child welfare services that organized a*  
28 *multidisciplinary team pursuant to NRS 432B.405:*

29    (a) *May bring an action to recover a civil penalty pursuant to*  
30 *subsection 1 against a member of the multidisciplinary team; and*

31    (b) *Shall deposit any money received from the civil penalty in*  
32 *the appropriate county treasury.*

33    **Sec. 6. 1.** *Except as otherwise provided in subsection 2, a*  
34 *meeting or hearing to carry out the purposes of this section and*  
35 *NRS 432B.403 to 432B.409, inclusive, and sections 4, 5 and 6 of*  
36 *this act that is held by a multidisciplinary team organized pursuant*  
37 *to NRS 432B.405 or an administrative team organized pursuant to*  
38 *NRS 432B.408 and any deliberations are subject to any provision*  
39 *of chapter 241 of NRS.*

40    2. *A multidisciplinary team or an administrative team may*  
41 *hold a closed meeting or close a portion of a meeting to discuss or*  
42 *consider confidential information concerning a particular child*  
43 *fatality or near fatality as defined in NRS 432B.290.*

44    3. *Within a reasonable time after holding a meeting or*  
45 *hearing to carry out the purposes of this section and NRS*



1 432B.403 to 432B.409, inclusive, and sections 4, 5 and 6 of this  
2 act, a multidisciplinary team shall prepare a written summary of  
3 the meeting or hearing. The summary must be made available to  
4 the public upon request.

5 **Sec. 7. 1.** A district attorney shall notify the appropriate  
6 district court of any incident that involves a child fatality and of  
7 his decision whether or not to prosecute.

8 2. In a county whose population is 100,000 or more, when a  
9 district attorney notifies a district court pursuant to subsection 1 of  
10 a decision not to prosecute in relation to an incident that involves  
11 a child fatality:

12 (a) The district judge shall impanel a grand jury to inquire  
13 into the incident; and

14 (b) The district attorney shall appear before the grand jury and  
15 present evidence concerning the incident.

16 3. If the grand jury returns an indictment after inquiring into  
17 an incident that involves a child fatality:

18 (a) The indictment must be returned in the manner set forth in  
19 NRS 172.255; and

20 (b) The district attorney shall prosecute the person identified  
21 by the grand jury as having committed an offense.

22 4. The failure of the grand jury to return an indictment after  
23 inquiring into an incident that involves a child fatality does not  
24 prevent the district attorney from prosecuting a person who was a  
25 subject of the grand jury investigation if the district attorney  
26 subsequently discovers additional evidence against the person.

27 5. Each district court shall forward to the Court  
28 Administrator at such times as the Court Administrator requests:

29 (a) Any information received from a district attorney pursuant  
30 to this section concerning a child fatality;

31 (b) Information concerning whether a grand jury was  
32 impaneled; and

33 (c) If a grand jury was impaneled, whether the grand jury  
34 returned an indictment.

35 **Sec. 8.** NRS 432B.180 is hereby amended to read as follows:

36 432B.180 The Division of Child and Family Services shall:

37 1. Administer any money granted to the State by the Federal  
38 Government.

39 2. Plan, coordinate and monitor the delivery of child welfare  
40 services provided throughout the State.

41 3. Provide child welfare services directly or arrange for the  
42 provision of those services in a county whose population is less than  
43 100,000.

44 4. Coordinate its activities with and assist the efforts of any law  
45 enforcement agency, a court of competent jurisdiction, an agency



1 which provides child welfare services and any public or private  
2 organization which provides social services for the prevention,  
3 identification and treatment of abuse or neglect of children and for  
4 permanent placement of children.

5 5. Involve communities in the improvement of child welfare  
6 services.

