

Amendment No. 285

Senate Amendment to Senate Bill No. 397	(BDR 38-502)
<b>Proposed by:</b> Senate Committee on Health and Human Services	
<b>Amends:</b> Summary: No Title: Yes 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.





SENATE BILL NO. 397—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON  
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 26, 2021

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to certain persons who remain in foster care beyond the age of 18 years. (BDR 38-502)

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 protection of children; ~~revising provisions relating to~~ **requiring 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 certain persons ~~who remain in foster care beyond the age of~~ **between 18 and 21 years of age**; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes a child whom a court places with a person or entity other than a  
2 parent and who reaches 18 years of age to request the court to retain jurisdiction over the child  
3 until the child reaches the age of 21 years. If a court retains jurisdiction over a child in such  
4 circumstances, the child is required to enter into an agreement with the agency which provides  
5 child welfare services. Such an agreement is required to provide that the child is entitled to:  
6 (1) continue receiving services from the agency which provides child welfare services; and (2)  
7 receive monetary payments directly or to have such payments provided to another entity in an  
8 amount not to exceed the rate of payment for foster care. (NRS 432B.594) Existing law  
9 additionally requires the agency which provides child welfare services to develop a written  
10 plan to assist the child in transitioning into independent living. (NRS 432B.595) The federal  
11 Fostering Connections to Success and Increasing Adoptions Act of 2008 allows states to  
12 receive federal Title IV-E reimbursement for costs associated with providing support services  
13 for persons to remain in foster care up to age 21. (Pub. L. No. 110-351) ~~This bill authorizes  
14 an agency which provides child welfare services to establish a program to provide extended  
15 foster care services to such a child pursuant to that federal law. This bill also provides for  
16 reporting and the adoption of regulations relating to such a program.]~~

17 **Sections 23, 27 and 30 of this bill revise terminology so that a person who is between**  
18 **18 and 21 years of age whose plan for permanent placement on his or her 18th birthday**  
19 **was a permanent living arrangement other than reunification with his or her parents is**  
20 **referred to as a young adult rather than a child. Section 24 of this bill provides that a**  
21 **young adult remains under the jurisdiction of the court until he or she reaches 21 years**

22 of age, but has the same ability to make decisions as an adult who is not subject to the  
23 jurisdiction of the court. Section 25 of this bill requires the Division of Child and Family  
24 Services of the Department of Health and Human Services to establish the Extended  
25 Young Adult Support Services Program to provide extended youth support services to  
26 young adults who would have been eligible previously to receive services upon electing to  
27 remain under the jurisdiction of the court. Section 25 also provides for reporting and the  
28 adoption of regulations relating to such a program. Section 22 of this bill defines the  
29 term "Program" to refer to the Program, and section 28 of this bill provides that a  
30 person or governmental organization that provides services to a participant in the  
31 Program is not the custodian of that participant.

32 Existing law requires a court to refer a child who is 17 years of age and in the  
33 custody of an agency which provides welfare services to an attorney upon determining  
34 that the child is not likely to be returned to the custody of his or her parent before  
35 reaching the age of 18 years. (NRS 432B.592) Section 31 of this bill requires such an  
36 attorney to counsel the child concerning the legal consequences of remaining under the  
37 jurisdiction of the court, as required by section 24. Section 31 also requires the attorney  
38 to counsel the child concerning the legal consequences of participating in the Program  
39 and assist the child in deciding whether to participate. Section 32 of this bill requires the  
40 agency which provides child welfare services to provide information concerning the  
41 Program to such a child and determine whether the child intends to request to  
42 participate in the Program at least 120 days before the child reaches 18 years of age.  
43 Section 32 authorizes a young adult to decide to participate in the Program any time  
44 before his or her 21st birthday, notwithstanding any previous decision not to participate  
45 or to terminate participation.

46 Section 33 of this bill requires a participant in the Program to: (1) enter into a  
47 written agreement with the agency which provides child welfare services; and (2) be  
48 employed or enrolled in certain educational programs or programs to promote  
49 employment, if he or she is capable of doing so. Section 34 of this bill requires the agency  
50 which provides child welfare services to develop a written extended youth support  
51 services plan to assist a participant in the Program in transitioning to self-sufficiency,  
52 and section 33 requires the participant to make a good faith effort to achieve the goals  
53 set forth in the plan. Section 26 of this bill requires a court that has jurisdiction over a  
54 participant to hold an annual hearing to: (1) review the plan developed for the  
55 participant; and (2) determine whether the agency which provides child welfare services  
56 has made reasonable efforts to assist the participant in meeting the goals prescribed by  
57 the plan. Section 33 also sets forth the conditions under which participation in the  
58 Program may be terminated. Section 33 additionally provides that a participant in the  
59 Program is entitled to continue to: (1) receive services from the agency which provides  
60 child welfare services; and (2) receive monetary payments from that agency or have  
61 those payments provided to another entity. Section 33 provides that those monetary  
62 payments must be in an amount that is sufficient to assist the young adult to achieve self-  
63 sufficiency but does not exceed the rate of payment for foster care. Section 33 authorizes  
64 an agency which provides child welfare services or the attorney assigned to the case to  
65 request a hearing before the court to address any issue with a participant. Section 34  
66 prescribes certain additional duties of an agency which provides child welfare services  
67 with respect to a participant in the Program. Sections 1-19 of this bill make various  
68 changes so that the provisions of Nevada Revised Statutes relating to a child who is in  
69 foster care are consistent and apply to a person who remains in foster care while  
70 participating in the Program in the same manner as a child in foster care who is less  
71 than 18 years of age.

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

1        **Section 1. Chapter 424 of NRS is hereby amended by adding thereto a**  
2 **new section to read as follows:**

3        **“Child” means a person who is less than 18 years of age or who participates**  
4 **in the Extended Young Adult Support Services Program established pursuant to**  
5 **section 25 of this act.**

6        **Sec. 2. NRS 424.010 is hereby amended to read as follows:**

7        424.010 As used in this chapter, unless the context otherwise requires, the  
8 words and terms defined in NRS 424.011 to 424.018, inclusive, **and section 1 of**  
9 **this act** have the meanings ascribed to them in those sections.

10        **Sec. 3. NRS 424.013 is hereby amended to read as follows:**

11        424.013 “Family foster home” means a family home in which one to six  
12 children ~~[who are under 18 years of age or who remain under the jurisdiction of a~~  
13 ~~court pursuant to NRS 432B.594 and]~~ who are not related within the first degree of  
14 consanguinity or affinity to the person or persons maintaining the home are  
15 received, cared for and maintained, for compensation or otherwise, including the  
16 provision of free care. The term includes a family home in which such a child is  
17 received, cared for and maintained pending completion of proceedings for the  
18 adoption of the child by the person or persons maintaining the home.

19        **Sec. 4. NRS 424.015 is hereby amended to read as follows:**

20        424.015 “Group foster home” means a foster home which provides full-time  
21 care and services for 7 to 15 children who are:

22        1. ~~[Under 18 years of age or who remain under the jurisdiction of a court~~  
23 ~~pursuant to NRS 432B.594;~~

24        ~~2.]~~ Not related within the first degree of consanguinity or affinity to any  
25 natural person maintaining or operating the home; and

26        ~~3.]~~ 2. Received, cared for and maintained for compensation or otherwise,  
27 including the provision of free care.

28        **Sec. 5. NRS 424.0153 is hereby amended to read as follows:**

29        424.0153 “Independent living foster home” means a foster home which  
30 provides assistance with the transition to independent living for children who have  
31 entered into an agreement to transition to independent living and for children who:

32        1. Are at least 16 years of age; ~~[but less than 18 years of age or who remain~~  
33 ~~under the jurisdiction of a court pursuant to NRS 432B.594;]~~

34        2. Are not related within the first degree of consanguinity or affinity to any  
35 natural person maintaining or operating the home; and

36        3. Are received, cared for and maintained for compensation or otherwise,  
37 including the provision of free care.

38        **Sec. 6. NRS 424.018 is hereby amended to read as follows:**

39        424.018 “Specialized foster home” means a foster home which provides full-  
40 time care and services for one to six children who:

41        1. Require special care for physical, mental or emotional issues;

42        2. ~~[Are under 18 years of age or who remain under the jurisdiction of a court~~  
43 ~~pursuant to NRS 432B.594;~~

44        ~~3.]~~ Are not related within the first degree of consanguinity or affinity to any  
45 natural person maintaining or operating the home; and

46        ~~4.]~~ 3. Are received, cared for and maintained for compensation or otherwise,  
47 including the provision of free care.

