

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Seventy-Sixth Session  
April 1, 2011**

The Committee on Health and Human Services was called to order by Chair April Mastroluca at 1:39 p.m. on Friday, April 1, 2011, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/76th2011/committees/](http://www.leg.state.nv.us/76th2011/committees/). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman April Mastroluca, Chair  
Assemblywoman Peggy Pierce, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblywoman Teresa Benitez-Thompson  
Assemblyman Steven Brooks  
Assemblyman Richard Carrillo  
Assemblywoman Lucy Flores  
Assemblyman Jason Frierson  
Assemblyman Pete Goicoechea  
Assemblyman John Hambrick  
Assemblyman Scott Hammond  
Assemblyman Pete Livermore  
Assemblyman Mark Sherwood  
Assemblywoman Debbie Smith

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Kirsten Coulombe, Committee Policy Analyst  
Risa Lang, Committee Counsel  
Linda Whimple, Committee Secretary  
Olivia Lloyd, Committee Assistant

**OTHERS PRESENT:**

Barbara E. Buckley, Executive Director, Legal Aid Center of Southern Nevada  
Amber Howell, Deputy Administrator, Bureau of Services for Child Care, Division of Child and Family Services, Department of Health and Human Services  
Kevin Schiller, Director, Department of Social Services, Washoe County  
Alex Ortiz, representing Clark County  
Jon Sasser, Statewide Advocacy Coordinator, Washoe Legal Services  
Karen Zavora, Attorney, Washoe Legal Services  
Bobbette Bond, Executive Director, Nevada Health Care Policy Group  
Dan Musgrove, representing Valley Health System  
Christine Bosse, Vice President, Government Relations, Renown Health  
Bill M. Welch, President/CEO, Nevada Hospital Association

**Chair Mastroluca:**

[Roll was called.] Today we have a bill and a work session. We are going to start with Assembly Bill 350, and I am going to turn the gavel over to Ms. Pierce.

[Assemblywoman Pierce assumed the Chair.]

**Assembly Bill 350:** Revises provisions governing children who are placed with someone other than a parent and who are under the jurisdiction of the juvenile court. (BDR 38-712)

**Vice Chair Pierce:**

We will open the hearing on Assembly Bill 350. Ms. Mastroluca, you may begin.

**Assemblywoman April Mastroluca, Clark County Assembly District No. 29:**

I have former Speaker Barbara Buckley in Las Vegas, who will go through the bill for the Committee.

Assembly Bill 350 allows children who reach 18 years of age while in the custody of the court and who are not placed with a parent to request that the court retain jurisdiction over them. Jurisdiction would terminate when the child turns 21 years of age, or if other conditions are met prior to that date. The bill also requires that when a child reaches 17 years of age while in custody of the court and is not likely to be returned to the custody of a parent before turning 18 years old, the child must be referred to legal services to advise the child of the consequences of remaining under jurisdiction.

Additional provisions require the agency responsible for providing child welfare services to meet with the child at least 120 days before the child reaches 18 years of age to determine if the child will request continued jurisdiction. If the child chooses to remain under the jurisdiction of the court, then the child must enter into a written agreement with the child welfare agency, which is also filed with the court.

To ensure that children are prepared for independent living, the child welfare agency will work with the child to help develop a written plan of goals to accomplish before their transition. This could include completing a high school diploma or an equivalent, obtaining housing, having a safety net for at least three months' worth of expenses, having adequate income to meet monthly expenses, and identifying an adult who will be available to support the child. The child welfare agency must monitor the plan and contact the child at least quarterly, as well as 45 days before the court jurisdiction is terminated, to determine if the child is in need of additional services.

Lastly, this bill establishes an order of priority for placing a child in protective custody, which includes a hospital, parent, person related by fifth degree of consanguinity, a fictive kin, a foster home, or shelter while also attempting to place any siblings together. A fictive kin is defined under the bill as "a person who is not related by blood to a child, but who has a significant emotional and positive relationship with the child."

This bill is based on two issues. One, when a child is in foster care, is about to turn 18, and they find themselves not yet finished with high school, maybe they turn 18 in December, and they do not graduate until June, or if a child with a medical condition, say a young girl who is pregnant or a child that needs additional medical care, instead of immediately removing them from the system on the day they turn 18, this would allow them to enter into an agreement with the court to stay in the system until they have completed high school, until they have dealt with that condition, and help them put together a plan so that they can transition out onto their own.