7 6. Evaluate all child welfare services provided throughout the  
8 State and ~~[withhold money from any agency providing]~~ , *if an*  
9 *agency which provides child welfare services is not complying with*  
10 *any federal or state law relating to the provision of child welfare*  
11 *services, regulations adopted pursuant to those laws or statewide*  
12 *plans or policies relating to the provision of child welfare services,*  
13 *recommend corrective action to the agency which provides child*  
14 *welfare services. If the agency which provides child welfare*  
15 *services fails to take corrective action within a reasonable period,*  
16 *the Division shall take one or more of the following actions*  
17 *against an agency which provides child welfare services: [child*  
18 *welfare services which is not complying with the regulations*  
19 *adopted by the Division of Child and Family Services.*

20 ~~— 7. Evaluate the plans submitted for approval pursuant to~~  
21 ~~NRS 432B.395.]~~

22 (a) *Withhold money from the agency which provides child*  
23 *welfare services;*

24 (b) *Impose an administrative fine against the agency which*  
25 *provides child welfare services;*

26 (c) *Provide the agency which provides child welfare services*  
27 *with direct supervision and recover the cost and expenses incurred*  
28 *by the Division in providing such supervision; and*

29 (d) *Require the agency which provides child welfare services to*  
30 *determine whether it is necessary to impose disciplinary action*  
31 *that is consistent with the personnel rules of the agency which*  
32 *provides child welfare services against an employee who*  
33 *substantially contributes to the noncompliance of the agency*  
34 *which provides child welfare services with the federal or state*  
35 *laws, regulations adopted pursuant to such laws or statewide plans*  
36 *or policies, including, without limitation, suspension of the*  
37 *employee without pay, if appropriate.*

38 ~~[8-]~~ 7. In consultation with each agency which provides child  
39 welfare services, request sufficient money for the provision of child  
40 welfare services throughout this State.

41 8. *Deposit any money received from the administrative fines*  
42 *imposed pursuant to this section with the State Treasurer for*  
43 *credit to the State General Fund. The State Treasurer shall*  
44 *account separately for the money deposited pursuant to this*  
45 *subsection. The money in the account may only be used by the*



*Division to improve the provision of child welfare services in this State.*

**Sec. 9.** NRS 432B.190 is hereby amended to read as follows:

432B.190 The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:

1. Regulations establishing reasonable and uniform standards for:

(a) Child welfare services provided in this State;

(b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;

(c) The development of local councils involving public and private organizations;

(d) Reports of abuse or neglect, records of these reports and the response to these reports;

(e) Carrying out the provisions of NRS 432B.260, including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;

(f) The management and assessment of reported cases of abuse or neglect;

(g) The protection of the legal rights of parents and children;

(h) Emergency shelter for a child;

(i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;

~~(j) [Evaluating the development and contents of a plan submitted for approval pursuant to NRS 432B.395;~~

~~—(k)]~~ Developing and distributing to persons who are responsible for a child's welfare a pamphlet that is written in language which is easy to understand, is available in English and in any other language the Division determines is appropriate based on the demographic characteristics of this State and sets forth:

(1) Contact information regarding persons and governmental entities which provide assistance to persons who are responsible for the welfare of children, including, without limitation, persons and entities which provide assistance to persons who are being investigated for allegedly abusing or neglecting a child;

(2) The procedures for taking a child for placement in protective custody; and

(3) The state and federal legal rights of:

(I) A person who is responsible for a child's welfare and who is the subject of an investigation of alleged abuse or neglect of a child, including, without limitation, the legal rights of such a person at the time an agency which provides child welfare services makes initial contact with the person in the course of the



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1 investigation and at the time the agency takes the child for  
2 placement in protective custody, and the legal right of such a person  
3 to be informed of any allegation of abuse or neglect of a child which  
4 is made against the person at the initial time of contact with the  
5 person by the agency; and

6 (II) Persons who are parties to a proceeding held pursuant  
7 to NRS 432B.410 to 432B.590, inclusive, during all stages of the  
8 proceeding; and

9 ~~(4)~~ (k) Making the necessary inquiries required pursuant to  
10 NRS 432B.397 to determine whether a child is an Indian child; and

11 2. Such other regulations as are necessary for the  
12 administration of NRS 432B.010 to 432B.606, inclusive.

