

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



16       **Sections 23, 27 and 30** of this bill revise terminology so that a person who is  
17 between 18 and 21 years of age whose plan for permanent placement on his or her  
18 18th birthday was a permanent living arrangement other than reunification with his  
19 or her parents is referred to as a young adult rather than a child. **Section 24** of this  
20 bill provides that a young adult remains under the jurisdiction of the court until he  
21 or she reaches 21 years of age, but has the same ability to make decisions as an  
22 adult who is not subject to the jurisdiction of the court. **Section 25** of this bill  
23 requires the Division of Child and Family Services of the Department of Health and  
24 Human Services to establish the Extended Young Adult Support Services Program  
25 to provide extended youth support services to young adults who would have been  
26 eligible previously to receive services upon electing to remain under the jurisdiction  
27 of the court. **Section 25** also provides for reporting and the adoption of regulations  
28 relating to such a program. **Section 22** of this bill defines the term "Program" to  
29 refer to the Program, and **section 28** of this bill provides that a person or  
30 governmental organization that provides services to a participant in the Program is  
31 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  
34 determining that the child is not likely to be returned to the custody of his or her  
35 parent before reaching the age of 18 years. (NRS 432B.592) **Section 31** of this bill  
36 requires such an attorney to counsel the child concerning the legal consequences of  
37 remaining under the jurisdiction of the court, as required by **section 24**. **Section 31**  
38 also requires the attorney to counsel the child concerning the legal consequences of  
39 participating in the Program and assist the child in deciding whether to participate.  
40 **Section 32** of this bill requires the agency which provides child welfare services to  
41 provide information concerning the Program to such a child and determine whether  
42 the child intends to request to participate in the Program at least 120 days before the  
43 child reaches 18 years of age. **Section 32** authorizes a young adult to decide to  
44 participate in the Program any time before his or her 21st birthday, notwithstanding  
45 any previous decision not to participate 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)  
48 be 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  
50 agency which provides child welfare services to develop a written extended youth  
51 support services plan to assist a participant in the Program in transitioning to self-  
52 sufficiency, and **section 33** requires the participant to make a good faith effort to  
53 achieve the goals set forth in the plan. **Section 26** of this bill requires a court that  
54 has jurisdiction over a participant to hold an annual hearing to: (1) review the plan  
55 developed for the participant; and (2) determine whether the agency which provides  
56 child welfare services has made reasonable efforts to assist the participant in  
57 meeting the goals prescribed by the plan. **Section 33** also sets forth the conditions  
58 under which participation in the Program may be terminated. **Section 33**  
59 additionally provides that a participant in the Program is entitled to continue to: (1)  
60 receive services from the agency which provides child welfare services; and (2)  
61 receive monetary payments from that agency or have those payments provided to  
62 another entity. **Section 33** provides that those monetary payments must be in an  
63 amount that is sufficient to assist the young adult to achieve self-sufficiency but  
64 does not exceed the rate of payment for foster care. **Section 33** authorizes an  
65 agency which provides child welfare services or the attorney assigned to the case to  
66 request a hearing before the court to address any issue with a participant. **Section**  
67 **34** prescribes certain additional duties of an agency which provides child welfare  
68 services with respect to a participant in the Program. **Sections 1-19** of this bill make  
69 various changes so that the provisions of Nevada Revised Statutes relating to a  
70 child who is in foster care are consistent and apply to a person who remains in



71 foster care while participating in the Program in the same manner as a child in  
72 foster care who is less 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  
2 thereto a new section to read as follows:

3       *“Child” means a person who is less than 18 years of age or*  
4 *who participates in the Extended Young Adult Support Services*  
5 *Program established pursuant to 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  
8 requires, the words and terms defined in NRS 424.011 to 424.018,  
9 inclusive, *and section 1 of this act* have the meanings ascribed to  
10 them in those sections.