The fictive kin piece has to do with when a child goes into the foster care system. Sometimes there is an emergency placement issue, or a child is removed from his parent. Sometimes you have a better relationship with a family friend who lives down the street than an aunt that you have never met that lives across town or lives out of state. This would allow a child to be placed with someone who is familiar, instead of with an unknown foster family or an unknown relative. With that, I would like to defer to Ms. Buckley to go through the bill.

**Barbara E. Buckley, Executive Director, Legal Aid Center of Southern Nevada:**

I am here today in my capacity as Executive Director of the Legal Aid Center of Southern Nevada. One of our projects at Legal Aid is the Children's Attorney Project, where we represent abused and neglected children in the child welfare system. Perhaps I can take just a moment on the necessity for this bill and its two different sections.

As Assemblywoman Mastroluca indicated in the first section with regard to children aging out, these children are vulnerable. *Nevada Revised Statutes* (NRS) Chapter 432B defines a child as a "person under the age of 18 years;" NRS Chapter 432 defines a child as "a person less than 18 years of age or, if in school, until graduation from high school." These differing statutes led to a minor catastrophe in Clark County. For the longest time under tradition, this is how it worked: if a child was in the system and he had not finished high school, or if he needed additional time, he could opt to stay in. That system worked fairly well, but suddenly there was concern about these differing legal definitions. It got to the point where there was a calendar being set to terminate 80 of these children from the court's jurisdiction. In that pool were kids that would just blow you away. I mean, really amazing kids, wanting to finish high school, wanting to go on to college, and just being caught flat-footed by the change in policy. There was a child who was not yet approved a guardian by the mental health system. So we had a minor catastrophe where these children were going to be terminated from court jurisdiction. There were promises of voluntary services, but a promise is only a promise. It is not a contract. There were about to be major hearings, major disputes, lawsuits, writs to the Nevada Supreme Court, and then an amazing thing happened. Everyone took a step back and put the kids first, and decided to do some additional research, and seek legislative clarification so that we could set up the best possible scenario for these kids. That is what Assembly Bill 350 does. Section 15 defines "child," and allows the definition to be both "under the age of 18" or in the system described in the rest of the bill. Section 16 has the court referring a child so they can decide the pros and cons of staying in.

From our 12 years of experience representing kids, most children opt out. They are tired of the system. They are tired of government being their parent. In Clark County, at the highest end, we are talking about 80 children. In Washoe County it is 30, and in the rural area it is less. Section 16 allows the court to refer a child who can get some legal advice on whether they want to remain in or out. Hopefully one day every child will have an attorney so this section will not be needed, but we are not there yet.

Section 17 requires that the child welfare agency, at least 120 days before the birth date, meet with the child and find out if the child wants to stay in or out. Again, if the child wants to go, the child gets to go. They are 18. It is a voluntary system only on the part of the child.

Section 18 provides that the court will retain jurisdiction if the child opts in, and jurisdiction will continue until one of four things happens: the child achieves their goals as set forth in the next section of the bill, the child is not making a good faith effort towards their goals, the child requests that jurisdiction be terminated, or the child reaches the age of 21, whichever occurs first.

The next major section is section 19, which defines the purpose of this extended jurisdiction. The goals are these, and they start on page 14, line 25: "That the child save enough money to pay for his or her monthly expenses for at least three months; that the child complete high school or obtain a general equivalency diploma; that the child secure housing; that the child have adequate income to meet his or her monthly expenses; that the child identify an adult who will be available to provide support to the child; and, if applicable, that the child have established appropriate supportive services to address any mental health or developmental needs of the child." Basically it is a bridge from childhood to adulthood.

The next section of the bill, as described by Assemblywoman Mastroluca, has to do with fictive kin, and she described it really well. What we are trying to do is obtain more choices for the child. Imagine you are living in the only home you have ever known, you are torn away from your parents, you go to a stranger's house, sometimes you are forced to change schools, you lose friends, and sometimes you are separated from your brothers and sisters. The more options we can give to kids in foster care, the better. Fictive kin could be a family friend, a coach, or someone who the child knows to provide some degree of continuity for his life. Obviously, other regulations already on the books are going to require a background check, fingerprints, and licensing. That is all contained in the existing law. What we are really doing, in essence, is lessening the trauma for the children.

