

Amendment No. 445

Senate Amendment to Senate Bill No. 158	(BDR 38-504)
Proposed by: Senate Committee on Health and Human Services	
Amendment Box: Replaces Amendment No. 178.	
Amends: Summary: No Title: No 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



Date: 4/16/2021

S.B. No. 158—Revises requirements to receive assistance from the Kinship Guardianship Assistance Program. (BDR 38-504)



SENATE BILL NO. 158—COMMITTEE ON
HEALTH AND HUMAN SERVICES(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 1, 2021

Referred to Committee on Health and Human Services

SUMMARY—Revises requirements to receive assistance from the Kinship Guardianship Assistance Program. (BDR 38-504)

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 public welfare; revising requirements for a relative of a child in foster care to be eligible for assistance from the Kinship Guardianship Assistance Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Health and Human Services to establish and administer the Kinship Guardianship Assistance Program to provide assistance to a relative who becomes the legal guardian of a child in foster care. (NRS 432B.6201-432B.626) Existing law sets forth various criteria that a child and a relative must satisfy in order for the relative to be eligible for assistance pursuant to the Program. ~~[(NRS 432B.623) This bill eliminates the]~~ ***including a*** requirement that ~~[for a relative to be eligible for such assistance,]~~ the child must not be able to permanently return to his or her home or be adopted. ~~[Thus, under this bill, the relative of a child who may be able to permanently return to his or her home or be adopted would be eligible for assistance pursuant to the Program if the relative and the child satisfied the other eligibility criteria set forth in existing law.] (NRS 432B.623)~~ ***This bill revises that requirement to require that, for a relative to be eligible for such assistance, an agency which provides child welfare services must determine that being returned home or adopted are not appropriate permanency options for the child.***

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:

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

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

6 (2) For not less than 6 consecutive months, have resided with a relative of
7 the child;

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

10 ~~(4)}~~ (4) Demonstrate a strong attachment to the relative; and

11 ~~{(5)}~~ (4) If the child is 14 years of age or older, be consulted regarding the
12 guardianship arrangement.

13 (b) A relative of the child must:

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

15 (2) Be a provider of foster care who is licensed by a licensing authority
16 pursuant to NRS 424.030;

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

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

22 (c) An agency which provides child welfare services must determine that
23 being returned home or adopted are not appropriate permanency options for the
24 child.

25 2. If the sibling of a child who is eligible for assistance pursuant to the
26 Program is not eligible for such assistance, the sibling may be placed with the child
27 who is eligible for assistance upon approval of the agency which provides child
28 welfare services and the relative. In such a case, payments may be made for the
29 sibling so placed as if the sibling is eligible for the Program.

30 **Sec. 2.** This act becomes effective on July 1, 2021.