

ASSEMBLY BILL NO. 93—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

FEBRUARY 11, 2013

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes concerning investigations
relating to child care facilities. (BDR 38-61)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 child welfare; requiring an applicant for a
license to operate a child care facility or a licensee to
notify the Health Division of the Department of Health
and Human Services upon the occurrence of certain
events; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

1 Existing law requires the Health Division of the Department of Health and
2 Human Services to request information on the background and personal history of
3 various persons associated with a child care facility, including: (1) employees of an
4 applicant for a license to operate a child care facility or of a licensee; (2) certain
5 residents of a child care facility; and (3) certain participants in an outdoor youth
6 program, which is a type of child care facility. (NRS 432A.024, 432A.170) The
7 Health Division is required to request this information not later than 3 days after the
8 date upon which such an employee is hired, such a resident begins his or her
9 residency or such a participant begins his or her participation. (NRS 432A.170)
10 This bill requires an applicant for a license or a licensee to notify the Health
11 Division as soon as practicable but not later than 24 hours after the applicant or
12 licensee hires such an employee, begins the residency of such a resident or begins
13 the participation of such a participant.



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

Section 1. NRS 432A.175 is hereby amended to read as follows:

432A.175 1. Every applicant for a license to operate a child care facility, licensee and employee of such an applicant or licensee, and every resident of a child care facility who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS 432B.594, or participant in an outdoor youth program who is 18 years of age or older, shall submit to the Health Division, or to the person or agency designated by the Health Division, to enable the Health Division to conduct an investigation pursuant to NRS 432A.170, a:

(a) Complete set of fingerprints and a written authorization for the Health Division or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

(b) Written statement detailing any prior criminal convictions; and

(c) Written authorization for the Health Division to obtain any information that may be available from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100.

2. If an employee of an applicant for a license to operate a child care facility or licensee, or a resident of a child care facility who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS 432B.594, or participant in an outdoor youth program who is 18 years of age or older, has been convicted of any crime listed in subsection 2 of NRS 432A.170 or has had a substantiated report of child abuse or neglect filed against him or her, the Health Division shall immediately notify the applicant or licensee, who shall then comply with the provisions of NRS 432A.1755.

3. *An applicant for a license to operate a child care facility or licensee shall notify the Health Division as soon as practicable but not later than 24 hours after hiring an employee, beginning the residency of a resident who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS 432B.594, or beginning the participation of a participant in an outdoor youth program who is 18 years of age or older.*

4. An applicant for a license to operate a child care facility or licensee shall notify the Health Division within 2 days after receiving notice that:



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- 1 (a) The applicant, licensee or an employee of the applicant or
2 licensee, or a resident of the child care facility who is 18 years of
3 age or older, other than a resident who remains under the
4 jurisdiction of a court pursuant to NRS 432B.594, or participant in
5 an outdoor youth program who is 18 years of age or older, or a
6 facility or program operated by the applicant or licensee, is the
7 subject of a lawsuit or any disciplinary proceeding; or
8 (b) The applicant or licensee, an employee, a resident or
9 participant has been charged with a crime listed in subsection 2 of
10 NRS 432A.170 or is being investigated for child abuse or neglect.
11 **Sec. 2.** This act becomes effective on July 1, 2013.