13 **Sec. 10.** NRS 432B.220 is hereby amended to read as follows:

14 432B.220 1. Any person who is described in subsection 4  
15 and who, in his professional or occupational capacity, knows or has  
16 reasonable cause to believe that a child has been abused or neglected  
17 shall:

18 (a) Except as otherwise provided in subsection 2, report the  
19 abuse or neglect of the child to an agency which provides child  
20 welfare services or to a law enforcement agency; and

21 (b) Make such a report as soon as reasonably practicable but not  
22 later than 24 hours after the person knows or has reasonable cause to  
23 believe that the child has been abused or neglected.

24 2. If a person who is required to make a report pursuant to  
25 subsection 1 knows or has reasonable cause to believe that the abuse  
26 or neglect of the child involves an act or omission of:

27 (a) A person directly responsible or serving as a volunteer for or  
28 an employee of a public or private home, institution or facility  
29 where the child is receiving child care outside of his home for a  
30 portion of the day, the person shall make the report to a law  
31 enforcement agency.

32 (b) An agency which provides child welfare services or a law  
33 enforcement agency, the person shall make the report to an agency  
34 other than the one alleged to have committed the act or omission,  
35 and the investigation of the abuse or neglect of the child must be  
36 made by an agency other than the one alleged to have committed the  
37 act or omission.

38 3. Any person who is described in paragraph (a) of subsection  
39 4 who delivers or provides medical services to a newborn infant and  
40 who, in his professional or occupational capacity, knows or has  
41 reasonable cause to believe that the newborn infant has been  
42 affected by prenatal illegal substance abuse or has withdrawal  
43 symptoms resulting from prenatal drug exposure shall, as soon as  
44 reasonably practicable but not later than 24 hours after the person  
45 knows or has reasonable cause to believe that the newborn infant is



1 so affected or has such symptoms, notify an agency which provides  
2 child welfare services of the condition of the infant and refer each  
3 person who is responsible for the welfare of the infant to an agency  
4 which provides child welfare services for appropriate counseling,  
5 training or other services. A notification and referral to an agency  
6 which provides child welfare services pursuant to this subsection  
7 shall not be construed to require prosecution for any illegal action.

8 4. A report must be made pursuant to subsection 1 by the  
9 following persons:

10 (a) A physician, dentist, dental hygienist, chiropractor,  
11 optometrist, podiatric physician, medical examiner, resident, intern,  
12 professional or practical nurse, physician assistant, psychiatrist,  
13 psychologist, marriage and family therapist, alcohol or drug abuse  
14 counselor, clinical social worker, athletic trainer, advanced  
15 emergency medical technician or other person providing medical  
16 services licensed or certified in this State.

17 (b) Any personnel of a hospital or similar institution engaged in  
18 the admission, examination, care or treatment of persons or an  
19 administrator, manager or other person in charge of a hospital or  
20 similar institution upon notification of suspected abuse or neglect of  
21 a child by a member of the staff of the hospital.

22 (c) A coroner.

23 (d) A clergyman, practitioner of Christian Science or religious  
24 healer, unless he has acquired the knowledge of the abuse or neglect  
25 from the offender during a confession.

26 (e) A social worker and an administrator, teacher, librarian or  
27 counselor of a school.

28 (f) Any person who maintains or is employed by a facility or  
29 establishment that provides care for children, children's camp or  
30 other public or private facility, institution or agency furnishing care  
31 to a child.

32 (g) Any person licensed to conduct a foster home.

33 (h) Any officer or employee of a law enforcement agency or an  
34 adult or juvenile probation officer.

35 (i) An attorney, unless he has acquired the knowledge of the  
36 abuse or neglect from a client who is or may be accused of the abuse  
37 or neglect.

38 (j) Any person who maintains, is employed by or serves as a  
39 volunteer for an agency or service which advises persons regarding  
40 abuse or neglect of a child and refers them to persons and agencies  
41 where their requests and needs can be met.

42 (k) Any person who is employed by or serves as a volunteer for  
43 an approved youth shelter. As used in this paragraph, "approved  
44 youth shelter" has the meaning ascribed to it in NRS 244.422.