1           **Sec. 7. NRS 424.031 is hereby amended to read as follows:**

2           424.031 1. The licensing authority or a person or entity designated by the  
3 licensing authority shall obtain from appropriate law enforcement agencies  
4 information on the background and personal history of each applicant for a license  
5 to conduct a foster home, person who is licensed to conduct a foster home,  
6 employee of that applicant or licensee, and resident of a foster home who is 18  
7 years of age or older, other than a ~~resident who remains under the jurisdiction of a~~  
8 ~~court~~ **participant in the Extended Young Adult Support Services Program**  
9 **established** pursuant to ~~NRS 432B.504,~~ **section 25 of this act,** to determine  
10 whether the person investigated has been arrested for, has charges pending for or  
11 has been convicted of:

12           (a) Murder, voluntary manslaughter or mayhem;

13           (b) Any other felony involving the use or threatened use of force or violence  
14 against the victim or the use of a firearm or other deadly weapon;

15           (c) Assault with intent to kill or to commit sexual assault or mayhem;

16           (d) Sexual assault, statutory sexual seduction, incest, lewdness, indecent  
17 exposure or any other sexually related crime or a felony relating to prostitution;

18           (e) Abuse or neglect of a child or contributory delinquency;

19           (f) A violation of any federal or state law regulating the possession,  
20 distribution or use of any controlled substance or any dangerous drug as defined in  
21 chapter 454 of NRS;

22           (g) Abuse, neglect, exploitation, isolation or abandonment of older persons or  
23 vulnerable persons, including, without limitation, a violation of any provision of  
24 NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that  
25 prohibits the same or similar conduct;

26           (h) Any offense involving fraud, theft, embezzlement, burglary, robbery,  
27 fraudulent conversion or misappropriation of property within the immediately  
28 preceding 7 years;

29           (i) Any offense relating to pornography involving minors, including, without  
30 limitation, a violation of any provision of NRS 200.700 to 200.760, inclusive, or a  
31 law of any other jurisdiction that prohibits the same or similar conduct;

32           (j) Prostitution, solicitation, lewdness or indecent exposure, or any other  
33 sexually related crime that is punishable as a misdemeanor, within the immediately  
34 preceding 7 years;

35           (k) A crime involving domestic violence that is punishable as a felony;

36           (l) A crime involving domestic violence that is punishable as a misdemeanor,  
37 within the immediately preceding 7 years;

38           (m) A criminal offense under the laws governing Medicaid or Medicare, within  
39 the immediately preceding 7 years;

40           (n) Any offense involving the sale, furnishing, purchase, consumption or  
41 possession of alcoholic beverages by a minor including, without limitation, a  
42 violation of any provision of NRS 202.015 to 202.067, inclusive, or driving a  
43 vehicle under the influence of alcohol or a controlled substance in violation of  
44 chapter 484C of NRS or a law of any other jurisdiction that prohibits the same or  
45 similar conduct, within the immediately preceding 7 years; or

46           (o) An attempt or conspiracy to commit any of the offenses listed in this  
47 subsection within the immediately preceding 7 years.

48           2. A licensing authority or a person or entity designated by the licensing  
49 authority may conduct an investigation of the background and personal history of a  
50 person who is 18 years of age or older who routinely supervises a child in a foster  
51 home in the same manner as described in subsection 1.

52           3. The licensing authority or its approved designee may charge each person  
53 investigated pursuant to this section for the reasonable cost of that investigation.

1 4. Unless a preliminary Federal Bureau of Investigation Interstate  
2 Identification Index name-based check of the records of criminal history has been  
3 conducted pursuant to NRS 424.039, a person who is required to submit to an  
4 investigation pursuant to subsection 1 shall not have contact with a child in a foster  
5 home without supervision before the investigation of the background and personal  
6 history of the person has been conducted.

7 5. The licensing authority or its designee:

8 (a) Shall conduct an investigation of each licensee, employee and resident  
9 pursuant to this section at least once every 5 years after the initial investigation; and

10 (b) May conduct an investigation of any person who is 18 years of age or older  
11 who routinely supervises a child in a foster home at such times as it deems  
12 appropriate.

13 **Sec. 8. NRS 424.033 is hereby amended to read as follows:**

14 424.033 1. Each applicant for a license to conduct a foster home, person  
15 who is licensed to conduct a foster home, employee of that applicant or licensee,  
16 resident of a foster home who is 18 years of age or older, other than a ~~resident who~~  
17 ~~remains under the jurisdiction of a court~~ **participant in the Extended Young Adult**  
18 **Support Services Program established** pursuant to ~~[NRS 432B.594]~~ **section 25 of**  
19 **this act**, or a person who is 18 years of age or older who routinely supervises a  
20 child in a foster home for whom an investigation is conducted pursuant to  
21 subsection 2 of NRS 424.031, must submit to the licensing authority or its approved  
22 designee:

23 (a) A complete set of fingerprints and written permission authorizing the  
24 licensing authority or its approved designee to forward those fingerprints to the  
25 Central Repository for Nevada Records of Criminal History for submission to the  
26 Federal Bureau of Investigation for its report to enable the licensing authority or its  
27 approved designee to conduct an investigation pursuant to NRS 424.031; and

28 (b) Written permission to conduct a child abuse and neglect screening.

29 2. For each person who submits the documentation required pursuant to  
30 subsection 1, the licensing authority or its approved designee shall conduct a child  
31 abuse and neglect screening of the person in every state in which the person has  
32 resided during the immediately preceding 5 years.

33 3. The licensing authority or its approved designee may exchange with the  
34 Central Repository or the Federal Bureau of Investigation any information  
35 respecting the fingerprints submitted.

36 4. The Division shall assist the licensing authority of another state that is  
37 conducting a child abuse and neglect screening of a person who has resided in this  
38 State by providing information which is necessary to conduct the screening if the  
39 person who is the subject of the screening has signed a written permission  
40 authorizing the licensing authority to conduct a child abuse and neglect screening.  
41 The Division may charge a fee for providing such information in an amount which  
42 does not exceed the actual cost to the Division to provide the information.

43 5. When a report from the Federal Bureau of Investigation is received by the  
44 Central Repository, it shall immediately forward a copy of the report to the  
45 licensing authority or its approved designee.

46 6. Upon receiving a report pursuant to this section, the licensing authority or  
47 its approved designee shall determine whether the person has been convicted of a  
48 crime listed in NRS 424.031.

49 7. The licensing authority shall immediately inform the applicant for a license  
50 to conduct a foster home or the person who is licensed to conduct a foster home  
51 whether an employee or resident of the foster home, or any other person who is 18  
52 years of age or older who routinely supervises a child in the foster home for whom  
53 an investigation was conducted pursuant to subsection 2 of NRS 424.031, has been

1 convicted of a crime listed in NRS 424.031. The information provided to the  
2 applicant for a license to conduct a foster home or the person who is licensed to  
3 conduct a foster home must not include specific information relating to any such  
4 conviction, including, without limitation, the specific crime for which the person  
5 was convicted.

6 8. The licensing authority may deny an application for a license to operate a  
7 foster home or may suspend or revoke such a license if the licensing authority  
8 determines that the applicant or licensee has been convicted of a crime listed in  
9 NRS 424.031 or has failed to terminate an employee, remove a resident of the  
10 foster home who is 18 years of age or older or prevent a person for whom an  
11 investigation was conducted pursuant to subsection 2 of NRS 424.031 from being  
12 present in the foster home, if such a person has been convicted of any crime listed  
13 in NRS 424.031.

14 **Sec. 9. NRS 424.039 is hereby amended to read as follows:**

15 424.039 1. A licensing authority or its approved designee may, in  
16 accordance with the procedures set forth in 28 C.F.R. §§ 901 et seq., conduct a  
17 preliminary Federal Bureau of Investigation Interstate Identification Index name-  
18 based check of the records of criminal history of a resident who is 18 years of age  
19 or older of a foster home in which the licensing authority wishes to place a child in  
20 an emergency situation, other than a ~~resident who remains under the jurisdiction of~~  
21 ~~a court~~ **participant in the Extended Young Adult Support Services Program**  
22 **established** pursuant to ~~[NRS 432B.594,] section 25 of this act,~~ to determine  
23 whether the person investigated has been arrested for or convicted of any crime.

24 2. Upon request of a licensing authority that wishes to place a child in a foster  
25 home in an emergency situation, or upon request of the approved designee of the  
26 licensing authority, a resident who is 18 years of age or older of the foster home in  
27 which the licensing authority wishes to place the child, other than a ~~resident who~~  
28 ~~remains under the jurisdiction of a court~~ **participant in the Extended Young Adult**  
29 **Support Services Program established** pursuant to ~~[NRS 432B.594,] section 25 of~~  
30 ~~this act,~~ must submit to the licensing authority or its approved designee a complete  
31 set of fingerprints and written permission authorizing the licensing authority or its  
32 approved designee to forward those fingerprints to the Central Repository for  
33 Nevada Records of Criminal History for submission to the Federal Bureau of  
34 Investigation for its report. The licensing authority or its approved designee shall  
35 forward the fingerprints to the Central Repository for Nevada Records of Criminal  
36 History within the time set forth in federal law or regulation.

