

ASSEMBLY BILL NO. 228—ASSEMBLYWOMEN BRITTNEY MILLER,
GORELOW; MONROE-MORENO AND THOMAS

MARCH 10, 2021

Referred to Committee on Health and Human Services

SUMMARY—Establishes provisions relating to children's
advocacy centers. (BDR 38-358)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; prescribing the requirements governing the credentialing and operation of children's advocacy centers; providing that certain persons are immune from civil liability for actions or omissions in duties performed on behalf of or through a children's advocacy center; requiring the governing body of each county and each agency which provides child welfare services to ensure access to a children's advocacy center; creating an account to support children's advocacy centers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the reporting and investigation of the abuse and neglect of children and the placement of children who are victims of abuse or neglect into safe living situations. (Chapter 432B of NRS) **Section 3** of this bill defines the term "children's advocacy center" to mean a public or private entity that provides an environment friendly to children where multidisciplinary teams made up of law enforcement officers, representatives of agencies which provide child welfare services, providers of health care, district attorneys or their deputies and victims' advocates work to: (1) investigate and help children recover from abuse and neglect; and (2) hold perpetrators of abuse and neglect of children accountable. **Sections 2, 4 and 5** of this bill define certain other terms related to children's advocacy centers. **Section 6** of this bill requires a children's advocacy center to hold certain membership with the National Children's Alliance and adhere to the standards prescribed by that organization to operate in this State. **Section 6** provides that an employee or officer of a children's advocacy center or a member of a multidisciplinary team is immune from civil liability for certain actions or omissions in the performance of his or her duties if he or she acts in good faith.



* A B 2 2 8 *

Sections 6, 8 and 9 of this bill provide that information maintained by a children's advocacy center is generally confidential and may only be disclosed under the same circumstances as information maintained by an agency which provides child welfare services. **Section 6** requires the governing body of each county and each agency which provides child welfare services to ensure, to the extent that money is available, that children who are victims of abuse or neglect have access to a multidisciplinary team through a children's advocacy center. **Section 7** of this bill creates an account to support the establishment and operation of children's advocacy centers and authorizes the Division of Child and Family Services of the Department of Health and Human Services to accept gifts, grants, bequests and other contributions for this account.

WHEREAS, Children's advocacy centers are essential to the health, safety and well-being of children in this State who are victims of child abuse and neglect; and

WHEREAS, Victims of child abuse and neglect and their families should be assured that children's advocacy centers in this State are adhering to best practices; and

WHEREAS, Sustainable and reliable funding is necessary for the creation and operation of children's advocacy centers; now, therefore,

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

Section 1. Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. *As used in sections 2 to 7, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Children's advocacy center" means a public or private entity that provides an environment friendly to children where multidisciplinary teams work to:*

1. Investigate and help children recover from abuse and neglect; and

2. Hold perpetrators of abuse and neglect of children accountable.

Sec. 4. *"Multidisciplinary team" means a team of different types of professionals convened by a children's advocacy center to respond to the abuse or neglect of a child. Such a team may include, without limitation, law enforcement officers, representatives of agencies which provide child welfare services, district attorneys or their deputies, providers of health care and advocates for victims of abuse or neglect of children.*



1 **Sec. 5.** *“Provider of health care” has the meaning ascribed*
2 *to it in NRS 629.031.*

3 **Sec. 6.** 1. *To operate in this State, a children’s advocacy*
4 *center must:*

5 (a) *Be recognized by the National Children’s Alliance, or its*
6 *successor organization, as an accredited member, an*
7 *associate/developing member or an affiliate member; and*

8 (b) *Operate in accordance with the standards prescribed by the*
9 *National Children’s Alliance, or its successor organization.*

10 2. *An employee or officer of a children’s advocacy center or a*
11 *member of a multidisciplinary team is immune from civil liability*
12 *for any action or omission in the performance of his or her duties*
13 *on behalf of or through the children’s advocacy center if he or she*
14 *acts in good faith.*

15 3. *Except as otherwise provided in this subsection and NRS*
16 *239.0115, 432B.165, 432B.175, 432B.513 and 439.538,*
17 *information maintained by a children’s advocacy center,*
18 *including, without limitation, reports and investigations made*
19 *pursuant to this chapter, is confidential. Such information may, at*
20 *the discretion of the children’s advocacy center, be made available*
21 *only to the persons described in subsection 2 of NRS 432B.290.*

22 4. *To the extent that money is available, the governing body*
23 *of each county and each agency which provides child welfare*
24 *services shall ensure that children who are victims of abuse or*
25 *neglect have access to a multidisciplinary team through a*
26 *children’s advocacy center.*

27 **Sec. 7.** 1. *The Account to Support Children’s Advocacy*
28 *Centers is hereby created in the State General Fund. The Division*
29 *of Child and Family Services shall administer the Account.*

30 2. *The interest and income earned on the money in the*
31 *Account, after deducting any applicable charges, must be credited*
32 *to the Account.*

33 3. *The Division of Child and Family Services may use the*
34 *money in the Account to provide monetary support for the*
35 *establishment and operation of children’s advocacy centers.*

36 4. *The Division of Child and Family Services may accept*
37 *gifts, grants, bequests and other contributions from any source for*
38 *the purpose of carrying out the provisions of this section.*

39 5. *Any money remaining in the Account at the end of a fiscal*
40 *year does not revert to the State General Fund, and the balance in*
41 *the Account must be carried forward to the next fiscal year.*

42 **Sec. 8.** NRS 432B.165 is hereby amended to read as follows:

43 432B.165 1. For purposes of assisting in locating a missing
44 child who is the subject of an investigation of abuse or neglect and
45 who is in the protective custody of an agency which provides child



welfare services or in the custody of another entity pursuant to an order of the juvenile court, an agency which provides child welfare services *or a children's advocacy center* may provide the following information to a federal, state or local governmental entity, or an agency of such an entity, that needs access to the information to carry out its legal responsibilities to protect children from abuse or neglect:

- (a) The name of the child;
- (b) The age of the child;
- (c) A physical description of the child; and
- (d) A photograph of the child.

