

SENATE BILL NO. 380—SENATOR NGUYEN

MARCH 27, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the Extended Young Adult Support Services Program. (BDR S-991)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 child welfare; revising the date on which an agency which provides child welfare services is required to participate in the Extended Young Adult Support Services Program; authorizing an agency which provides child welfare services to request to participate in the Program before that date; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a child whom a court places with a person or entity other than a parent and who reaches 18 years of age to request the court to retain jurisdiction over the child until the child reaches 21 years of age. If a court retains jurisdiction over a child in such circumstances, the child is required to enter into an agreement with the agency which provides child welfare services. Such an agreement is required to provide that the child is entitled to: (1) continue receiving services from the agency which provides child welfare services; and (2) receive monetary payments directly or to have such payments provided to another entity in an amount not to exceed the rate of payment for foster care. (NRS 432B.594) Existing law additionally requires the agency which provides child welfare services to develop a written plan to assist the child in transitioning into independent living. (NRS 432B.595)

Senate Bill No. 397 of the 2021 Legislative Session revises those provisions, effective on January 1, 2024, to require the Division of Child and Family Services of the Department of Health and Human Services to establish the Extended Young Adult Support Services Program to provide extended youth support services to young adults who would have been eligible previously to receive services upon electing to remain under the jurisdiction of the court. (Section 25 of chapter 419, Statutes of Nevada 2021, at page 2728) Senate Bill No. 397 authorizes a young adult to decide to participate in the Program any time before his or her 21st birthday, notwithstanding any previous decision not to participate or to terminate participation. (Section 32 of chapter 419, Statutes of Nevada 2021, at page 2731)



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Senate Bill No. 397 requires a participant in the Program to: (1) enter into a written agreement with the agency which provides child welfare services; and (2) be employed or enrolled in certain educational programs or programs to promote employment if the participant is capable of doing so. (Section 33 of chapter 419, Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires: (1) the agency which provides child welfare services to develop a written extended youth support services plan to assist a participant in the Program in transitioning to self-sufficiency; and (2) the participant to make a good faith effort to achieve the goals set forth in the plan. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734) Senate Bill No. 397 requires a court that has jurisdiction over a participant to hold an annual hearing to: (1) review the plan developed for the participant; and (2) determine whether the agency which provides child welfare services has made reasonable efforts to assist the participant in meeting the goals prescribed by the plan. (Section 26 of chapter 419, Statutes of Nevada 2021, at page 2729) Senate Bill No. 397 additionally provides that a participant in the Program is entitled to continue to: (1) receive services from the agency which provides child welfare services; and (2) receive monetary payments from that agency or have those payments provided to another entity. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734)

Section 1 of this bill revises the date on which an agency which provides child welfare services is required to participate in the Program from January 1, 2024, to July 1, 2025. However, **section 2** of this bill authorizes an agency which provides child welfare services in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to submit a request to the Division to begin participating in the Program before that date. If the Division approves that request, **section 2** requires the Division to notify the Governor and the Director of the Legislative Counsel Bureau. **Section 2** prohibits an agency which provides child welfare services in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe counties) from participating in the Program until July 1, 2025.

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

Section 1. Section 37 of chapter 419, Statutes of Nevada 2021, at page 2736, is hereby amended to read as follows:

Sec. 37. 1. This section and sections 34.5 and 36 of this act become effective upon passage and approval.

2. Sections 1 to 34, inclusive, and 35 of this act become effective on ~~January 1, 2024.~~ *the earlier of July 1, 2025, or the date on which the Division of Child and Family Services of the Department of Health and Human Services notifies the Governor and the Director of the Legislative Counsel Bureau that the agency which provides child welfare services, as defined in NRS 422B.030, in at least one county whose population is 100,000 or more is prepared to participate in the Extended Young Adult Support Services Program established pursuant to section 25 of this act (codified as NRS 432B.5919).*



Sec. 2. 1. An agency which provides child welfare services in a county whose population is 100,000 or more may submit a request to the Division to begin participating in the Program before July 1, 2025.

2. If the Division determines that an agency which provides child welfare services that submits a request pursuant to subsection 1 is prepared to begin participating in the Program before July 1, 2025, the Division shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact.

3. Notwithstanding the amendatory provisions of section 1 of this act:

(a) An agency which provides child welfare services in a county whose population is 100,000 or more may not participate in the Program until July 1, 2025, unless the Division approves a request from the agency to participate in the Program before that date pursuant to subsection 2.

(b) An agency which provides child welfare services in a county whose population is less than 100,000 may not participate in the Program until July 1, 2025.

4. As used in this section:

(a) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030.

(b) "Division" means the Division of Child and Family Services of the Department of Health and Human Services.

(c) "Program" means the Extended Young Adult Support Services Program established pursuant to section 25 of chapter 419, Statutes of Nevada 2021, at page 2728 (codified as NRS 432B.5919).

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

