

SENATE BILL NO. 510—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

MARCH 27, 2017

Referred to Committee on Health and Human Services

SUMMARY—Revises provision governing the eligibility of a child for assistance from the Kinship Guardianship Assistance Program. (BDR 38-901)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public welfare; revising the eligibility requirements for a child to receive assistance from the Kinship Guardianship Assistance Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Kinship Guardianship Assistance Program to
2 provide financial incentives to a relative who becomes the legal guardian of a child
3 in foster care. (NRS 432B.621-432B.626) This bill eliminates the requirement that
4 a child must have been eligible to receive maintenance pursuant to Part E of Title
5 IV of the Social Security Act (42 U.S.C. §§ 670 et seq.) while residing with the
6 relative of the child for not less than 6 months as a condition to receiving assistance
7 pursuant to the Program. This bill also clarifies that the relative with whom the
8 child resides must be a licensed provider of foster care.



* S B 5 1 0 *

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

Section 1. NRS 432B.623 is hereby amended to read as follows:

432B.623 1. As a condition to the provision of assistance pursuant to the Program:

(a) A child must:

(1) Have been removed from his or her home:

(I) Pursuant to a written agreement voluntarily entered by the parent or guardian of the child and an agency which provides child welfare services; or

(II) By a court which has determined that it is in the best interests of the child for the child to remain in protective custody or to be placed in temporary or permanent custody outside his or her home;

(2) For not less than 6 consecutive months, have ~~been eligible to receive maintenance pursuant to Part E of Title IV of the Social Security Act, 42 U.S.C. §§ 670 et seq., while residing~~ *resided* with ~~the~~ *a* relative of the child;

(3) Not have as an option for permanent placement the return to the home or the adoption of the child;

(4) Demonstrate a strong attachment to the relative; *and*

(5) If the child is 14 years of age or older, be consulted regarding the guardianship arrangement. ~~;~~ *and*

~~—— (6) Meet any other requirements for eligibility set forth in 42 U.S.C. §§ 671 and 673.;~~

(b) A relative of the child must:

(1) Demonstrate a strong commitment to caring for the child permanently;

(2) Be a provider of foster care ~~as defined in NRS 424.017;~~ *who is licensed by a licensing authority pursuant to NRS 424.030;*

(3) Enter into a written agreement for assistance with an agency which provides child welfare services before the relative is appointed as the legal guardian of the child; *and*

(4) Be appointed as the legal guardian of the child by a court of competent jurisdiction and comply with any requirements imposed by the court. ~~;~~ *and*

~~—— (5) Meet any other requirements for eligibility set forth in 42 U.S.C. §§ 671 and 673.;~~

2. If the sibling of a child who is eligible for assistance pursuant to the Program is not eligible for such assistance, the sibling may be placed with the child who is eligible for assistance upon approval of the agency which provides child welfare services



1 and the relative. In such a case, payments may be made for the
2 sibling so placed as if the sibling is eligible for the Program.

3 **Sec. 2.** The provisions of NRS 354.599 do not apply to any
4 additional expenses of a local government that are related to the
5 provisions of this act.

6 **Sec. 3.** This act becomes effective upon passage and approval.