I have presented some proposed amendments to clarify a couple of sections of the bill. With regard to fictive kin, we are suggesting that they be placed on the same footing as relatives, with the judge being able to make a determination based on the wishes of the child and other considerations. The judge already considers the best interests of the child in both temporary and permanent placements. Obviously, family comes first, but if there is a relative the child has never seen, and the child is more comfortable with someone ready, willing, and able to step up and be licensed, that option is now available. One of the amendments is to have relatives and fictive kin be treated similarly—in the same preference category.

We are also suggesting deleting paragraph (b) on page 16, lines 30 to 32. Under existing law, a child is always placed with a parent first, as long as there are no issues with regard to safety of the child. It is redundant and it confuses the bill. We believe it is child friendly. We have worked for the past couple of weeks with everyone involved: the Division of Child and Family Services, Departments of Family Services of Washoe County and Clark County, the Office of the District Attorney, children's attorneys in Washoe Legal Services, in our office at the Legal Aid Center, and our child welfare judges, north and south. We believe that there is no opposition, and that the bill is recommended by all those individuals. I would be happy to answer any questions.

**Assemblyman Goicoechea:**

I believe I heard Speaker Buckley say when we are talking about fictive kin, that they have to be licensed. I can understand the background check, but did she mean that they have to be licensed?

**Barbara Buckley:**

I will probably defer to either Amber Howell or Diane Comeaux, who are probably up there. My understanding is that when they are doing the temporary placement under NRS 432B.390, that is when the child first comes in. They have a priority in the FBI background check and fingerprinting, so they will do that instantly, and then they will go ahead and place the child in that home. If the child is going to stay there and they want to receive foster care payments and be licensed to do so, they may then proceed. There is no impediment in the first place. They have already worked out a priority system for the background check, so the child can be placed immediately.

**Vice Chair Pierce:**

Ms. Howell is here. Did you want to add something to that?

**Amber Howell, Deputy Administrator, Bureau of Services for Child Care,  
Division of Child and Family Services, Department of Health and Human  
Services:**

No, that was perfectly stated.

**Vice Chair Pierce:**

Thank you very much.

**Assemblyman Hammond:**

In Assemblywoman Mastroluca's testimony, she said that this legislation, if passed, would allow those who perhaps ran into some bad luck and did not graduate, or even worse luck, got pregnant, to work this out. I know she stated that, but nowhere in the legislation did I see that it opens it up for any one of these children in the foster care system to get a court-appointed lawyer 120 days before they are 18 years old, and then ask for their care to be extended until age 21. I think that might be a little too broad. My question is, should we not be doing that before the age of 18? Should these services not be extended to these young folks before they are 18 years old? You are coming up with a program, helping them out with their rent and all those other things after the age of 18. Perhaps the language is too broad, because according to this, every single one of these children who are 17 years old have the right, if this legislation passes, to go all the way until they are 21. Is that your intent? To allow any of them, if they so choose, to go until 21 years old?

**Barbara Buckley:**

As it is written, any child can opt to stay in until age 21, so yes, you are correct. But until this recent disagreement in Clark County, this is more or less the system we had in place, though perhaps not as defined as it is in this bill. Most kids want out of the system faster than your head can spin. They are tired of meetings. They are tired of the child welfare system. In our experience, the only kids who want to stay in have some sort of special circumstance. We have seen children who are pregnant, or who want to finish high school, they are in a good foster home, they want to stay there and then they are about to start college. Instead of being chopped off at age 18, they want a bridge. Most of our biological or adopted kids—how many of our kids are ready to be on their own at 18 years old? Not a lot. They come back home, or they never leave. This is designed to be a bridge.

Most of the kids who are taking advantage of this are pretty smart. They say "Wow, I am about to start college. What if I do not do well? Do I just want to be automatically out on my own without a safety net?" More kids than not do not take advantage of this. The reason the exact circumstances are not described in here, such as pregnancy—first of all, we do not want kids in foster

care to get pregnant—but the reason we did not put horrible circumstances and just limit it to these kids is because it is even more advantageous for kids who are doing well to have that safety net. That is why we wrote it the way we did. Certainly it is not open-ended. “Hey, you get to stay in and not plan for your future.” In section 19 on page 14, we say “Okay, so what are you going to be doing in this time. We have to create goals; first, you have to get some money saved up in the bank. You should have three months of your expenses.” So the social worker may say, “Here is how you are going to get there. You have a job at Burger King. We want you to start saving \$50 a month. That is what you are going to do the first year, so that by the end of the second year you have a nest egg and you are on your own. You are going to obtain that high school diploma. You are going to secure housing. This is what you are going to do at the university.” So there are agreed-upon goals. It is not open-ended, sit there for two years, and do nothing. If the progress on the goals are not met, like the child is not going on to college or trade school, getting a job, or saving money, then the child welfare agency will seek to terminate the jurisdiction of the agreement at that time.