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(l) Any adult person who is employed by an entity that provides organized activities for children.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to *an agency which provides child welfare services or a law enforcement agency. If such a report is made to a law enforcement agency, the law enforcement agency shall notify an agency which provides child welfare services and* the appropriate medical examiner or coroner ~~[- who]~~ *of the report. If such a report is made to an agency which provides child welfare services, the agency which provides child welfare services shall notify the appropriate medical examiner or coroner of the report. The medical examiner or coroner who is notified of a report pursuant to this subsection* shall investigate the report and submit *his written findings* to ~~[an]~~ *the appropriate* agency which provides child welfare services ~~[his—written findings-]~~, *the appropriate district attorney and a law enforcement agency.* The written findings must include, if obtainable, the information required pursuant to the provisions of subsection 2 of NRS 432B.230.

**Sec. 11.** NRS 432B.260 is hereby amended to read as follows:

432B.260 1. Upon the receipt of a report concerning the possible abuse or neglect of a child, an agency which provides child welfare services or a law enforcement agency shall promptly notify the appropriate licensing authority, if any. A law enforcement agency shall promptly notify an agency which provides child welfare services of any report it receives.

2. Upon receipt of a report concerning the possible abuse or neglect of a child, an agency which provides child welfare services or a law enforcement agency shall immediately initiate an investigation if the report indicates that:

(a) The child is 5 years of age or younger;

(b) There is a high risk of serious harm to the child; ~~[or]~~

(c) *The child has suffered a fatality; or*

(d) The child is living in a household in which another child has died, or the child is seriously injured or has visible signs of physical abuse.

3. Except as otherwise provided in subsection 2, upon receipt of a report concerning the possible abuse or neglect of a child or notification from a law enforcement agency that the law enforcement agency has received such a report, an agency which provides child welfare services shall conduct an evaluation not later than 3 days after the report or notification was received to determine



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whether an investigation is warranted. For the purposes of this subsection, an investigation is not warranted if:

(a) The child is not in imminent danger of harm;

(b) The child is not vulnerable as the result of any untreated injury, illness or other physical, mental or emotional condition that threatens his immediate health or safety;

(c) The alleged abuse or neglect of the child or the alleged effect of prenatal illegal substance abuse on or the withdrawal symptoms resulting from *any* prenatal drug exposure of the newborn infant could be eliminated if the child and his family ~~[receive]~~ *are referred to* or participate in social or health services offered in the community, or both; or

(d) The agency determines that the:

(1) Alleged abuse or neglect was the result of the reasonable exercise of discipline by a parent or guardian of the child involving the use of corporal punishment, including, without limitation, spanking or paddling; and

(2) Corporal punishment so administered was not so excessive as to constitute abuse or neglect as described in NRS 432B.150.

4. If the agency determines that an investigation is warranted, the agency shall initiate the investigation not later than 3 days after the evaluation is completed.

5. If an agency which provides child welfare services investigates a report of alleged abuse or neglect of a child pursuant to NRS 432B.010 to 432B.400, inclusive, the agency shall inform the person responsible for the child's welfare who is named in the report as allegedly causing the abuse or neglect of the child of any allegation which is made against the person at the initial time of contact with the person by the agency. The agency shall not identify the person responsible for reporting the alleged abuse or neglect.

6. Except as otherwise provided in this subsection, if the agency determines that an investigation is not warranted, the agency may, as appropriate:

(a) Provide counseling, training or other services relating to child abuse and neglect to the family of the child, or refer the family to a person who has entered into an agreement with the agency to provide those services; or

(b) Conduct an assessment of the family of the child to determine what services, if any, are needed by the family and, if appropriate, provide any such services or refer the family to a person who has entered into a written agreement with the agency to make such an assessment.

➔ If an agency determines that an investigation is not warranted for the reason set forth in paragraph (d) of subsection 3, the agency



1 shall take no further action in regard to the matter and shall delete  
2 all references to the matter from its records.

3 7. If an agency which provides child welfare services enters  
4 into an agreement with a person to provide services to a child or his  
5 family pursuant to subsection 6, the agency shall require the person  
6 to notify the agency if the child or his family ~~refuse or fail~~ *refuses*  
7 *or fails* to participate in the services, or if the person determines that  
8 there is a serious risk to the health or safety of the child.