37 3. If a resident who is 18 years of age or older of a foster home in which a  
38 licensing authority places a child in an emergency situation, other than a ~~resident~~  
39 ~~who remains under the jurisdiction of a court~~ **participant in the Extended Young**  
40 **Adult Support Services Program established** pursuant to ~~[NRS 432B.594,] section~~  
41 ~~25 of this act,~~ refuses to provide a complete set of fingerprints to the licensing  
42 authority or its approved designee upon request pursuant to subsection 2, the  
43 licensing authority must immediately remove the child from the foster home.

44 **Sec. 10. NRS 424.220 is hereby amended to read as follows:**

45 424.220 1. A foster care agency which places children in an independent  
46 living foster home shall develop and implement written policies and procedures  
47 relating to children placed in independent living foster homes which must include,  
48 without limitation:

49 (a) A process for ensuring that a potential location for an independent living  
50 arrangement meets any standards required by the licensing authority and is  
51 evaluated on a regular basis to ensure that it continues to meet such standards;

52 (b) A procedure for approving a location for an independent living  
53 arrangement;

1 (c) Criteria and procedures for intake and admission into the independent  
2 living foster home and discharge from the independent living foster home,  
3 including, without limitation, procedures to ensure that the child will be discharged  
4 into the care of his or her legal guardian if he or she is less than 18 years of age at  
5 the time of his or her discharge;

6 (d) The conditions under which a child may be discharged from the  
7 independent living foster home, including, without limitation, criteria and  
8 procedures for implementing an emergency discharge of the child;

9 (e) Criteria and procedures for terminating the approval of a location for an  
10 independent living arrangement;

11 (f) A detailed plan for determining and maintaining the supervision and  
12 visitation of each child after he or she has been placed in a location for an  
13 independent living arrangement; and

14 (g) The types of services that the provider of foster care will obtain or provide  
15 to meet the needs of the child during the placement.

16 2. A foster care agency which places children in an independent living foster  
17 home shall coordinate with the provider of foster care to:

18 (a) Ensure that each child is enrolled in academic, vocational education or  
19 career and technical education services appropriate to meet the needs of the child;

20 (b) Monitor the educational progress of each child as often as necessary;

21 (c) Assist each child in obtaining routine and emergency medical care and  
22 dental care;

23 (d) Evaluate the needs of each child for financial assistance upon intake and  
24 monthly thereafter or more often if necessary;

25 (e) Provide the resources to meet the basic needs of each child, including,  
26 without limitation, clothing, food and shelter;

27 (f) Provide assistance to each child in locating, securing and maintaining  
28 employment;

29 (g) Provide training in life skills to meet the needs of each child;

30 (h) Support each ~~child who remains under the jurisdiction of a court~~  
31 participant in the Extended Young Adult Support Services Program established  
32 pursuant to ~~[NRS 432B.594]~~ section 25 of this act; and

33 (i) Obtain and provide a system for responding to a crisis that is accessible to  
34 the child 24 hours a day, 7 days a week, including holidays, and provide training to  
35 each child on how to access and use the system.

36 3. A foster care agency which places children in an independent living foster  
37 home shall provide an orientation and training to each child admitted to its program  
38 for independent living.

39 **Sec. 11. NRS 432.010 is hereby amended to read as follows:**

40 432.010 As used in this chapter, except as otherwise defined by specific  
41 statute or unless the context otherwise requires:

42 1. "Administrator" means the Administrator of the Division.

43 2. "Agency which provides child welfare services" has the meaning ascribed  
44 to it in NRS 432B.030.

45 3. "Child" means a person who is less than 18 years of age or who ~~remains~~  
46 ~~under the jurisdiction of a court~~ participates in the Extended Young Adult  
47 Support Services Program pursuant to ~~[NRS 432B.594]~~ section 25 of this act.

48 4. "Department" means the Department of Health and Human Services.

49 5. "Director" means the Director of the Department.

50 6. "Division" means the Division of Child and Family Services of the  
51 Department.

1           7. “Maintenance” means general expenses for care such as board, shelter,  
2 clothing, transportation and other necessary or incidental expenses, or any of them,  
3 or monetary payments therefor.

4           8. “Special services” means medical, hospital, psychiatric, surgical or dental  
5 services, or any combination thereof.

6           **Sec. 12. NRS 432.0395 is hereby amended to read as follows:**

7           432.0395 1. Before an agency which provides child welfare services  
8 requests and examines a copy of any credit report pursuant to subsection 2, the  
9 agency which provides child welfare services shall, to the greatest extent  
10 practicable:

11           (a) Inform the child of the requirement to request and examine a copy of any  
12 credit report that may exist for the child;

13           (b) Explain to the child the process for resolving any inaccuracy discovered on  
14 any such credit report; and

15           (c) Explain to the child the possible consequences of an inaccuracy on a credit  
16 report of the child.

17           2. An agency which provides child welfare services shall request and examine  
18 a copy of any credit report that may exist for each child who remains in the custody  
19 of the agency which provides child welfare services for 60 or more consecutive  
20 days:

21           (a) When the child reaches the age of 14 years, and then at least once annually  
22 thereafter as required pursuant to 42 U.S.C. § 675(5)(I); or

23           (b) If the child has reached the age of 14 years before the child is placed in the  
24 custody of the agency which provides child welfare services, within 90 days after  
25 the placement of the child in the custody of the agency which provides child  
26 welfare services, and then at least once annually thereafter as required pursuant to  
27 42 U.S.C. § 675(5)(I).

28           3. An agency which provides child welfare services shall determine from the  
29 examination of a credit report pursuant to this section whether the credit report  
30 contains inaccurate information and whether the credit report indicates that identity  
31 theft or any other crime has been committed against the child.

32           4. If the agency which provides child welfare services determines that an  
33 inaccuracy exists in the credit report of a child, the agency which provides child  
34 welfare services must:

35           (a) Report any information which may indicate identity theft or other crime to  
36 the Attorney General;

37           (b) Make a diligent effort to resolve the inaccuracy as soon as practicable; and

38           (c) If an inaccuracy remains unresolved after the child has left the custody of  
39 the agency which provides child welfare services, notify the child or, if the child  
40 has not attained the age of majority, the person responsible for the child’s welfare:

41                   (1) That an inaccuracy exists in the credit report of the child;

42                   (2) Of the manner in which to correct the inaccuracy; and

43                   (3) Of any services that may be available in the community to provide  
44 assistance in correcting the inaccuracy.

45           5. An agency which provides child welfare services may, upon consent of a  
46 child who ~~remains under the jurisdiction of a court~~ **participates in the Extended**  
47 **Young Adult Support Services Program** pursuant to ~~[NRS 432B.594]~~ **section 25**  
48 **of this act**, continue to request and examine a credit report of the child and provide  
49 assistance to the child if an inaccuracy is discovered.

50           6. The Attorney General may investigate each potential instance of identity  
51 theft or crime reported pursuant to subsection 4 and prosecute in accordance with  
52 law each person responsible for any identity theft identified in the investigation.

53           **Sec. 13. NRS 432A.0245 is hereby amended to read as follows:**

1 432A.0245 1. "Child care institution" means a facility which provides care  
2 and shelter during the day and night and provides developmental guidance to 16 or  
3 more children who do not routinely return to the homes of their parents or  
4 guardians. Such an institution may also provide, without limitation:

5 (a) Education to the children according to a curriculum approved by the  
6 Department of Education;

7 (b) Services to children who have been diagnosed as severely emotionally  
8 disturbed as defined in NRS 433B.045, including, without limitation, services  
9 relating to mental health and education; or

10 (c) Emergency shelter to children who have been placed in protective custody  
11 pursuant to chapter 432B of NRS.

12 2. As used in this section, "child" includes a person who is less than 18 years  
13 of age or who ~~remains under the jurisdiction of a court~~ participates in the  
14 Extended Young Adult Support Services Program established pursuant to ~~NRS~~  
15 ~~432B.594~~ section 25 of this act.

16 **Sec. 14. NRS 432A.160 is hereby amended to read as follows:**

17 432A.160 1. Except as otherwise provided in this section, the Division may  
18 issue a provisional license, effective for a period not exceeding 1 year, to a child  
19 care facility which:

20 (a) Is in operation at the time of adoption of standards and other regulations  
21 pursuant to the provisions of this chapter, if the Division determines that the facility  
22 requires a reasonable time under the particular circumstances, not to exceed 1 year  
23 from the date of the adoption, within which to comply with the standards and other  
24 regulations;

25 (b) Has failed to comply with the standards and other regulations, if the  
26 Division determines that the facility is in the process of making the necessary  
27 changes or has agreed to effect the changes within a reasonable time; or

28 (c) Is in the process of applying for a license, if the Division determines that  
29 the facility requires a reasonable time within which to comply with the standards  
30 and other regulations.

31 2. The provisions of subsection 1 do not require the issuance of a license or  
32 prevent the Division from refusing to renew or from revoking or suspending any  
33 license in any instance where the Division considers that action necessary for the  
34 health and safety of the occupants of any facility or the clients of any outdoor youth  
35 program.