**Assemblyman Hammond:**

You said that more or less this system is in place now. How do the kids know that they have the option to go on?

**Barbara Buckley:**

Usually the social worker that has been assigned to them meets with them beforehand. Some children who have not had success in obtaining a good foster care home have an independent living contract. So already what they are doing is instead of the foster care payment being made to a foster care parent, they may be renting a room. So already they are on an independent living contract. Even now, the social worker is trying to prepare them and the children’s lawyers, for about half of these kids, are trying to prepare them way before the 18th birthday.

**Assemblywoman Mastroluca:**

Madam Vice Chair, if I may, I have asked Kevin Schiller from Washoe County to come up. I want Mr. Schiller to share with Assemblyman Hammond how they prepare the kids who are aging out in their system.

**Kevin Schiller, Director, Department of Social Services, Washoe County:**

In terms of the overall changes this bill presents for youth aging out of care, I want to emphasize that I believe it mirrors a lot of what we are currently trying to attempt in practice. To your specific question about a youth who is 15 years of age, we begin transition planning with youth in care. If we do not have a permanency option above that independent living plan, we begin a transition



plan. We do that internally in the agency, and we also have community providers we contract with to assist in that management. As Ms. Buckley just outlined, there are specific goals with those plans. We are eligible for federal funding that is a pass through. It is from the John H. Chafee Foster Care Independence Program, and with that we have requirements that mirror what this bill is requiring. So we transition plan with the child, and we educate him on what his options are.

I will emphasize to the Committee that this population is probably one of the hardest populations we serve, because the very system that we are asking them to possibly stay in to receive services is the same system that they have been living in and struggling with, to some degree. What we tend to do at that 15-year mark is to spend time with them and educate them about how they can finish school, what their current progress is, and what they need to do to be independent. As they move toward that goal, we age them out of care many times, not into a foster care setting, but more into a supportive living arrangement. We utilize the Chafee funding I referenced to assist with rental payments and to assist with providing supporting services for them. A large number of these kids, as Ms. Buckley indicated, do not opt into this, but a lot of the educational components that we continue to work with at age 18 tend to be around finishing high school and obtaining their diploma. Many times they really struggle with completing those tasks because of how they have existed in the system, so we try to get them tied into future planning, what their resources are going to be, and then move forward.

Before I came to this hearing, I reviewed our statistics, and as we move the kids out of foster care, a majority of them leave their voluntary arrangement with the department around age 19. They get through high school, and we get them through graduation or whatever equivalency they are going to obtain. Right now, in Washoe County, we have about 22 kids that are older than 18 and are in agreements with the agency services. On a larger scale, we are seeing that the 15-year-old and older population that we serve is growing, and because we may not be able to, unfortunately, get them permanency through adoption or reunification, we begin working with them sooner. I would emphasize—and I can only speak for Washoe County—we contract with community providers to assist in the case management because we think it is beneficial. It is once removed from the system. We try to get an external resource working with that child, because I can come in as an agency representative or a social worker, and—for lack of a better term—I represent the same system that they may be struggling with. Our attempt to penetrate that population and have better outcomes is through using someone who is a community provider that the child can relate to. There is mentoring, et cetera.

**Assemblyman Hammond:**

You are saying, for instance, a Court Appointed Special Advocate might be something that you rely on outside of your agency?

**Kevin Schiller:**

To be specific, we currently have a primary contract with The Children's Cabinet, to begin that transition planning along with our department staff.

**Assemblyman Hammond:**

So up to this point, you are advising them in a lot of things, up until even the age of 19. If your agency is advising them on how to become independent in their living, how to save money, and how to graduate, at what point do we need to appoint a lawyer for them and why?

**Kevin Schiller:**

Specific to Washoe County, a large number of kids in our system have legal counsel representing them before they age out of care. So our transition planning will occur with the child and his counsel. In some instances, we may have a child who may be severely delayed. We may work with the Washoe County Public Guardian's Office to figure out how to obtain resources for this child as the child ages out. The population that we eventually deal with, in terms of who actually ages out and who is entered into an agreement with us, is relatively small because we do a lot of work before they become age 18.