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

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

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

23       424.015 “Group foster home” means a foster home which  
24 provides full-time care and services for 7 to 15 children who are:

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

27 ~~—2.]~~ Not related within the first degree of consanguinity or  
28 affinity to any natural person maintaining or operating the home;  
29 and

30 ~~[3.]~~ 2. Received, cared for and maintained for compensation or  
31 otherwise, including the provision of free care.

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

33       424.0153 “Independent living foster home” means a foster  
34 home which provides assistance with the transition to independent  
35 living for children who have entered into an agreement to transition  
36 to independent living and for children who:

37       1. Are at least 16 years of age ; ~~[but less than 18 years of age or~~  
38 ~~who remain under the jurisdiction of a court pursuant to NRS~~  
39 ~~432B.594;]~~



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

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

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

7 424.018 "Specialized foster home" means a foster home which  
8 provides full-time care and services for one to six children who:

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

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

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

16 ~~[4.]~~ 3. Are received, cared for and maintained for  
17 compensation or otherwise, including the provision of free care.

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

19 424.031 1. The licensing authority or a person or entity  
20 designated by the licensing authority shall obtain from appropriate  
21 law enforcement agencies information on the background and  
22 personal history of each applicant for a license to conduct a foster  
23 home, person who is licensed to conduct a foster home, employee of  
24 that applicant or licensee, and resident of a foster home who is 18  
25 years of age or older, other than a ~~[resident who remains under the~~  
26 ~~jurisdiction of a court]~~ *participant in the Extended Young Adult*  
27 *Support Services Program established* pursuant to ~~[NRS~~  
28 ~~432B.594.]~~ *section 25 of this act,* to determine whether the person  
29 investigated has been arrested for, has charges pending for or has  
30 been convicted of:

31 (a) Murder, voluntary manslaughter or mayhem;

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

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

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

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

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

44 (g) Abuse, neglect, exploitation, isolation or abandonment of  
45 older persons or vulnerable persons, including, without limitation, a



1 violation of any provision of NRS 200.5091 to 200.50995,  
2 inclusive, or a law of any other jurisdiction that prohibits the same  
3 or similar conduct;

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

7 (i) Any offense relating to pornography involving minors,  
8 including, without limitation, a violation of any provision of NRS  
9 200.700 to 200.760, inclusive, or a law of any other jurisdiction that  
10 prohibits the same or similar conduct;

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

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

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

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

20 (n) Any offense involving the sale, furnishing, purchase,  
21 consumption or possession of alcoholic beverages by a minor  
22 including, without limitation, a violation of any provision of NRS  
23 202.015 to 202.067, inclusive, or driving a vehicle under the  
24 influence of alcohol or a controlled substance in violation of chapter  
25 484C of NRS or a law of any other jurisdiction that prohibits the  
26 same or similar conduct, within the immediately preceding 7 years;  
27 or

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

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

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

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

45 5. The licensing authority or its designee:



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

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

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

8 424.033 1. Each applicant for a license to conduct a foster  
9 home, person who is licensed to conduct a foster home, employee of  
10 that applicant or licensee, resident of a foster home who is 18 years  
11 of age or older, other than a ~~resident who remains under the~~  
12 ~~jurisdiction of a court~~ *participant in the Extended Young Adult*  
13 *Support Services Program established* pursuant to ~~NRS~~  
14 ~~432B.594,~~ *section 25 of this act,* or a person who is 18 years of age  
15 or older who routinely supervises a child in a foster home for whom  
16 an investigation is conducted pursuant to subsection 2 of NRS  
17 424.031, must submit to the licensing authority or its approved  
18 designee:

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

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

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

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

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



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

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

8 7. The licensing authority shall immediately inform the  
9 applicant for a license to conduct a foster home or the person who is  
10 licensed to conduct a foster home whether an employee or resident  
11 of the foster home, or any other person who is 18 years of age or  
12 older who routinely supervises a child in the foster home for whom  
13 an investigation was conducted pursuant to subsection 2 of NRS  
14 424.031, has been convicted of a crime listed in NRS 424.031. The  
15 information provided to the applicant for a license to conduct a  
16 foster home or the person who is licensed to conduct a foster home  
17 must not include specific information relating to any such  
18 conviction, including, without limitation, the specific crime for  
19 which the person was convicted.