36 3. A provisional license must not be issued pursuant to this section unless the  
37 Division has completed an investigation into the qualifications and background of  
38 the applicant and the employees of the applicant pursuant to NRS 432A.170 to  
39 ensure that the applicant and each employee of the applicant, or every resident of  
40 the child care facility who is 18 years of age or older, other than a ~~resident who~~  
41 ~~remains under the jurisdiction of a court~~ participant in the Extended Young Adult  
42 Support Services Program established pursuant to ~~NRS 432B.594~~ section 25 of  
43 this act, or participant in any outdoor youth program who is 18 years of age or  
44 older, has not been convicted of a crime listed in subsection 2 of NRS 432A.170  
45 and has not had a substantiated report of child abuse or neglect made against him or  
46 her.

47 **Sec. 15. NRS 432A.170 is hereby amended to read as follows:**

48 432A.170 1. The Division may, upon receipt of an application for a license  
49 to operate a child care facility, conduct an investigation into the:

50 (a) Buildings or premises of the facility and, if the application is for an outdoor  
51 youth program, the area of operation of the program;

52 (b) Qualifications and background of the applicant or the employees of the  
53 applicant;

1 (c) Method of operation for the facility; and

2 (d) Policies and purposes of the applicant.

3 2. Subject to the provisions of subsection 7, the Division shall secure from  
4 appropriate law enforcement agencies information on the background and personal  
5 history of every applicant, licensee, operator of a small child care establishment,  
6 employee of an applicant, licensee or small child care establishment, resident of a  
7 child care facility or small child care establishment who is 18 years of age or older,  
8 other than a ~~resident who remains under the jurisdiction of a court~~ participant in  
9 the Extended Young Adult Support Services Program established pursuant to  
10 ~~NRS 432B.504,~~ section 25 of this act, or participant in an outdoor youth program  
11 who is 18 years of age or older, to determine whether the person has been convicted  
12 of:

13 (a) Murder, voluntary manslaughter or mayhem;

14 (b) Any other felony involving the use of a firearm or other deadly weapon;

15 (c) Assault with intent to kill or to commit sexual assault or mayhem;

16 (d) Sexual assault, statutory sexual seduction, incest, lewdness, indecent  
17 exposure or any other sexually related crime;

18 (e) Any crime against a child, including, without limitation, abuse, neglect or  
19 endangerment of a child, contributory delinquency or pornography involving a  
20 minor;

21 (f) Arson;

22 (g) Assault;

23 (h) Battery, including, without limitation, battery which constitutes domestic  
24 violence;

25 (i) Kidnapping;

26 (j) Any offense relating to the possession or use of any controlled substance or  
27 any dangerous drug as defined in chapter 454 of NRS within the immediately  
28 preceding 5 years;

29 (k) Any offense relating to the distribution or manufacture of any controlled  
30 substance or any dangerous drug as defined in chapter 454 of NRS, including,  
31 without limitation, possession of a controlled substance for the purpose of sale;

32 (l) Abuse, neglect, exploitation, isolation or abandonment of older persons or  
33 vulnerable persons, including, without limitation, a violation of any provision of  
34 NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that  
35 prohibits the same or similar conduct;

36 (m) Any offense involving fraud, theft, embezzlement, burglary, robbery,  
37 fraudulent conversion or misappropriation of property within the immediately  
38 preceding 7 years;

39 (n) A crime that constitutes domestic violence pursuant to NRS 33.018;

40 (o) A violation of NRS 484C.430; or

41 (p) A violation of NRS 484C.110 or 484C.120 within the immediately  
42 preceding 5 years.

43 3. Subject to the provisions of subsection 7, the Division shall request  
44 information concerning every applicant, licensee, operator of a small child care  
45 establishment, employee of an applicant, licensee or small child care establishment,  
46 resident of a child care facility or small child care establishment who is 18 years of  
47 age or older, other than a ~~resident who remains under the jurisdiction of a court~~  
48 participant in the Extended Young Adult Support Services Program established  
49 pursuant to ~~NRS 432B.504,~~ section 25 of this act, or participant in an outdoor  
50 youth program who is 18 years of age or older, from:

51 (a) The Central Repository for Nevada Records of Criminal History for its  
52 report concerning a conviction in this State of any of the crimes set forth in

1 subsection 2 and for submission to the Federal Bureau of Investigation for its report  
2 pursuant to NRS 432A.175; and

3 (b) The Statewide Central Registry for the Collection of Information  
4 Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100  
5 to determine whether there has been a substantiated report of child abuse or neglect  
6 made against any of them.

7 4. The Division may charge each person investigated pursuant to this section  
8 for the reasonable cost of that investigation.

9 5. The information required to be obtained pursuant to subsections 2 and 3  
10 must be requested concerning an:

11 (a) Employee of an applicant, licensee or small child care establishment,  
12 resident of a child care facility or small child care establishment who is 18 years of  
13 age or older, other than a ~~resident who remains under the jurisdiction of a court~~  
14 participant in the Extended Young Adult Support Services Program established  
15 pursuant to ~~NRS 432B.594~~ section 25 of this act, or participant in an outdoor  
16 youth program who is 18 years of age or older for an initial background check not  
17 later than 3 days after the employee is hired, the residency begins or the participant  
18 begins participating in the program and before the employee, resident or participant  
19 has direct contact with any child at the child care facility, and then at least once  
20 every 5 years thereafter.

21 (b) Applicant at the time that an application is submitted for licensure, and then  
22 at least once every 5 years after the license is issued.

23 (c) Operator of a small child care establishment before the operator begins  
24 operating the establishment, and then at least once every 5 years after the  
25 establishment begins operating.

26 6. A person who is required to submit to an investigation required pursuant to  
27 this section shall not have contact with a child in a child care facility without  
28 supervision before the investigation of the background and personal history of the  
29 person has been conducted.

30 7. The provisions of subsections 2, 3 and 5 apply to a small child care  
31 establishment and an operator of a small child care establishment if the operator of  
32 such an establishment has applied or registered with the Division of Welfare and  
33 Supportive Services of the Department pursuant to NRS 432A.1756.

34 **Sec. 16. NRS 432A.175 is hereby amended to read as follows:**

35 432A.175 1. Subject to the provisions of subsection 2:

36 (a) Every applicant for a license to operate a child care facility, licensee,  
37 operator of a small child care establishment, employee of an applicant, licensee or  
38 small child care establishment, resident of a child care facility or small child care  
39 establishment who is 18 years of age or older, other than a ~~resident who remains~~  
40 ~~under the jurisdiction of a court~~ participant in the Extended Young Adult Support  
41 Services Program established pursuant to ~~NRS 432B.594~~ section 25 of this act,  
42 or participant in an outdoor youth program who is 18 years of age or older, shall  
43 submit to the Division, or to the person or agency designated by the Division, to  
44 enable the Division to conduct an investigation pursuant to NRS 432A.170, a:

45 (1) Complete set of fingerprints and a written authorization for the  
46 Division or its designee to forward the fingerprints to the Central Repository for  
47 Nevada Records of Criminal History for its report and for submission to the Federal  
48 Bureau of Investigation for its report;

49 (2) Written statement detailing any prior criminal convictions; and

50 (3) Written authorization for the Division to obtain any information that  
51 may be available from the Statewide Central Registry for the Collection of  
52 Information Concerning the Abuse or Neglect of a Child established pursuant to  
53 NRS 432.100.

1 (b) If an employee of an applicant for a license to operate a child care facility,  
2 licensee or small child care establishment, a resident of a child care facility or small  
3 child care establishment who is 18 years of age or older, other than a ~~resident who~~  
4 ~~remains under the jurisdiction of a court~~ participant in the Extended Young Adult  
5 Support Services Program established pursuant to ~~[NRS 432B.594.]~~ section 25 of  
6 this act, or participant in an outdoor youth program who is 18 years of age or older,  
7 has been convicted of any crime listed in subsection 2 of NRS 432A.170 or has had  
8 a substantiated report of child abuse or neglect filed against him or her, the Division  
9 shall immediately notify the applicant, licensee or small child care establishment  
10 who shall then comply with the provisions of NRS 432A.1755.

11 (c) An applicant for a license to operate a child care facility, licensee or  
12 operator of a small child care establishment shall notify the Division as soon as  
13 practicable but not later than 24 hours after hiring an employee, beginning the  
14 residency of a resident who is 18 years of age or older, other than a ~~resident who~~  
15 ~~remains under the jurisdiction of a court~~ participant in the Extended Young Adult  
16 Support Services Program established pursuant to ~~[NRS 432B.594.]~~ section 25 of  
17 this act, or beginning the participation of a participant in an outdoor youth program  
18 who is 18 years of age or older.

19 (d) An employee of an applicant for a license to operate a child care facility,  
20 licensee or operator of a small child care establishment shall notify the applicant,  
21 licensee or operator not later than 24 hours after:

22 (1) Being charged with or convicted of a crime listed in subsection 2 of  
23 NRS 432A.170;

24 (2) Receiving notice that he or she is the subject of an investigation for  
25 child abuse or neglect; or

26 (3) Receiving notice that a report of abuse or neglect has been  
27 substantiated against him or her.