9 8. An agency which provides child welfare services that  
10 determines that an investigation is not warranted may, at any time,  
11 reverse that determination and initiate an investigation.

12 9. An agency which provides child welfare services and a law  
13 enforcement agency shall cooperate in the investigation, if any, of a  
14 report of abuse or neglect of a child.

15 **Sec. 12.** NRS 432B.270 is hereby amended to read as follows:

16 432B.270 1. A designee of an agency investigating a report  
17 of abuse or neglect of a child may, without the consent of and  
18 outside the presence of any person responsible for the child's  
19 welfare, interview a child *and any sibling of the child* concerning  
20 any possible abuse or neglect. The child *and any sibling of the*  
21 *child* may be interviewed at any place where ~~he~~ *the child or his*  
22 *sibling* is found. The designee shall, immediately after the  
23 conclusion of the interview, if reasonably possible, notify a person  
24 responsible for the child's welfare that the child *or his sibling* was  
25 interviewed, unless the designee determines that such notification  
26 would endanger the child ~~or his sibling~~ *or his sibling*.

27 2. A designee of an agency investigating a report of abuse or  
28 neglect of a child may, without the consent of the person responsible  
29 for a child's welfare:

30 (a) Take or cause to be taken photographs of the child's body,  
31 including the areas of trauma; and

32 (b) If indicated after consultation with a physician, cause X rays  
33 or medical tests to be performed on a child.

34 3. Upon the taking of any photographs or X rays or the  
35 performance of any medical tests pursuant to subsection 2, the  
36 person responsible for the child's welfare must be notified  
37 immediately, if reasonably possible, unless the designee determines  
38 that the notification would endanger the child. The reasonable cost  
39 of these photographs, X rays or medical tests must be paid by the  
40 agency which provides child welfare services if money is not  
41 otherwise available.

42 4. Any photographs or X rays taken or records of any medical  
43 tests performed pursuant to subsection 2, or any medical records  
44 relating to the examination or treatment of a child pursuant to this  
45 section, or copies thereof, must be sent to the agency which provides



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1 child welfare services, the law enforcement agency participating in  
2 the investigation of the report and the prosecuting attorney's office.  
3 Each photograph, X ray, result of a medical test or other medical  
4 record:

5 (a) Must be accompanied by a statement or certificate signed by  
6 the custodian of medical records of the health care facility where the  
7 photograph or X ray was taken or the treatment, examination or  
8 medical test was performed, indicating:

9 (1) The name of the child;

10 (2) The name and address of the person who took the  
11 photograph or X ray, performed the medical test, or examined or  
12 treated the child; and

13 (3) The date on which the photograph or X ray was taken or  
14 the treatment, examination or medical test was performed;

15 (b) Is admissible in any proceeding relating to the abuse or  
16 neglect of the child; and

17 (c) May be given to the child's parent or guardian if he pays the  
18 cost of duplicating them.

19 5. As used in this section, "medical test" means any test  
20 performed by or caused to be performed by a provider of health  
21 care, including, without limitation, a computerized axial  
22 tomography scan and magnetic resonance imaging.

23 **Sec. 13.** NRS 432B.280 is hereby amended to read as follows:

24 432B.280 1. ~~Reports~~ *Except as otherwise provided in*  
25 *subsection 2 of NRS 432B.290, reports* made pursuant to this  
26 chapter, as well as all records concerning these reports and  
27 investigations thereof, are confidential.

28 2. Any person, law enforcement agency or public agency,  
29 institution or facility who willfully releases data or information  
30 concerning such reports and investigations, except:

31 (a) Pursuant to a criminal prosecution relating to the abuse or  
32 neglect of a child;

33 (b) As otherwise authorized or required pursuant to NRS  
34 432B.290; or

35 (c) As otherwise required pursuant to NRS 432B.513,  
36 ➤ is guilty of a misdemeanor.

37 **Sec. 14.** (Deleted by amendment.)