**Assemblyman Frierson:**

Could you elaborate on the Chafee funding? Is it something that would be jeopardized if we were not operating with practices consistent with the Chafee requirements?

**Kevin Schiller:**

In terms of the federal requirements, the Chafee funding mirrors the services that are entailed in this bill. They do not conflict. If I were to answer that question as simply as possible, this bill creates checks and balances and accountability for the agency to oversee these kids. As I have testified before this Committee before, I think there is a real challenge in delivering services to this population, and that we have to strive to do better. I believe that the court oversight component of this—which does not currently exist in Washoe County—is something I support. I think it will allow us to leverage some different ways of delivering the service. In terms of the supportive service payment that comes through Chafee, it would stay in place and we would continue to utilize that resource with our population.

**Assemblyman Frierson:**

Even if a child in foster care opts to stay in the system, if they are on track, they are still allowed to opt out later if they feel like they are prepared and independent, correct?

**Kevin Schiller:**

Yes. To add clarity to the current practice versus how this would impact current practice, when we begin transition planning at age 15 and move towards the magical age of 18 when a child ages out—although this is indicating there is court jurisdiction overseeing that plan—ultimately they are going to enter into a voluntary agreement with the agency. I just referenced how we provide that funding, so that child at any point could come in and say “You know, I no longer want to be involved with this system. I have found other means to be independent or successful.” The difference with this current legislation is that as an agency I would not be able to go and say “Okay, we are one.” There would be court oversight similar to a case governed by NRS Chapter 432B. I would work out a mechanism in my jurisdiction for how the court would be notified and oversee that.

**Assemblyman Frierson:**

Would you give some examples of the impacts on the community for the current children who are ultimately out of the foster care system as far as the community aid and the programs—essentially the costs that we incur by cutting them off right at 18 years old?

**Barbara Buckley:**

Until about ten years ago, as soon as a child aged out of foster care, we said “Enjoyed having you for ten years. Good luck.” I think we treated prisoners better. In the past ten years we have made some improvements. In 2001, we created an aging-out fund to provide some assistance to these kids. We expanded Medicaid coverage to the age of 21. Still, when we did a survey of children aging out, it was sad what we uncovered. Many of these kids were homeless. Again, they had no safety net. That is what we are really trying to do in this bill. The community consequences of not having a safety net will be more kids that end up couch-serving [sic] and in the criminal justice system. Just to be clearer, the reason the kids are staying in is not so much for that vital counseling that they get every day; it is the financial support.

Let us say you have a girl who turns 18 years old and after a few years in the system, she has found a great room to rent from a family. This allows her to stay in that room and get the money to pay the family in the contract. It is the financial support, it is the financial bridge that is going to help her, that is set forth in a contract with goals. So the kid may be prepared and have learned

everything wonderfully at 16, 17, and 18, but the point is, if you have no family and no relatives and you turn 18 and the support stops, it does not matter how well prepared you are. If you cannot find a job in this job market at age 18, and you are enrolled and trying to go to school, you could be homeless. So that is what it is all about.

**Assemblyman Hambrick:**

I am somewhat familiar with what Washoe County does and the rural communities do. They bring many sources and stakeholders to bear on these questions, and they are doing a great job. Ms. Buckley mentioned a few minutes ago that the Legal Aid Center and the Office of the District Attorney are at odds over some issues. I am wondering if she would explain or give the Committee some insight as to how that situation is currently going. I know that on interim committees we have asked both the Legal Aid Center and the Office of the District Attorney to get together and work things out. I am wondering if there is any update on that, particularly regarding this issue.

**Barbara Buckley:**

I am pleased to tell you that the Office of the District Attorney and the Children's Attorney Project both support these bills. I do not think you could get any better progress than that. This issue—cutting the kids off without a bridge—could have been disastrous for these 80 children in Clark County. Instead of reading on the first page of the newspaper where a child with no resources was cut off from the system and emergency writs were being filed in the Nevada Supreme Court, you see collaboration on Assembly Bill 350, which I think is going to benefit countless children to come in all parts of the state.

**Assemblyman Goicoechea:**

You are 18 years old, so you opt out. Six months down the road you are in trouble. Can you opt back in?