28 (e) A resident of a child care facility or small child care establishment who is  
29 18 years of age or older, other than a ~~resident who remains under the jurisdiction~~  
30 ~~of a court~~ participant in the Extended Young Adult Support Services Program  
31 established pursuant to ~~[NRS 432B.594.]~~ section 25 of this act, or participant in an  
32 outdoor youth program who is 18 years of age or older shall notify the licensee of  
33 the child care facility, operator of the small child care establishment or outdoor  
34 youth program, as applicable, not later than 24 hours after:

35 (1) Being charged with or convicted of a crime listed in paragraph (b);

36 (2) Receiving notice that he or she is the subject of an investigation for  
37 child abuse or neglect; or

38 (3) Receiving notice that a report of abuse or neglect has been  
39 substantiated against him or her.

40 (f) An applicant for a license to operate a child care facility, licensee or  
41 operator of a small child care establishment shall notify the Division within 2 days  
42 after receiving notice that:

43 (1) The applicant, licensee or operator, an employee of the applicant,  
44 licensee or small child care establishment, a resident of the child care facility or  
45 small child care establishment who is 18 years of age or older, other than a ~~resident~~  
46 ~~who remains under the jurisdiction of a court~~ participant in the Extended Young  
47 Adult Support Services Program established pursuant to ~~[NRS 432B.594.]~~ section  
48 25 of this act, or participant in an outdoor youth program who is 18 years of age or  
49 older, or a facility, establishment or program operated by the applicant, licensee or  
50 operator is the subject of a lawsuit or any disciplinary proceeding; or

51 (2) The applicant, licensee or operator or an employee, a resident or a  
52 participant has been charged with a crime listed in subsection 2 of NRS 432A.170  
53 or is being investigated for child abuse or neglect.

1           2. The provisions of this section apply to a small child care establishment and  
2 an operator of a small child care establishment if the operator of such an  
3 establishment has applied or registered with the Division of Welfare and Supportive  
4 Services of the Department pursuant to NRS 432A.1756.

5           3. The Division shall adopt regulations to establish civil penalties to be  
6 imposed against any person, state or local government unit or agency thereof that  
7 fails to comply with the requirements of this section.

8           **Sec. 17. NRS 432A.1755 is hereby amended to read as follows:**

9           432A.1755 1. Subject to the provisions of subsection 2:

10           (a) Except as otherwise provided in paragraph (c), upon receiving information  
11 pursuant to NRS 432A.175 from the Central Repository for Nevada Records of  
12 Criminal History or the Statewide Central Registry for the Collection of  
13 Information Concerning the Abuse or Neglect of a Child established pursuant to  
14 NRS 432.100 or from an employee of an applicant for a license to operate a child  
15 care facility, a licensee or a small child care establishment, a resident of a child care  
16 facility or small child care establishment who is 18 years of age or older, other than  
17 a ~~resident who remains under the jurisdiction of a court~~ **participant in the**  
18 **Extended Young Adult Support Services Program established** pursuant to ~~NRS~~  
19 ~~432B.594~~ **section 25 of this act**, or participant in an outdoor youth program who  
20 is 18 years of age or older or from any other source that such an employee, resident  
21 or participant has been convicted of a crime listed in subsection 2 of NRS  
22 432A.170 or has had a substantiated report of child abuse or neglect made against  
23 him or her, the applicant, licensee or operator of the small child care establishment  
24 shall terminate the employment of the employee or remove the resident from the  
25 facility or establishment or participant from the outdoor youth program after  
26 allowing the employee, resident or participant time to correct the information as  
27 required pursuant to paragraph (b).

28           (b) If an employee, resident or participant believes that the information  
29 provided to the applicant, licensee or operator pursuant to paragraph (a) is incorrect,  
30 the employee, resident or participant must inform the applicant, licensee or operator  
31 immediately. The applicant, licensee or operator shall give any such employee,  
32 resident or participant 30 days to correct the information.

33           (c) The Division may establish by regulation a process by which it may review  
34 evidence upon request to determine whether an employee of an applicant for a  
35 license to operate a child care facility, a licensee or operator of a small child care  
36 establishment, a resident of a child care facility who is 18 years of age or older,  
37 other than a ~~resident who remains under the jurisdiction of a court~~ **participant in**  
38 **the Extended Young Adult Support Services Program established** pursuant to  
39 ~~NRS 432B.594~~ **section 25 of this act**, or a participant in an outdoor youth  
40 program who is 18 years of age or older has been convicted of a crime listed in  
41 subsection 2 of NRS 432A.170 or has had a substantiated report of child abuse or  
42 neglect made against him or her may remain employed or continue to reside in the  
43 facility or establishment, as applicable, despite the conviction. Any such review  
44 must be conducted in a manner which does not discriminate against a person in  
45 violation of 42 U.S.C. § 2000e et seq.

46           (d) If a process for review is established pursuant to paragraph (c), an  
47 employee, resident or participant, as applicable, may request such a review in the  
48 manner established by the Division. Any determination made by the Division is  
49 final for purposes of judicial review.

50           (e) During any period in which an employee, resident or participant seeks to  
51 correct information pursuant to paragraph (b) or requests a review of information  
52 pursuant to paragraph (d), it is within the discretion of the applicant, licensee or  
53 operator whether to allow the employee, resident or participant to continue to work

1 for or reside at the child care facility or small child care establishment or participate  
2 in the outdoor youth program, as applicable, except that the employee, resident or  
3 participant shall not have contact with a child without supervision during such a  
4 period.

5 2. The provisions of this section apply to a small child care establishment and  
6 an operator of a small child care establishment if the operator of such an  
7 establishment has applied or registered with the Division of Welfare and Supportive  
8 Services of the Department pursuant to NRS 432A.1756.

9 3. The Division shall adopt regulations to establish civil penalties to be  
10 imposed against any person, state or local government unit or agency thereof that  
11 fails to comply with the requirements of this section.

12 **Sec. 18. NRS 432A.1785 is hereby amended to read as follows:**

13 432A.1785 1. Subject to the provisions of subsection 3, each applicant for a  
14 license to operate a child care facility, licensee and operator of a small child care  
15 establishment shall maintain records of the information concerning employees of  
16 the child care facility or small child care establishment and any residents of the  
17 child care facility or small child care establishment who are 18 years of age or  
18 older, other than ~~residents who remain under the jurisdiction of a court~~  
19 **participants in the Extended Young Adult Support Services Program established**  
20 pursuant to ~~NRS 432B.594~~ **section 25 of this act**, or participants in any outdoor  
21 youth program who are 18 years of age or older that is collected pursuant to NRS  
22 432A.170 and 432A.175, including, without limitation:

23 (a) A copy of the fingerprints that were submitted to the Central Repository for  
24 Nevada Records of Criminal History;

25 (b) Proof that the applicant, licensee or operator submitted fingerprints to the  
26 Central Repository for Nevada Records of Criminal History; and

27 (c) The written authorization to obtain information from the Central Repository  
28 and the Statewide Central Registry for the Collection of Information Concerning  
29 the Abuse or Neglect of a Child established pursuant to NRS 432.100.

30 2. The records maintained pursuant to subsection 1 must be:

31 (a) Maintained for the period of the employee's employment with or the  
32 resident's presence at the child care facility or small child care establishment or the  
33 participant's presence in the outdoor youth program; and

34 (b) Made available for inspection by the Division at any reasonable time and  
35 copies thereof must be furnished to the Division upon request.

36 3. The provisions of this section apply to a small child care establishment and  
37 an operator of a small child care establishment if the operator of such an  
38 establishment has registered with the Division of Welfare and Supportive Services  
39 of the Department pursuant to NRS 432A.1756.

40 **Sec. 19. NRS 432A.190 is hereby amended to read as follows:**

41 432A.190 1. The Division may deny an application for a license to operate a  
42 child care facility or may suspend or revoke such a license upon any of the  
43 following grounds:

44 (a) Violation by the applicant or licensee or an employee of the applicant or  
45 licensee of any of the provisions of this chapter or of any other law of this State or  
46 of the standards and other regulations adopted thereunder.

47 (b) Aiding, abetting or permitting the commission of any illegal act.

48 (c) Conduct inimical to the public health, morals, welfare and safety of the  
49 people of the State of Nevada in the maintenance and operation of the child care  
50 facility for which a license is issued.

51 (d) Conduct or practice detrimental to the health or safety of the occupants or  
52 employees of the child care facility, or the clients of the outdoor youth program.

1 (e) Conviction of any crime listed in subsection 2 of NRS 432A.170 committed  
2 by the applicant or licensee or an employee of the applicant or licensee, or by a  
3 resident of the child care facility or participant in the outdoor youth program who is  
4 18 years of age or older.

5 (f) Failure to comply with the provisions of NRS 432A.178.

