

Amendment No. 975

Senate Amendment to Senate Bill No. 107

(BDR 38-194)

**Proposed by:** Senate Committee on Finance

**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EWR/RBL



Date: 5/28/2015

S.B. No. 107—Provides for the award of a categorical grant to agencies which provide child welfare services for providing certain services.  
 (BDR 38-194)



SENATE BILL NO. 107—COMMITTEE ON  
HEALTH AND HUMAN SERVICES(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON  
CHILD WELFARE AND JUVENILE JUSTICE)

PREFILED FEBRUARY 1, 2015

Referred to Committee on Health and Human Services

SUMMARY—~~Provides for the award of a categorical grant to agencies which provide child welfare services for providing certain services.~~  
**Requires certain oversight of and reporting concerning children placed in specialized foster homes.** (BDR 38-194)

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 the protection of children; ~~providing for the award of a categorical grant to each agency which provides child welfare services for providing services to children placed in specialized foster homes and to children who remain under the jurisdiction of the court after reaching 18 years of age;~~ **requiring the Division of Child and Family Services of the Department of Health and Human Services to conduct an annual review of the placement of children in specialized foster homes by an agency which provides child welfare services; authorizing the Administrator of the Division to require an agency which provides child welfare services to take corrective action in certain circumstances; requiring the Division to submit an annual report concerning specialized foster care to the Governor and the Legislature;** and providing other matters properly relating thereto.

## Legislative Counsel's Digest:

~~Section 2 of this bill requires the Division of Child and Family Services of the Department of Health and Human Services to provide a categorical grant to each agency which provides child welfare services for each fiscal year for providing services to children placed in a specialized foster home. Section 5 of this bill requires the Division to provide a categorical grant to each agency which provides child welfare services for each fiscal year for providing services to children who remain under the jurisdiction of the court after reaching 18 years of age.~~ Existing law defines a "specialized foster home" as a foster home which provides full-time care and services for one to six children who: (1) require special care for physical, mental or emotional issues; (2) are under 18 years of age or remain under the jurisdiction of a court; (3) are not related within the first degree of consanguinity or

affinity to any natural person maintaining or operating the home; and (4) are received, cared for and maintained for compensation or otherwise, including the provision of free care. (NRS 424.018) Section 3.5 of this bill requires an agency which provides child welfare services to provide certain information concerning children placed in specialized foster homes to the Division of Child and Family Services of the Department of Health and Human Services. Section 3.6 of this bill requires the Division to periodically review the placement of children in specialized foster homes by an agency which provides child welfare services. If, after the review, the Division determines that the agency which provides child welfare services is placing children in specialized foster homes inappropriately or that children placed in such foster homes are not receiving the care and services that they need, section 3.6 requires the Administrator of the Division to require the agency which provides child welfare services to take corrective action. Section 3.7 of this bill requires the Division to submit an annual report to the Governor and the Legislature that contains certain information concerning children who are placed in specialized foster homes.

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

Section 1. Chapter 424 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 ~~and 3~~ to 3.7, inclusive, of this act.

Sec. 2. *"Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030.*

Sec. 3. ~~1. The Division shall provide a categorical grant to each agency which provides child welfare services for each fiscal year for providing services to children in a specialized foster home to the extent that money has been appropriated to the Division for that purpose. The amount of the grant must be based upon the estimated cost of the projected growth in child welfare services provided to children in a specialized foster home.~~

~~2. The amount of the grant awarded pursuant to subsection 1 must be determined for 2 years beginning on July 1 of each odd numbered year and allocated each fiscal year.~~

~~3. An agency which provides child welfare services that receives a grant pursuant to subsection 1 must use the money allocated only for costs associated with providing child welfare services to children in a specialized foster home. Any money from the grant awarded pursuant to subsection 1 that has not been used or committed for expenditure by the agency which provides child welfare services by the end of the fiscal year reverts to the State General Fund.~~ (Deleted by amendment.)

Sec. 3.5. 1. Each agency which provides child welfare services shall ensure that money allocated to pay for the cost of providing care to children placed in a specialized foster home is not used for any other purpose.

2. On or before August 1 of each year, each agency which provides child welfare services shall prepare and submit to the Division and the Fiscal Analysis Division of the Legislative Counsel Bureau a report listing all expenditures relating to the placement of children in specialized foster homes for the previous fiscal year.