**Barbara Buckley:**

No. By that time the court case would have been closed, so there would not be an opportunity to opt back in. That is why we wrote the opportunity for legal advice before the child made the decision. In Clark County, we agreed to represent all 80 children who were affected at the time this crisis occurred in southern Nevada. We trained pro bono lawyers and our staff lawyers, mentored them, and through community volunteers and our lawyers we agreed to advise all of the children down here. That is why that is an important component, so that in all parts of the state, those children have the benefit of that advice before they make this important decision.

**Assemblyman Brooks:**

I wanted to commend former Speaker Barbara Buckley and Chairwoman Mastroluca. I have a tutorial company in the city of Las Vegas, and many of the students I tutor are students who are 18 and have aged out of the system. They are homeless for various reasons. I think it is a shame that we feel that because a child is 18 years old, he or she can take care of themselves. I support this bridge. This is the way it should be. This is the way that we treat our own children, and if we are a village, then no child is left behind. Thank you for this legislation.

**Assemblyman Anderson:**

Just like my colleague, I also wanted to add my support to this concept. I think it is a great idea. Thank you to the Chair and former Speaker Buckley.

**Assemblyman Sherwood:**

I have one question for you that is disturbing about the volunteer groups. You said they are making promises, but there are not contracts. Is there a systemic problem with any of these organizations that are volunteering their services? If so, is there something we can do about that?

**Barbara Buckley:**

The reference that I made to voluntary services really has to do with the state of things if we do not adopt Assembly Bill 350. The Clark County, Washoe County, and the state Department of Child and Family Services could offer to provide voluntary services to a child, but if budget cuts hit them, which they will—just a matter of how much—if all they did was say to a child, hey, we will try to provide you a rent subsidy for three months, and there is no court oversight, there is no contract, that promise does not need to be kept, and that child would be on the street. So this is again a safety net with a contract with a kid, with identifiable goals, court oversight to make sure that the kids will not be the victims of the budget cuts.

**Vice Chair Pierce:**

Mr. Schiller, did you want to make a statement?

**Kevin Schiller:**

I will tag along with what Ms. Buckley just indicated. We are facing economic times which I think are going to push us to our limit. The only thing I would put on record—and I said it earlier in my testimony—I do not believe this bill is changing practice in terms of how we are delivering these services. We are the system. We have an accountability to these kids, and we have to strive to improve our practices as they are aging out across the system. As Mr. Goicoechea indicated—and one of the things I wanted to reference—he

asked if the bill allows you to opt back in. The answer to that question is no. I would indicate that from a county perspective, one thing we try to do with our homeless youth and with those service components is that we tend to know who those kids are, and we work with our community providers to try to keep them on the right track.

I think the last piece I would indicate—because you will probably hear further testimony on this—is that there are two views on how this financially impacts jurisdictions. There is a conservative view and a liberal view. My statement of how I see the practice not being impacted dramatically, in terms of how we are delivering services, is the conservative view that it does have a funding impact, but it is a funding impact that I think we can manage as we move forward. As Mr. Ortiz is sitting next to me, I think he is going to talk a little more about the potential impact on Clark County. I want to assure the Committee that from the practice perspective, I believe we can manage that and just assimilate it into what we are currently doing.

**Alex Ortiz, representing Clark County:**

We have looked at this bill and believe there may be a risk of increased caseload to our folks, and there could be potential fiscal impacts related to it as well. We are looking at the data, and some of the data we have seen has shown increased fiscal impacts. We plan to refine some of the data. We talked to the state this morning about that to ensure the numbers that I have been provided are accurate and we can move forward. I do not have anything here in front of me that I can propose, but I definitely believe there could be a potential increase in caseload, which would be an additional increase in the fiscal impact to the county.

**Vice Chair Pierce:**

Are you signing in as opposed, in support, or as neutral on this bill?

**Alex Ortiz:**

At this point in time I would sign in as neutral.

**Vice Chair Pierce:**

Thank you.

**Assemblyman Frierson:**

Mr. Ortiz, if you are going to provide something, could I request that you discuss it with some people who have an idea of the fiscal impact of not doing it? For example, the community programs for people who are cut off or potentially cut off end up costing the community as well.

**Alex Ortiz:**

Yes, I could definitely look at that and ask for folks to look at it as well. Thank you.

**Vice Chair Pierce:**

Is there anyone neutral on this bill who would like to come forward and speak? [There was no response.] We have two people signed in in support of this bill. Would you please come forward.