38 **Sec. 15.** NRS 432B.300 is hereby amended to read as follows:

39 432B.300 Except as otherwise provided in NRS 432B.260, an  
40 agency which provides child welfare services shall investigate each  
41 report of abuse or neglect received or referred to it to determine:

42 1. The composition of the family, household or facility,  
43 including the name, address, age, sex and race of each child named  
44 in the report, any siblings or other children in the same place or  
45 under the care of the same person, the persons responsible for the



1 children's welfare and any other adult living or working in the same  
2 household or facility;

3 2. Whether there is reasonable cause to believe any child is  
4 abused or neglected or threatened with abuse or neglect, the nature  
5 and extent of existing or previous injuries, abuse or neglect and any  
6 evidence thereof, and the person apparently responsible;

7 3. *Whether there is reasonable cause to believe that a child*  
8 *has suffered a fatality as a result of abuse or neglect regardless of*  
9 *whether or not there are any siblings of the child or other children*  
10 *who are residing in the same household as the child who is*  
11 *believed to have suffered a fatality as a result of abuse or neglect;*

12 4. If there is reasonable cause to believe that a child is abused  
13 or neglected, the immediate and long-term risk to the child if he  
14 remains in the same environment; and

15 ~~[4.]~~ 5. The treatment and services which appear necessary to  
16 help prevent further abuse or neglect and to improve his  
17 environment and the ability of the person responsible for the child's  
18 welfare to care adequately for him.

19 **Sec. 16.** NRS 432B.310 is hereby amended to read as follows:  
20 432B.310 1. Except as otherwise provided in subsection 6 of  
21 NRS 432B.260, the agency investigating a report of abuse or neglect  
22 of a child shall, upon completing the investigation, report to the  
23 Central Registry:

24 (a) Identifying and demographic information on the child  
25 alleged to be abused or neglected, his parents, any other person  
26 responsible for his welfare and the person allegedly responsible for  
27 the abuse or neglect;

28 (b) The facts of the alleged abuse or neglect, including the date  
29 and type of alleged abuse or neglect, the manner in which the abuse  
30 was inflicted, ~~[and]~~ the severity of the injuries ~~[:]~~ *and, if applicable,*  
31 *any information concerning the death of the child;* and

32 (c) The disposition of the case.

33 2. An agency which provides child welfare services shall not  
34 report to the Central Registry any information concerning a child  
35 identified as being affected by prenatal illegal substance abuse or as  
36 having withdrawal symptoms resulting from prenatal drug exposure  
37 unless the agency determines that a person has abused or neglected  
38 the child.

39 3. As used in this section, "Central Registry" has the meaning  
40 ascribed to it in NRS 432.0999.

41 **Sec. 17.** NRS 432B.403 is hereby amended to read as follows:  
42 432B.403 The purpose of organizing multidisciplinary teams to  
43 review the deaths of children pursuant to NRS 432B.403 to  
44 432B.409, inclusive, *and sections 4, 5 and 6 of this act* is to:



\* A B 2 6 3 R 1 \*

1 1. Review the records of selected cases of deaths of children  
2 under 18 years of age in this State;

3 2. Review the records of selected cases of deaths of children  
4 under 18 years of age who are residents of Nevada and who die in  
5 another state;

6 3. Assess and analyze such cases;

7 4. Make recommendations for improvements to laws, policies  
8 and practice;

9 5. Support the safety of children; and

10 6. Prevent future deaths of children.

11 **Sec. 18.** NRS 432B.405 is hereby amended to read as follows:

12 432B.405 1. ~~[An]~~ *The director or other authorized*  
13 *representative of an* agency which provides child welfare services:

14 (a) May *provisionally appoint and* organize one or more  
15 multidisciplinary teams to review the death of a child; ~~[and]~~

16 (b) *Shall submit names to the Executive Committee to Review*  
17 *the Death of Children established pursuant to NRS 432B.409 for*  
18 *review and approval of persons whom the director or other*  
19 *authorized representative recommends for appointment to a*  
20 *multidisciplinary team to review the death of a child; and*

21 (c) Shall organize one or more multidisciplinary teams to review  
22 the death of a child under any of the following circumstances:

