

Amendment No. 417

Assembly Amendment to Assembly Bill No. 298
(BDR 38-1061)

Proposed by: Assembly Committee on Health and Human Services

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

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 298 (§ 1).

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: 4/20/2019

A.B. No. 298—Requires an agency which provides child welfare services to adopt certain plans relating to the placement of children.
(BDR 38-1061)



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,~~ a plan for the recruitment and retention of foster homes. (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~~ a plan 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) This bill requires an agency which provides child welfare services to adopt a plan for the recruitment and retention of foster homes. Section 1 This bill 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. (1) develop, carry out and evaluate the implementation of the plan; and (2) evaluate certain other issues relating to the ability of existing foster homes to meet the needs of children.

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 and update annually a plan for the recruitment and retention of foster homes which must include, without limitation ~~plans to~~ :

(a) ~~Determine~~ A determination of 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~~ When making that determination, the agency must consider the needs of children in foster care in the area served by the agency with respect to:

(1) ~~Accommodate~~ The ages of the children;

(2) Accommodating siblings remaining to remain together; ~~and~~

~~(2) Serve~~

(3) Serving children with autism spectrum disorders who have other intellectual or developmental disabilities and who have other special needs

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

(4) Addressing the needs of children in foster care to receive care provided in a racially and culturally competent manner.

(b) Specific goals for the number of foster homes needed in the geographic area served by the agency.

(c) If the agency failed to meet the goals established pursuant to paragraph (b) for the immediately preceding year, a description of the measures that the agency plans to take to ensure that the agency meets those targets during the immediately following year.

(d) A plan to ensure that, to the extent possible, a foster home in which a child is placed pursuant to NRS 432B.550 is located in:

(1) The same community as the home from which the child was removed; and

(2) The zone of attendance of the public school that the child was attending when he or she was removed from that home, if applicable.

(e) Strategies for recruiting foster homes in geographic areas with a high rate of placement of children in protective custody.

(f) An identification of resources available to support foster parents.

2. An agency which provides child welfare services shall appoint one or more employees to :

(a) Develop and carry out the plan adopted pursuant to subsection 1. ~~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. —~~

(b) Evaluate the implementation of the plan, the degree to which existing procedures for placing children in foster homes meet the needs of those children and use resources efficiently, any gaps in services for children placed in protective custody or foster care and any barriers to placing children in accordance with paragraph (d) of subsection 1.

3. On or before ~~January 31~~ August 1 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~~ , information relating to whether the agency achieved the recruitment and retention targets, goals established pursuant to paragraph (b) of subsection 2 ~~1~~ 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.~~ (Deleted by amendment.)

Sec. 2.5. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

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