6 (g) Substantiation of a report of child abuse or neglect made against the  
7 applicant or licensee.

8 (h) Conduct which is found to pose a threat to the health or welfare of a child  
9 or which demonstrates that the applicant or licensee is otherwise unfit to work with  
10 children.

11 (i) Violation by the applicant or licensee of the provisions of NRS 432A.1755  
12 by continuing to employ a person, allowing a resident who is 18 years of age or  
13 older, other than ~~a resident who remains under the jurisdiction of a court~~  
14 participant in the Extended Young Adult Support Services Program established  
15 pursuant to ~~NRS 432B.594~~ section 25 of this act, to continue to reside in the  
16 child care facility or allowing a participant in an outdoor youth program to continue  
17 to participate in the program if the employee, or the resident or participant who is  
18 18 years of age or older, has been convicted of a crime listed in subsection 2 of  
19 NRS 432A.170 or has had a substantiated report of child abuse or neglect made  
20 against him or her.

21 2. In addition to the provisions of subsection 1, the Division may revoke a  
22 license to operate a child care facility if, with respect to that facility, the licensee  
23 that operates the facility, or an agent or employee of the licensee:

24 (a) Is convicted of violating any of the provisions of NRS 202.470;

25 (b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360,  
26 244.3603 or 268.4124; or

27 (c) Is ordered by the appropriate governmental agency to correct a violation of  
28 a building, safety or health code or regulation but fails to correct the violation.

29 3. The Division shall maintain a log of any complaints that it receives relating  
30 to activities for which the Division may revoke the license to operate a child care  
31 facility pursuant to subsection 2. The Division shall provide to a child care facility:

32 (a) A summary of a complaint against the facility if the investigation of the  
33 complaint by the Division either substantiates the complaint or is inconclusive;

34 (b) A report of any investigation conducted with respect to the complaint; and

35 (c) A report of any disciplinary action taken against the facility.

36 ↪ The facility shall make the information available to the public pursuant to NRS  
37 432A.178.

38 4. In addition to any other disciplinary action, the Division may impose an  
39 administrative fine for a violation of any provision of this chapter or any regulation  
40 adopted pursuant thereto. The Division shall afford to any person so fined an  
41 opportunity for a hearing. Any money collected for the imposition of such a fine  
42 must be credited to the State General Fund.

43 Sec. 20. Chapter 432B of NRS is hereby amended by adding thereto the  
44 provisions set forth as sections 21 to 26, inclusive, of this act.

45 Sec. 21. As used in NRS 432B.591 to 432B.595, inclusive, and sections 21  
46 to 26, inclusive, of this act, unless the context otherwise requires, the words and  
47 terms defined in NRS 432B.591 and sections 22 and 23 of this act have the  
48 meanings ascribed to them in those sections.

49 Sec. 22. "Program" means the Extended Young Adult Support Services  
50 Program established pursuant to section 25 of this act.

51 Sec. 23. "Young adult" means a person who is at least 18 years of age but  
52 less than 21 years of age and whose plan for permanent placement adopted

pursuant to NRS 432B.553 was, on his or her 18th birthday, a permanent living arrangement other than reunification with his or her parents.

Sec. 24. 1. A court shall retain jurisdiction over a young adult until the young adult reaches 21 years of age.

2. While under the jurisdiction of the court, a young adult has the same authority to make decisions as a person who is over 18 years of age and who is not subject to the jurisdiction of the court.

~~[Section 1.]~~ Sec. 25. [Chapter 432B of NRS is hereby amended by adding thereto a new section to read as follows:]

1. ~~[An agency which provides child welfare services may]~~ The Division of Child and Family Services shall establish ~~[a program]~~ and administer the Extended Young Adult Support Services Program to provide extended ~~[foster care]~~ support services to ~~[a child]~~ young adults pursuant to the provisions of NRS 432B.591 to 432B.595, inclusive, and sections 21 to 26, inclusive, of this act and the Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351, 42 U.S.C. § 675.

2. On or before September 1 of each year, ~~[an agency which provides child welfare services]~~ the Division of Child and Family Services shall submit a report regarding the ~~[program established pursuant to subsection 1.]~~ Program, including, without limitation, the number of participants and the costs for providing the extended support services, for submittal to:

(a) The Interim Finance Committee if the report is received during an odd-numbered year; or

(b) The next regular session of the Legislature if the report is received during an even-numbered year.

3. The Division of Child and Family Services shall adopt regulations governing ~~[a program established pursuant to subsection 1.]~~ the Program. Such regulations, must, without limitation, ensure that the Program complies with the Fostering Connections to Success and Increasing Adoptions Act of 2008, Pub. L. No. 110-351, 42 U.S.C. § 675.

Sec. 26. 1. Except as otherwise provided in subsection 4, the court shall, within 12 months after the date on which a participant entered into a written agreement pursuant to NRS 432B.594 and each year thereafter, hold a hearing to:

(a) Review the plan developed pursuant to NRS 432B.595; and

(b) Determine whether the agency which provides child welfare services has made reasonable efforts to assist the participant in meeting the goals prescribed in the plan.

2. Except as otherwise provided in this subsection, notice of the hearing must be given by regular or certified mail. Notice may be given to the participant or his or her attorney by electronic mail if the participant or his or her attorney, as applicable, agrees to receive notice in this manner.

3. Unless required by the court or panel, the young adult is not required to be present at the hearing.

4. The court may enter an order directing the hearing required by this section be conducted by a panel of three or more persons appointed by mutual consent of the judge or judges of the court. The persons so appointed shall serve without compensation at the pleasure of the court.

Sec. 27. NRS 432B.040 is hereby amended to read as follows:

432B.040 "Child" means a person under the age of 18 years or, if in school, until graduation from high school. ~~[The term does not include a child who remains under the jurisdiction of the court pursuant to NRS 432B.594.]~~

Sec. 28. NRS 432B.060 is hereby amended to read as follows:

1 432B.060 “Custodian” means a person or a governmental organization, other  
 2 than a parent or legal guardian, who has been awarded legal custody of a child. The  
 3 term does not include a person or governmental organization who continues to  
 4 provide services to a ~~child that remains under the jurisdiction of a court pursuant to~~  
 5 ~~NRS 432B.594.~~ participant in the Extended Young Adult Support Services  
 6 Program established pursuant to section 25 of this act.

7 **Sec. 29. NRS 432B.391 is hereby amended to read as follows:**

8 432B.391 1. An agency which provides child welfare services or its  
 9 approved designee may, in accordance with the procedures set forth in 28 C.F.R. §§  
 10 901 et. seq., conduct a preliminary Federal Bureau of Investigation Interstate  
 11 Identification Index name-based check of the records of criminal history of a  
 12 resident who is 18 years of age or older of a home in which the agency which  
 13 provides child welfare services wishes to place a child in an emergency situation,  
 14 other than a ~~resident who remains under the jurisdiction of a court~~ participant in  
 15 the Extended Young Adult Support Services Program established pursuant to  
 16 ~~[NRS 432B.594.]~~ section 25 of this act, to determine whether the person  
 17 investigated has been arrested for or convicted of any crime.

18 2. Upon request of an agency which provides child welfare services that  
 19 wishes to place a child in a home in an emergency situation, or upon request of the  
 20 approved designee of the agency which provides child welfare services, a resident  
 21 who is 18 years of age or older of the home in which the agency which provides  
 22 child welfare services wishes to place the child, other than a ~~resident who remains~~  
 23 ~~under the jurisdiction of a court~~ participant in the Extended Young Adult Support  
 24 Services Program established pursuant to ~~[NRS 432B.594.]~~ section 25 of this act,  
 25 must submit to the agency which provides child welfare services or its approved  
 26 designee a complete set of fingerprints and written permission authorizing the  
 27 agency which provides child welfare services or its approved designee to forward  
 28 those fingerprints to the Central Repository for Nevada Records of Criminal  
 29 History for submission to the Federal Bureau of Investigation for its report. The  
 30 agency which provides child welfare services or its approved designee shall  
 31 forward the fingerprints to the Central Repository for Nevada Records of Criminal  
 32 History within the time set forth in federal law or regulation.

33 3. If a resident who is 18 years of age or older of a home in which an agency  
 34 which provides child welfare services places a child in an emergency situation,  
 35 other than a ~~resident who remains under the jurisdiction of a court~~ participant in  
 36 the Extended Young Adult Support Services Program established pursuant to  
 37 ~~[NRS 432B.594.]~~ section 25 of this act, refuses to provide a complete set of  
 38 fingerprints to the agency which provides child welfare services or its approved  
 39 designee upon request pursuant to subsection 2, the agency which provides child  
 40 welfare services must immediately remove the child from the home.