23 (1) Upon receiving a written request from an adult related to  
24 the child within the third degree of consanguinity, if the request is  
25 received by the agency within 1 year after the date of death of the  
26 child;

27 (2) If the child dies while in the custody of or involved with  
28 an agency which provides child welfare services, or if the child's  
29 family previously received services from such an agency;

30 (3) If the death is alleged to be from abuse or neglect of the  
31 child;

32 (4) If a sibling, household member or daycare provider has  
33 been the subject of a child abuse and neglect investigation within the  
34 previous 12 months, including , *without limitation*, cases in which  
35 the report was unsubstantiated or the investigation is currently  
36 pending;

37 (5) If the child was adopted through an agency which  
38 provides child welfare services; or

39 (6) If the child died of Sudden Infant Death Syndrome.

40 2. A review conducted pursuant to subparagraph (2) of  
41 paragraph ~~[(b)]~~ (c) of subsection 1 must occur within 3 months after  
42 the issuance of a certificate of death.

43 **Sec. 19.** NRS 432B.409 is hereby amended to read as follows:

44 432B.409 1. The Administrator of the Division of Child and  
45 Family Services shall establish an Executive Committee to Review



\* A B 2 6 3 R 1 \*

1 the Death of Children, consisting of representatives from  
2 multidisciplinary teams formed pursuant to *paragraph (a) of*  
3 *subsection 1 of* NRS 432B.405 and *NRS* 432B.406, vital statistics,  
4 law enforcement, public health and the Office of the Attorney  
5 General.

6 2. The Executive Committee shall:

7 (a) Adopt statewide protocols for the review of the death of a  
8 child;

9 (b) ~~Designate the members of an administrative team for the~~  
10 ~~purposes of NRS 432B.408;~~ *Adopt regulations to carry out the*  
11 *provisions of NRS 432B.403 to 432B.409, inclusive, and sections*  
12 *4, 5 and 6 of this act;*

13 (c) *Adopt bylaws to govern the management and operation of*  
14 *the Executive Committee;*

15 (d) *Appoint one or more multidisciplinary teams to review the*  
16 *death of a child from the names submitted to the Executive*  
17 *Committee pursuant to paragraph (b) of subsection 1 of*  
18 *NRS 432B.405;*

19 ~~(e)~~ (e) Oversee training and development of multidisciplinary  
20 teams to review the death of children; and

21 ~~(f)~~ (f) Compile and distribute a statewide annual report,  
22 including statistics and recommendations for regulatory and policy  
23 changes.

24 3. The Review of Death of Children Account is hereby created  
25 in the State General Fund. The Executive Committee may use  
26 money in the Account to carry out the provisions of NRS 432B.403  
27 to 432B.409, inclusive ~~(f)~~, *and sections 4, 5 and 6 of this act.*

28 **Sec. 20.** Chapter 2 of NRS is hereby amended by adding  
29 thereto a new section to read as follows:

30 *1. On or before February 1 of each year, the Court*  
31 *Administrator shall submit a report to the Director of the*  
32 *Legislative Counsel Bureau compiling the information received*  
33 *pursuant to section 7 of this act. The report must include, without*  
34 *limitation:*

35 (a) *The name of each child who suffered a child fatality in this*  
36 *State during the previous calendar year;*

37 (b) *Whether the district attorney prosecuted the case;*

38 (c) *Whether the district court impaneled a grand jury to*  
39 *inquire into the incident; and*

40 (d) *If a grand jury was impaneled, whether the grand jury*  
41 *returned an indictment in the case.*

42 2. *The report prepared pursuant to this section must be made*  
43 *available to the public.*

44 **Sec. 21.** NRS 432B.395 is hereby repealed.



\* A B 2 6 3 R 1 \*

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**TEXT OF REPEALED SECTION**

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**432B.395 Plan of efforts to prevent or eliminate need for removal of child from home and to make safe return to home possible.** An agency which provides child welfare services shall submit annually to the Division of Child and Family Services for its approval a plan to ensure that the reasonable efforts required by subsection 1 of NRS 432B.393 are made by that agency.

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