**Jon Sasser, Statewide Advocacy Coordinator, Washoe Legal Services:**

Washoe Legal Services, like the Legal Aid Center of Southern Nevada, has a Children's Attorney Project with five attorney positions representing abused and neglected kids in Washoe County. We represent a little over 40 percent of the kids in the system.

You hear me all the time, so today I asked Karen Zavora, one of the attorneys in that project, to make her first appearance in the Nevada Legislature and tell you more about our work.

**Karen Zavora, Attorney, Washoe Legal Services:**

Ideally, children leave foster care to join a safe, permanent family; however, some youth, despite the best efforts of social services and lawyers, are unable to find a permanent placement. Nationally the average is about 10 percent of abused and neglected children who leave care as aged-out foster youth. There have been questions about the numbers, the impact, and the trials that these children face. Studies of youth who leave foster care without a safe permanent family—those that age out—really highlight the struggles they face. Over half of youth who age out of foster care nationally will experience one or more episodes of homelessness. Nearly 30 percent of those youth who age out of foster care will be incarcerated at some point. This is many times the rate for their nonfoster care peers. Foster youth who age out are less likely to be employed than their peers who are not in foster care. Less than two percent of those will finish college, compared to 23 percent of their nonfoster care peers. These are kids who really need assistance. Assembly Bill 350 can help change these statistics for children in Nevada by extending the support of systems already in place, and court oversight to help the youth through that critical juncture between the dependence of childhood and the independence of adulthood.

I would like to point out what is key in this provision. Participation in the provisions of A.B. 350 is entirely voluntary on the part of the youth, which we have heard stated multiple times. This is key. This bill is going to help foster children who are asking for help, who are asking for continued social services

assistance, and asking for a court to be involved in their life for additional years while they get on their feet as they transition into adulthood. These are foster kids who are coming to the system, coming to the court, and saying "Please, do not leave me, help me as I transition into adulthood." I think it is really key, because it will help the kids who want the assistance. I have several clients who are aging out this year, and I am going to worry about them because this bill is not yet in place. They already have their high school diplomas and are on their way to college, but I wish they had a little more available. This bill will enable social services, which does a great job already in helping these kids, to really extend that. It will also allow me to stay involved in their lives. I have known some of these kids for years. I think that is also extremely important. As an employee of Washoe Legal Services and an attorney for children in these situations, I strongly support A.B. 350 and ask you to see its way through to passage.

**Vice Chair Pierce:**

Would you repeat that statistic about the number of aged-out foster children who will spend some time in corrections?

**Karen Zavora:**

That statistic is 30 percent, and these statistics come from a Fostering Connections study that was done on the national level in 2008.

**Assemblyman Anderson:**

You mentioned how you have experienced a lot of these situations as an attorney—and if the former Speaker would like to add anything, I would appreciate her perspective on this as well. In most cases, if not all, the foster parents are almost always going to be fairly supportive of this, right? They are getting attached to these kids as well, and people who are doing foster care are not doing it so they can be mean. They are doing it because they like kids and they want to help. So you do not ever have any issues in that regard, correct?

**Karen Zavora:**

The foster parents that I have had the privilege of working with in Washoe County—especially with the teenage youth—are doing this because they really enjoy it. Not many people want to invite a bunch of teenagers into their home and help them age out. The people are doing this because they care about kids and they want to see them succeed, or because they have had situations where they themselves knew they needed additional help. Yes, I think that foster parents would support this as well.



**Vice Chair Pierce:**

Thank you very much. I believe that former Speaker Buckley pointed out that the court-appointed attorneys are doing pro bono work, so this is not costing the system.

**Jon Sasser:**

There are staff attorneys at Washoe Legal Services and staff attorneys at the Legal Aid Center of Southern Nevada. Both legal aid programs refer cases out to pro bono attorneys, who take cases that we cannot handle because we just do not have the funding to represent everyone. There is a terrific coterie of pro bono attorneys to assist, especially in Clark County

**Vice Chair Pierce:**

Is there anyone who would like to come forward in opposition to this bill? [There was no response.] We will close the hearing on Assembly Bill 350.

[Assemblywoman Mastroluca reassumed the Chair.]

**Chair Mastroluca:**

We are going to move into the work session for Assembly Bill 160. There is a current amendment uploaded in the Nevada Electronic Legislative Information System (NELIS).

As a refresher, A.B. 160 had to do with the reporting requirements for medical institutions, including financial statements and reports to be filed. I am going to ask Ms. Coulombe to go over the work session document ([Exhibit C](#)).