41 ~~[See 2.]~~ **Sec. 30. NRS 432B.591 is hereby amended to read as follows:**

42 432B.591 ~~[As used in NRS 432B.591 to 432B.595, inclusive, and section 1~~  
 43 ~~of this act, “child”]~~ **“Child”** means a person who is ~~[~~  
 44 ~~— 1. Under~~ under the age of 18 years. ~~[; and~~

45 ~~— 2. Over the age of 18 years and who remains under the jurisdiction of the~~  
 46 ~~court pursuant to NRS 432B.594. or who receives extended foster care services~~  
 47 ~~provided by a program established by an agency which provides child welfare~~  
 48 ~~services pursuant to section 1 of this act.]~~

49 ~~[See 3.]~~ **Sec. 31. NRS 432B.592 is hereby amended to read as follows:**

50 432B.592 1. A court shall refer a child who is in the custody of an agency  
 51 which provides child welfare services to an attorney in the county who provides  
 52 legal services without a charge to abused or neglected children if the court  
 53 determines that the child:

1 (a) Has reached the age of 17 years; and  
 2 (b) Is not likely to be returned to the custody of his or her parent before  
 3 reaching the age of 18 years.

4 2. The court shall request the attorney to whom such a child is referred to  
 5 ~~[counsel]~~ :

6 (a) Counsel the child regarding the legal consequences of ~~[remaining]~~ :

7 (1) Remaining under the jurisdiction of the court ~~[after reaching 18 years~~  
 8 ~~of age]~~ pursuant to section 24 of this act, regardless of whether the child elects to  
 9 participate in the Program; and

10 (2) Participating in the Program; and ~~[assist]~~

11 (b) Assist the child in deciding whether to ~~[remain under the jurisdiction of the~~  
 12 ~~court, pursuant to NRS 432B.594 or whether to receive extended foster care~~  
 13 ~~services provided by a program established by an agency which provides child~~  
 14 ~~welfare services pursuant to section 1 of this act.]~~ participate in the Program.

15 ~~[See 4.]~~ Sec. 32. NRS 432B.593 is hereby amended to read as follows:

16 432B.593 1. At least 120 days before the date on which a child who is in the  
 17 custody of an agency which provides child welfare services reaches the age of 18  
 18 years, the agency which provides child welfare services shall meet with the child to  
 19 ~~[determine]~~ :

20 (a) Provide information to the child regarding the Program, including,  
 21 without limitation, eligibility requirements for participation in the Program and  
 22 extended young adult support services available to participants in the Program;  
 23 and

24 (b) Determine whether the child intends to request ~~[that the court retain~~  
 25 ~~jurisdiction over the child pursuant to NRS 432B.594 after the child reaches the age~~  
 26 ~~of 18 years, or to receive extended foster care services provided by a program~~  
 27 ~~established by an agency which provides child welfare services pursuant to~~  
 28 ~~section 1 of this act.]~~ to participate in the Program.

29 2. ~~[If the child indicates during the meeting held pursuant to subsection 1 that~~  
 30 ~~the child does not intend to request that the court retain jurisdiction over the child,~~  
 31 ~~or to receive extended foster care services provided by a program established by~~  
 32 ~~an agency which provides child welfare services pursuant to section 1 of this act,~~  
 33 ~~the agency which provides child welfare services shall recommend that the court~~  
 34 ~~terminate jurisdiction over the child when the child reaches the age of 18 years.~~

35 ~~— 3. —~~ Notwithstanding a determination made by a child during a meeting held  
 36 pursuant to subsection 1, and notwithstanding any previous decision to terminate  
 37 participation in the Program, any time before reaching the age of ~~[18]~~ 21 years,  
 38 ~~[the child]~~ a young adult may:

39 ~~— (a) Inform the agency which provides child welfare services that the child~~  
 40 ~~intends to receive extended foster care services provided by a program established~~  
 41 ~~by an agency which provides child welfare services pursuant to section 1 of this~~  
 42 ~~act or request that the court continue jurisdiction over the child pursuant to NRS~~  
 43 ~~432B.594, and the agency shall revise its recommendation to the court accordingly;~~  
 44 ~~or~~

45 ~~— (b) Request that the court retain jurisdiction over the child pursuant to NRS~~  
 46 ~~432B.594, and the court shall accept jurisdiction.]~~ request to participate in the  
 47 Program.

48 3. The agency which provided child welfare services to a young adult before  
 49 his or her 18th birthday:

50 (a) Shall, upon the request of the young adult to participate in the Program  
 51 made on or after his or her 18th birthday, assist the young adult to enroll in the  
 52 Program.

1 (b) May refer the young adult to an attorney who provides legal services  
 2 without a charge to assist the young adult to enroll in the Program.

3 4. A child who enters into an agreement with an agency which provides child  
 4 welfare services before the child reaches the age of 18 years to allow the child to  
 5 live independently is not prohibited from ~~requesting that the court retain~~  
 6 ~~jurisdiction over the child pursuant to NRS 432B.594,~~ electing to participate in  
 7 the Program, and ~~such a child is~~ would be entitled to the same rights and  
 8 protections set forth in NRS 432B.591 to 432B.595, inclusive, ~~and section 11~~  
 9 sections 21 to 26, inclusive, of this act, as provided to any other ~~child,~~ young  
 10 adult under the Program.

11 **Sec. 33. NRS 432B.594 is hereby amended to read as follows:**

12 432B.594 1. ~~["A court which orders a child to be placed other than with a~~  
 13 ~~parent and which has jurisdiction over the child when the child reaches the age of~~  
 14 ~~18 years shall retain jurisdiction over the child if the child so requests.]~~ To be  
 15 eligible to participate in the Program, a young adult must:

16 (a) Enter into a written agreement with the agency that provides child  
 17 welfare services that satisfies the requirements prescribed in subsection 3;

18 (b) Be:

19 (1) Enrolled in a program of secondary education or an educational  
 20 program leading to a general educational development certificate or an  
 21 equivalent document;

22 (2) Enrolled in a program of postsecondary or vocational education;

23 (3) Enrolled or participating in a program or activity designed to promote  
 24 employment or remove obstacles to employment;

25 (4) Employed at least 80 hours per month; or

26 (5) Incapable of satisfying any of the requirements prescribed in  
 27 paragraphs (1) through (4), inclusive, due to a documented medical or cognitive  
 28 condition; and

29 (c) Make a good faith effort to achieve the goals set forth in the plan  
 30 developed pursuant to NRS 432B.595.

31 2. Except as otherwise provided in this section, ~~jurisdiction over a child that~~  
 32 ~~is retained pursuant to subsection 1 continues,~~ a young adult may continue to  
 33 participate in the Program until:

34 (a) The agency which provides child welfare services, the ~~child,~~ young adult  
 35 and the attorney of the ~~child,~~ young adult agree to terminate ~~the jurisdiction,~~  
 36 participation in the Program;

37 (b) The court determines that:

38 (1) The ~~child,~~ young adult has achieved the goals set forth in the plan  
 39 developed pursuant to NRS 432B.595;

40 (2) The ~~child,~~ young adult is not making a good faith effort to achieve the  
 41 goals set forth in the plan developed pursuant to NRS 432B.595; or

42 (3) The circumstances of the ~~child,~~ young adult have changed in such a  
 43 manner that it is infeasible for the ~~child,~~ young adult to achieve the goals set forth  
 44 in the plan developed pursuant to NRS 432B.595;

45 (c) The ~~child,~~ young adult requests that ~~jurisdiction,~~ participation in the  
 46 Program be terminated; or

47 (d) The ~~child,~~ young adult reaches the age of 21 years,  
 48 whichever occurs first.

49 3. ~~["If the court that retains jurisdiction over a child pursuant to this section~~  
 50 ~~transfers jurisdiction to another court in this State, the court which accepts~~  
 51 ~~jurisdiction must retain jurisdiction over the case for the period provided pursuant~~  
 52 ~~to this section.~~

1 ~~4. A child who requests that the court retain jurisdiction over the child~~  
2 ~~pursuant to this section must, upon reaching the age of 18 years, enter into a~~ The  
3 ~~written agreement [with the agency which provides child welfare services. The~~  
4 ~~agreement, which] to participate in the Program required by subsection 1 must be~~  
5 ~~filed with the court. [and must include, without limitation, [the following]~~  
6 ~~provisions, [ ] which [must] specify that:~~

7 (a) The ~~[child]~~ young adult voluntarily requested ~~[that the court retain~~  
8 ~~jurisdiction over the child.] to participate in the Program;~~

9 (b) While ~~[under the jurisdiction of the court,]~~ participating in the Program,  
10 the ~~[child]~~ young adult is entitled to continue to receive services from the agency  
11 which provides child welfare services and to receive monetary payments ~~[directly~~  
12 ~~or to have such payments provided to another entity as designated.] in the manner~~  
13 prescribed in the plan developed pursuant to NRS 432B.595 in an amount  
14 sufficient to assist the young adult to achieve self-sufficiency which does not ~~[to]~~  
15 exceed the rate of payment for foster care;

16 (c) While ~~[under the jurisdiction of the court,]~~ participating in the Program,  
17 the ~~[child]~~ young adult will no longer be under the legal custody of the agency  
18 which provides child welfare services, and ~~[the] any~~ proceedings ~~[concerning the~~  
19 ~~child]~~ conducted pursuant to NRS 432B.410 to 432B.590, inclusive, will terminate;

20 (d) The ~~[child]~~ young adult may, at any time, request that ~~[jurisdiction over the~~  
21 ~~child] his or her participation in the Program be terminated; and~~

22 (e) If there is an issue concerning the ~~[child while under the jurisdiction of the~~  
23 ~~court,]~~ the ~~[child]~~ participant, the participant and the agency which provides child  
24 welfare services agree to attempt to resolve the issue before requesting a hearing  
25 before the court to address the issue.