2. Information provided pursuant to subsection 1 is not confidential and may be disclosed to any member of the general public upon request.

3. An agency which provides child welfare services that receives information concerning a child who has been placed in the custody of the agency who is missing, including, without limitation, a child who has run away or has been abducted, shall report the information to the appropriate law enforcement agency as soon as practicable, but not later than 24 hours after receiving such information, for investigation pursuant to NRS 432.200.

4. As used in this section, "children's advocacy center" has the meaning ascribed to it in section 3 of this act.

Sec. 9. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 226.300, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239.014, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230,



1 239C.250, 239C.270, 239C.420, 240.007, 241.020, 241.030,
2 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,
3 250.087, 250.130, 250.140, 250.150, 268.095, 268.0978, 268.490,
4 268.910, 269.174, 271A.105, 281.195, 281.805, 281A.350,
5 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068,
6 286.110, 286.118, 287.0438, 289.025, 289.080, 289.387, 289.830,
7 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.5757, 293.870,
8 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061,
9 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,
10 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049,
11 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255,
12 360.755, 361.044, 361.2242, 361.610, 365.138, 366.160, 368A.180,
13 370.257, 370.327, 372A.080, 378.290, 378.300, 379.0075, 379.008,
14 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455,
15 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249,
16 391.033, 391.035, 391.0365, 391.120, 391.925, 392.029, 392.147,
17 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
18 392.850, 393.045, 394.167, 394.16975, 394.1698, 394.447, 394.460,
19 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685,
20 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153,
21 414.280, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
22 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
23 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
24 432C.140, 432C.150, 433.534, 433A.360, 437.145, 437.207,
25 439.4941, 439.840, 439.914, 439B.420, 439B.754, 439B.760,
26 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395,
27 442.735, 442.774, 445A.665, 445B.570, 445B.7773, 447.345,
28 449.209, 449.245, 449.4315, 449A.112, 450.140, 450B.188,
29 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
30 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
31 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.535, 480.545,
32 480.935, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536,
33 483.340, 483.363, 483.575, 483.659, 483.800, 484A.469, 484E.070,
34 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160,
35 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090,
36 603.070, 603A.210, 604A.303, 604A.710, 612.265, 616B.012,
37 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.238,
38 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425,
39 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069,
40 630.133, 630.2673, 630.30665, 630.336, 630A.555, 631.368,
41 632.121, 632.125, 632.3415, 632.405, 633.283, 633.301, 633.4715,
42 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085,
43 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
44 640A.220, 640B.730, 640C.580, 640C.600, 640C.620, 640C.745,
45 640C.760, 640D.190, 640E.340, 641.090, 641.221, 641.325,



1 641A.191, 641A.262, 641A.289, 641B.170, 641B.282, 641B.460,
2 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180,
3 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
4 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
5 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228,
6 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130, 665.133,
7 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380,
8 676A.340, 676A.370, 677.243, 678A.470, 678C.710, 678C.800,
9 679B.122, 679B.124, 679B.152, 679B.159, 679B.190, 679B.285,
10 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540,
11 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110,
12 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696,
13 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538,
14 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120,
15 703.196, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and*
16 *section 6 of this act*, sections 35, 38 and 41 of chapter 478, Statutes
17 of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada
18 2013 and unless otherwise declared by law to be confidential, all
19 public books and public records of a governmental entity must be
20 open at all times during office hours to inspection by any person,
21 and may be fully copied or an abstract or memorandum may be
22 prepared from those public books and public records. Any such
23 copies, abstracts or memoranda may be used to supply the general
24 public with copies, abstracts or memoranda of the records or may be
25 used in any other way to the advantage of the governmental entity or
26 of the general public. This section does not supersede or in any
27 manner affect the federal laws governing copyrights or enlarge,
28 diminish or affect in any other manner the rights of a person in any
29 written book or record which is copyrighted pursuant to federal law.

30 2. A governmental entity may not reject a book or record
31 which is copyrighted solely because it is copyrighted.

32 3. A governmental entity that has legal custody or control of a
33 public book or record shall not deny a request made pursuant to
34 subsection 1 to inspect or copy or receive a copy of a public book or
35 record on the basis that the requested public book or record contains
36 information that is confidential if the governmental entity can
37 redact, delete, conceal or separate, including, without limitation,
38 electronically, the confidential information from the information
39 included in the public book or record that is not otherwise
40 confidential.

41 4. If requested, a governmental entity shall provide a copy of a
42 public record in an electronic format by means of an electronic
43 medium. Nothing in this subsection requires a governmental entity
44 to provide a copy of a public record in an electronic format or by
45 means of an electronic medium if:



(a) The public record:

(1) Was not created or prepared in an electronic format; and

(2) Is not available in an electronic format; or

(b) Providing the public record in an electronic format or by means of an electronic medium would:

(1) Give access to proprietary software; or

(2) Require the production of information that is confidential and that cannot be redacted, deleted, concealed or separated from information that is not otherwise confidential.

5. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in the medium that is requested because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 10. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 9, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2021, for all other purposes.

