

ASSEMBLY BILL NO. 298—ASSEMBLYWOMAN BACKUS

MARCH 18, 2019

Referred to Committee on Health and Human Services

SUMMARY—Requires an agency which provides child welfare services to adopt certain plans relating to the placement of children. (BDR 38-1061)

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

CONTAINS UNFUNDED MANDATE (§§ 1, 2)
(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 child welfare; requiring each agency which provides child welfare services to adopt plans for the recruitment and retention of foster homes and the placement of children; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that an agency which provides child welfare services is responsible for: (1) licensing and regulating foster homes; (2) determining whether a child is in need of protection; and (3) placing or assisting the court in the placement of a child who is determined to be in need of protection. (NRS 424.016, 424.030, 432B.330, 432B.390, 432B.550) **Section 1** of this bill requires an agency which provides child welfare services to adopt a plan for the recruitment and retention of foster homes. **Section 1** also requires an agency which provides child welfare services to appoint one or more employees to establish targets for the retention and recruitment of foster homes in the area served by the agency or each region into which that area is divided, as applicable. **Section 2** of this bill requires an agency which provides child welfare services to adopt a plan for the placement of children. **Section 2** also requires an agency which provides child welfare services to appoint one or more employees to: (1) evaluate the manner in which the plan for the placement of children is carried out; and (2) make recommendations concerning any necessary updates to the plan.



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 a new section to read as follows:

1. An agency which provides child welfare services shall adopt and publish on an Internet website maintained by the agency a plan for the recruitment and retention of foster homes which must include, without limitation, plans to:

(a) Determine the number of foster homes needed in each region served by the agency or, if the agency is not divided into regions, in the area served by the agency, including, without limitation, the number of foster homes needed to:

(1) Accommodate siblings remaining together; and

(2) Serve children with autism spectrum disorders, who have other developmental disabilities and who have other special needs.

(b) Recruit, support and retain foster homes to accommodate the needs identified pursuant to paragraph (a).

2. An agency which provides child welfare services shall appoint one or more employees to carry out the plan adopted pursuant to subsection 1. In accordance with the plan, each such employee or group of employees shall establish, for the area for which the employee or group of employees is responsible, recruitment and retention targets for:

(a) The total number of foster homes in the area; and

(b) The number of foster homes described in subparagraphs (1) and (2) of paragraph (a) of subsection 1 in the area.

3. Each employee or group of employees appointed pursuant to subsection 2 shall make recommendations to the agency which provides child welfare services concerning any necessary revisions to the plan adopted pursuant to subsection 1. The agency shall annually update the plan in accordance with the recommendations of the employee or group of employees.

4. On or before January 31 of each year, an agency which provides child welfare services shall publish on an Internet website maintained by the agency a report which includes, without limitation:

(a) Information relating to whether the agency achieved the recruitment and retention targets established pursuant to subsection 2 for each quarter of the immediately preceding year; and

(b) If the agency failed to meet those targets, a description of measures the agency plans to take to ensure that the agency meets those targets in the future.



Sec. 2. Chapter 432B of NRS is hereby amended by adding thereto a new section to read as follows:

An agency which provides child welfare services shall:

1. Adopt and publish on an Internet website maintained by the agency a plan for the placement of children, which must include, without limitation, plans to ensure that, to the extent possible:

(a) A child, including, without limitation, a child who is alleged or determined to be in need of protection based on a finding of neglect, remains or is placed in the home of his or her parent or guardian when the agency which provides child welfare services determines that such placement is safe.

(b) A child for whom the agency which provides child welfare services is not able to identify a safe placement pursuant to paragraph (a) is placed in the home of a person who is related within the fifth degree of consanguinity or a fictive kin, and who is suitable and able to provide proper care and guidance for the child when such placement is determined by the agency which provides child welfare services to be safe.

(c) A child for whom the agency which provides child welfare services is not able to identify a safe placement pursuant to paragraph (a) or (b) is placed in a foster home that is:

(1) Licensed pursuant to chapter 424 of NRS; and

(2) Located in the same community as the home from which the child was removed and the zone of attendance of the public school that the child was attending at the time of removal, if applicable.

(d) The relatives and fictive kin of a child are engaged in determining the placement of the child.

2. Appoint one or more employees to evaluate the manner in which the plan adopted pursuant to subsection 1 is carried out. Each such employee or group of employees shall:

(a) Evaluate the manner in which the plan is carried out in individual cases to assess:

(1) The manner in which the plan addresses the needs of children and uses available resources;

(2) Any gaps in services for children; and

(3) Any barriers to the placement of children as described in paragraphs (a), (b) and (c) of subsection 1.

(b) Make recommendations to the agency concerning any necessary revisions to the plan.

3. Annually update the plan described in subsection 1 in accordance with the recommendations of the employee or group of employees appointed pursuant to subsection 2.



1 **Sec. 3.** This act becomes effective on July 1, 2019.

