

SENATE BILL NO. 341—COMMITTEE ON HEALTH AND EDUCATION

(ON BEHALF OF THE INTERIM STUDY ON THE PLACEMENT
OF CHILDREN IN FOSTER CARE)

MARCH 23, 2009

Referred to Committee on Health and Education

SUMMARY—Revises the list of qualifications for relatives to receive supportive assistance from a program to provide supportive assistance to qualifying relatives of children who provide care for and obtain the legal guardianship of those children. (BDR 38-479)

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 assistance to families; removing the age of a relative as a requirement to receive supportive assistance from a program to provide supportive assistance to qualifying relatives of children who provide care for and obtain the legal guardianship of those children; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Department of Health and Human Services to
- 2 establish a program to provide supportive assistance to qualifying relatives of
- 3 children who provide care for and obtain the legal guardianship of those children.
- 4 (NRS 422A.650) This bill removes the age of the relative from the list of
- 5 qualifications required for the relative to receive supportive assistance.

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

- 1 **Section 1.** NRS 422A.650 is hereby amended to read as
- 2 follows:
- 3 422A.650 1. The Department, through a division of the
- 4 Department designated by the Director, shall establish and



1 administer a program to provide supportive assistance to qualifying
2 relatives of children who provide care for and obtain the legal
3 guardianship of those children.

4 2. As a condition to the provision of any supportive assistance
5 pursuant to this section:

6 (a) The child must:

7 (1) Have been placed in the care of his qualifying relative for
8 not less than 6 months; and

9 (2) If he is 14 years of age or older, consent to the legal
10 guardianship; and

11 (b) The qualifying relative must:

12 (1) Reside in this State;

13 (2) ~~Have attained such a minimum age as the Department~~
14 ~~specifies by regulation;~~

15 ~~(3)~~ Verify his relationship to the child; and

16 ~~(4)~~ (3) File for and obtain court approval of the legal
17 guardianship and comply with any requirements imposed by the
18 court.

19 3. The supportive assistance provided pursuant to this section
20 must include, within the limitations of available funding:

21 (a) Reimbursement of all or a portion of the legal fees incurred
22 by the qualifying relative to establish the legal guardianship;

23 (b) Payments of not more than the amount that the Department
24 would provide to a foster parent if the child had been placed in
25 foster care;

26 (c) Assistance with:

27 (1) Child care;

28 (2) Respite care; and

29 (3) Transportation; and

30 (d) Any other assistance the Department deems appropriate.

31 4. The Department shall adopt such regulations as are
32 necessary to carry out the provisions of this section.

33 5. As used in this section, unless the context otherwise
34 requires, "qualifying relative" means a person specified in 45 C.F.R.
35 § 233.90(c)(1)(v)(A).

36 **Sec. 2.** This act becomes effective on July 1, 2009.