3. Each agency which provides child welfare services shall provide to the Division any data concerning children who are placed in a specialized foster home by the agency upon the request of the Division.

Sec. 3.6. 1. The Division shall periodically review the placement of children in specialized foster homes by each agency which provides child welfare services to determine whether children are being appropriately placed in such

foster homes and are receiving the care and services that they need. Such a review may include, without limitation, an examination of:

- (a) Demographics of children who are placed in specialized foster homes;
- (b) Information from clinical evaluations of children who are placed in specialized foster homes;
- (c) Relevant information submitted to the Department of Health and Human Services pursuant to the State Plan for Medicaid;
- (d) Case files maintained by the agency which provides child welfare services for children who are placed in specialized foster homes; and
- (e) Any other information determined to be relevant by the Division.

2. If, after conducting a review pursuant to subsection 1, the Division determines that an agency which provides child welfare services is inappropriately placing children in specialized foster homes or that children placed in such foster homes are not receiving the care and services that they need, the Administrator of the Division shall require the agency which provides child welfare services to take corrective action. If an agency fails to take the corrective action required by the Administrator, the Division may require the agency which provides child welfare services to develop a corrective action plan pursuant to NRS 432B.2155.

Sec. 3.7. 1. The Division shall, on or before January 31 of each year, prepare and submit to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the placement of children in specialized foster homes and the provision of services to children placed in such foster homes for the previous fiscal year. The report must include, without limitation:

- (a) The number of times a child who has been placed in a specialized foster home has been hospitalized;
- (b) The number of times a child who has been placed in a specialized foster home has run away from the specialized foster home;
- (c) Information concerning the use of psychotropic medications by children who have been placed in specialized foster homes;
- (d) The progress of children who have been placed in specialized foster homes towards permanent living arrangements;
- (e) The performance of children who have been placed in specialized foster homes on clinical standardized assessment tools;
- (f) Information concerning the academic standing and performance of children who have been placed in specialized foster homes;
- (g) The number of children who have been placed in specialized foster homes who have been adjudicated delinquent; and
- (h) The results of the reviews conducted pursuant to section 3.6 of this act.

2. All information in the report prepared pursuant to subsection 1 must be aggregated and the report must exclude any personal identifiable information about a child.

Sec. 4. NRS 424.010 is hereby amended to read as follows:

424.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 424.012 to 424.018, inclusive, and section 2 of this act have the meanings ascribed to them in those sections.

Sec. 5. Chapter 432B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division of Child and Family Services shall provide a categorical grant to each agency which provides child welfare services for each fiscal year for providing services to children who are over the age of 18 years who remain under the jurisdiction of a court pursuant to NRS 432B.594 to the extent that

~~money has been appropriated to the Division for that purpose. The amount of the grant must be based upon the estimated cost of the projected growth in child welfare services provided to children under the jurisdiction of a court pursuant to NRS 432B.594.~~

~~2. The amount of the grant awarded pursuant to subsection 1 must be determined for 2 years beginning on July 1 of each odd numbered year and allocated each fiscal year.~~

~~3. An agency which provides child welfare services that receives a grant pursuant to subsection 1 must use the money allocated only for costs associated with providing child welfare services to children who are over the age of 18 years who remain under the jurisdiction of the court pursuant to NRS 432B.594. Any money from the grant awarded pursuant to subsection 1 that has not been used or committed for expenditure by the agency which provides child welfare services by the end of the fiscal year reverts to the State General Fund.~~ (Deleted by amendment.)

**Sec. 6.** ~~[NRS 432B.591 is hereby amended to read as follows:~~

~~432B.591 As used in NRS 432B.591 to 432B.595, inclusive, and section 5 of this act, "child" means a person who is:~~

~~1. Under the age of 18 years; and~~

~~2. Over the age of 18 years and who remains under the jurisdiction of the court pursuant to NRS 432B.594.] (Deleted by amendment.)~~

**Sec. 7.** The first report that each agency which provides child welfare services is required to prepare and submit pursuant to section 3.5 of this act must be submitted on or before August 1, 2016.

~~[Sec. 7.]~~ **Sec. 8.** 1. This [act becomes] section and sections 1 to 3.6, inclusive, and 4 to 7, inclusive, become effective on July 1, 2015.

2. Section 3.7 of this act becomes effective on July 1, 2016, and expires by limitation on July 1, 2021.