26 ~~[5.] 4. If an issue arises concerning a [child who remains under the~~  
27 ~~jurisdiction of the court, the child,] participant, the agency which provides child~~  
28 ~~welfare services or the attorney assigned to the case may request a hearing before~~  
29 ~~the court to address the issue. Before requesting such a hearing, the [child]~~  
30 ~~participant and the agency which provides child welfare services must attempt to~~  
31 ~~resolve the issue.~~

32 ~~[6.] 5. If the agency which provides child welfare services wishes to [have the~~  
33 ~~court] terminate [jurisdiction over] the [child,] participation of a young adult in~~  
34 ~~the Program, the agency which provides child welfare services must send a notice~~  
35 ~~to the [child] participant and [the] his or her attorney [of the child informing the~~  
36 ~~child and the attorney of the child] that the [child] participant has 15 days after~~  
37 ~~receipt of the notice in which to request an informal administrative review. If,~~  
38 ~~during the administrative review, a resolution is not reached, the [child] participant~~  
39 ~~or the attorney of the [child] participant may request a hearing before the court~~  
40 ~~pursuant to subsection [5.] 4. If the [child] young adult and the attorney of the~~  
41 ~~[child] young adult agree to [have jurisdiction terminated,] terminate participation~~  
42 ~~or do not request an informal administrative review, [the jurisdiction of the court]~~  
43 ~~participation in the Program must terminate upon notice to the court by the agency~~  
44 ~~which provides child welfare services.~~

45 ~~[7.] 6. A [child, while under the jurisdiction of the court pursuant to this~~  
46 ~~section,] participant is entitled to continue to receive services and monetary~~  
47 ~~payments from the agency which provides child welfare services [directly or to~~  
48 ~~have such payments provided to another person or entity as designated.] in the~~  
49 ~~manner prescribed~~ in the plan developed pursuant to NRS 432B.595 in an amount  
50 sufficient to assist the young adult to achieve self-sufficiency which does not ~~[to]~~  
51 exceed the rate of payment for foster care.

52 ~~[8.] 7. The court may issue any order which it deems appropriate or necessary~~  
53 ~~to ensure:~~

1 (a) That the agency which provides child welfare services provides the services  
 2 and monetary payments which the ~~[child]~~ participant is entitled to receive ~~[as~~  
 3 prescribed by the plan developed pursuant to NRS 432B.595; and

4 (b) That the ~~[child who remains under the jurisdiction of the court]~~ participant  
 5 is working towards achieving the goals of the plan developed pursuant to NRS  
 6 432B.595.

7 **Sec. 34. NRS 432B.595 is hereby amended to read as follows:**

8 432B.595 1. ~~[If the court retains jurisdiction over a child pursuant to NRS~~  
 9 ~~432B.594.] Upon the request of a young adult who satisfies the requirements of~~  
 10 ~~subsection 1 of NRS 432B.594 to participate in the Program,~~ the agency which  
 11 provides child welfare services shall develop a written extended youth support  
 12 services plan to assist the ~~[child]~~ young adult in transitioning to ~~[independent~~  
 13 ~~living.]~~ self-sufficiency. Such a plan must include, without limitation ~~[, the~~  
 14 ~~following goals:]~~:

15 (a) The persons or entities that will receive payments from the agency which  
 16 provides child welfare services and the manner in which such payments will be  
 17 allocated. The agency which provides child welfare services may make payments  
 18 to more than one person or entity authorized to receive payments pursuant to  
 19 subsection 2.

20 (b) The goals set forth in subsection 3.

21 2. The plan developed pursuant to subsection 1 may provide for the agency  
 22 which provides child welfare services to make direct payments to:

23 (a) A foster home.

24 (b) A qualified residential treatment program.

25 (c) A child care institution.

26 (d) A person or entity, including, without limitation, a relative or fictive kin,  
 27 who provides a supervised arrangement for independent living where the  
 28 participant resides.

29 (e) A landlord, property manager or other entity that collects rental payments  
 30 for housing.

31 (f) A participant.

32 (g) Any combination of the persons or entities listed in paragraphs (a) to (g),  
 33 inclusive.

34 3. The plan developed pursuant to subsection 1 must include, without  
 35 limitation, the following goals:

36 (a) That the ~~[child]~~ young adult save enough money to pay for his or her  
 37 monthly expenses for at least 3 months;

38 (b) If the child has not graduated from high school or obtained a general  
 39 equivalency diploma or an equivalent document, that the ~~[child remain enrolled in~~  
 40 ~~high school or a program to]~~ young adult obtain a high school diploma or general  
 41 equivalency diploma ; ~~[or an equivalent document until graduation or completion~~  
 42 ~~of the program.]~~

43 (c) If the ~~[child]~~ young adult has graduated from high school or obtained a  
 44 general equivalency diploma or an equivalent document, that the ~~[child]~~ young  
 45 adult:

46 (1) ~~[Enroll in]~~ Complete a program of postsecondary or vocational  
 47 education;

48 (2) ~~[Enroll or participate in]~~ Complete a program or activity designed to  
 49 promote employment or remove obstacles to employment; or

50 (3) ~~[Obtain or actively seek employment which is]~~ Be employed at least 80  
 51 hours per month;

52 (d) That the ~~[child]~~ young adult secure housing;

1 (e) That the ~~{child}~~ young adult have adequate income to meet his or her  
2 monthly expenses;

3 (f) That the ~~{child}~~ young adult identify an adult who will be available to  
4 provide support to the ~~{child}~~ young adult; and

5 (g) If applicable, that the ~~{child}~~ young adult have established appropriate  
6 supportive services to address any mental health or developmental needs of the  
7 ~~{child; and~~

8 ~~(h) young adult.~~

9 4. If a ~~{child}~~ young adult is not capable of achieving one or more of the  
10 goals set forth in paragraphs (a) to (g), inclusive, that the ~~{child}~~ young adult have  
11 goals which are appropriate for the ~~{child}~~ young adult based upon the needs of the  
12 ~~child.~~

13 ~~2. During the period in which the court retains jurisdiction over the child, the~~  
14 ~~young adult.~~

15 5. Based upon the needs of a participant, the agency which provides child  
16 welfare services may, at any time, after consulting with the participant, revise:

17 (a) The persons or entities to whom a payment is made pursuant to  
18 subsection 2.

19 (b) The manner in which payments are allocated between persons or entities  
20 to whom payments are made pursuant to subsection 2.

21 6. The plan developed pursuant to subsection 1 must be annually reviewed  
22 and mutually agreed upon by the young adult and the agency which provides  
23 child welfare services at the hearing required by section 26 of this act.

24 7. The agency which provides child welfare services shall:

25 (a) Monitor the plan developed pursuant to subsection 1 and adjust the plan as  
26 necessary;

27 (b) Contact the ~~{child}~~ young adult by telephone at least once each month and  
28 in person at least quarterly;

29 (c) Ensure that the ~~{child}~~ young adult meets with a person who will provide  
30 guidance to the child and make the child aware of the services which will be  
31 available to the ~~{child;}~~ young adult; and

32 (d) Conduct a meeting with the ~~{child}~~ young adult at least 30 days, but not more  
33 than 45 days, before ~~{the jurisdiction of the court is terminated}~~ he or she  
34 reaches the age of 21 years to determine whether the ~~{child}~~ young adult requires  
35 any additional guidance.

36 8. As used in this section:

37 (a) "Child care institution" has the meaning ascribed to it in NRS  
38 432A.0245.

39 (b) "Foster home" has the meaning ascribed to it in NRS 424.014.

40 (c) "Qualified residential treatment program" has the meaning ascribed to it  
41 in 42 U.S.C. § 672.

42 ~~{Sec. 5.}~~ Sec. 35. The provisions of subsection 1 of NRS 218D.380 do not  
43 apply to any provision of this act which adds or revises a requirement to submit a  
44 report to the Legislature.

45 ~~{Sec. 6.}~~ Sec. 36. Notwithstanding the provisions of NRS 218D.430 and  
46 218D.435, a committee, other than the Assembly Standing Committee on Ways and  
47 Means and the Senate Standing Committee on Finance, may vote on this act before  
48 the expiration of the period prescribed for the return of a fiscal note in NRS  
49 218D.475. This section applies retroactively from and after March 22, 2021.

50 ~~{Sec. 7.}~~ Sec. 37. This act becomes effective upon passage and approval.