**Kirsten Coulombe, Committee Policy Analyst:**

As you may recall, we heard A.B. 160 on Friday, March 11, 2011. As the Chair mentioned, A.B. 160 revises the reporting requirements for certain medical institutions that must be filed with the Department of Health and Human Services. These reports must include the net revenue of the hospital and certain financial information relating to the corporate home office allocation. Additionally, this bill requires that certain reports filed by hospitals must be in a form which is readily understandable by a member of the general public, and as soon as practicable be posted on the Internet website maintained by the Department of Health and Human Services.

Page 3 of the work session document shows a proposed conceptual amendment that the sponsor of the bill provided after the hearing. The proposed conceptual amendment amends section 1, requiring only a link to the existing reports that are currently required by *Nevada Revised Statutes* 449.450 through 449.530. It would also amend section 1 to include that the information on the

transparency website be in a format that is easily read and understood by the public and that it lists the information indicated under the second bullet. I will let you review that.

It would also amend section 2 to require the Nevada Hospital Association to file with the Department of Health and Human Services the most recent copy of the American Hospital Association Annual Survey Data.

Lastly it would amend section 2, subsection 3 by adding back the language, "with 100 or more beds." It would further amend section 2, subsection 3 by deleting the new language in paragraphs (a) and (b) and instead adding new language to require a list of the services that the hospitals purchase from their home office and a copy of the most recent Medicare cost report. It would also delete section 4.

**Chair Mastroluca:**

I know that we had a lot of discussion on this bill in the hearing, and I know that the parties have worked very diligently to try and come to an agreement. I think this is a good compromise that is going to get the information available to the public that will help them understand and be able to make a decision. It will still offer some protection to hospitals, which are most times privately owned companies that do have the right to have certain financial information kept private.

Is there discussion from the Committee? [There was no response.] I will entertain a motion of amend and do pass.

**Bobbette Bond, Executive Director, Nevada Health Care Policy Group:**

I am sorry, we were very excited that we got this far and we all agree. I think I must have, at the last minute, given the wrong amendment to Kirsten. There is one piece that we researched as a group about the annual hospital summary, and it does not provide enough information that is specific to Nevada, or enough detail to add value to the data that has already been requested here. We were all in agreement that we would not put that into the amended bill. So that one piece has to come back out for all of us to stay on point.

**Chair Mastroluca:**

Do you know what section that is?

**Bobbette Bond:**

I do not have a copy, but it is under the second bullet point.

**Dan Musgrove, representing Valley Health System:**

There is a hard copy that just went out that has Bobbette's name on it. That is the most recent ([Exhibit C](#)). We would ask you to look at the hard copy. There are about three substantive changes from the one the staff just went through.

**Chair Mastroluca:**

These are things that you have agreed to?

**Dan Musgrove:**

Correct. We have all agreed.

**Chair Mastroluca:**

Ms. Bond, do you agree?

**Bobbette Bond:**

I agree. The one that is marked "Bobbette Bond" should be the one that we all agreed on.

**Chair Mastroluca:**

Ms. Bosse, do you agree?

**Christine Bosse, Vice President, Government Relations, Renown Health:**

Yes, we worked together and we agree on the items that are in the hard copy that is before you.

**Dan Musgrove:**

We would love a do pass as amended on this amendment, not the other one.

**Chair Mastroluca:**

We get to vote, but thank you for participating. We appreciate it. Is there anything else, Ms. Bond?

**Bobbette Bond:**

No, I just wanted to hear Bill Welch say "I agree" on the record, because I am so excited to be at the table together.

**Bill M. Welch, President/CEO, Nevada Hospital Association:**  
Nevada Hospital Association concurs with that amendment.

**Chair Mastroluca:**

Thank you for bringing a little levity to our Friday.

ASSEMBLYMAN LIVERMORE MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 160.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chair Mastroluca:**

Thank you very much.

Is there anything else to come before the Committee? [There was no response.]  
Is there any public comment? [There was no response.]

With that, enjoy your weekend, ladies and gentlemen. The meeting is adjourned  
[at 2:38 p.m.].

RESPECTFULLY SUBMITTED:

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Linda Whimple  
Committee Secretary

APPROVED BY:

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Assemblywoman April Mastroluca, Chair

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name:** Committee on Health and Human Services

**Date:** April 1, 2011

**Time of Meeting:** 1:39 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 160	C	Kirsten Coulombe	Work Session Document