20 8. The licensing authority may deny an application for a  
21 license to operate a foster home or may suspend or revoke such a  
22 license if the licensing authority determines that the applicant or  
23 licensee has been convicted of a crime listed in NRS 424.031 or has  
24 failed to terminate an employee, remove a resident of the foster  
25 home who is 18 years of age or older or prevent a person for whom  
26 an investigation was conducted pursuant to subsection 2 of NRS  
27 424.031 from being present in the foster home, if such a person has  
28 been convicted of any crime listed in NRS 424.031.

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

30 424.039 1. A licensing authority or its approved designee  
31 may, in accordance with the procedures set forth in 28 C.F.R. §§  
32 901 et seq., conduct a preliminary Federal Bureau of Investigation  
33 Interstate Identification Index name-based check of the records of  
34 criminal history of a resident who is 18 years of age or older of a  
35 foster home in which the licensing authority wishes to place a child  
36 in an emergency situation, other than a ~~resident who remains under~~  
37 ~~the jurisdiction of a court~~ *participant in the Extended Young Adult*  
38 *Support Services Program established pursuant to [NRS*  
39 *432B.594,] section 25 of this act,* to determine whether the person  
40 investigated has been arrested for or convicted of any crime.

41 2. Upon request of a licensing authority that wishes to place a  
42 child in a foster home in an emergency situation, or upon request of  
43 the approved designee of the licensing authority, a resident who is  
44 18 years of age or older of the foster home in which the licensing  
45 authority wishes to place the child, other than a ~~resident who~~



1 ~~remains under the jurisdiction of a court~~ *participant in the*  
2 *Extended Young Adult Support Services Program established*  
3 pursuant to ~~[NRS 432B.594,]~~ *section 25 of this act*, must submit to  
4 the licensing authority or its approved designee a complete set of  
5 fingerprints and written permission authorizing the licensing  
6 authority or its approved designee to forward those fingerprints to  
7 the Central Repository for Nevada Records of Criminal History for  
8 submission to the Federal Bureau of Investigation for its report. The  
9 licensing authority or its approved designee shall forward the  
10 fingerprints to the Central Repository for Nevada Records of  
11 Criminal History within the time set forth in federal law or  
12 regulation.

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

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

23 424.220 1. A foster care agency which places children in an  
24 independent living foster home shall develop and implement written  
25 policies and procedures relating to children placed in independent  
26 living foster homes which must include, without limitation:

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

31 (b) A procedure for approving a location for an independent  
32 living arrangement;

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

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

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





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

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

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

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

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

15 (c) Assist each child in obtaining routine and emergency  
16 medical care and dental care;

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

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

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

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

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

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

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

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

36 432.010 As used in this chapter, except as otherwise defined by  
37 specific statute or unless the context otherwise requires:

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

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

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



1 4. "Department" means the Department of Health and Human  
2 Services.

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

4 6. "Division" means the Division of Child and Family Services  
5 of the Department.

6 7. "Maintenance" means general expenses for care such as  
7 board, shelter, clothing, transportation and other necessary or  
8 incidental expenses, or any of them, or monetary payments therefor.

9 8. "Special services" means medical, hospital, psychiatric,  
10 surgical or dental services, or any combination thereof.

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

12 432.0395 1. Before an agency which provides child welfare  
13 services requests and examines a copy of any credit report pursuant  
14 to subsection 2, the agency which provides child welfare services  
15 shall, to the greatest extent practicable:

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

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

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

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

26 (a) When the child reaches the age of 14 years, and then at least  
27 once annually thereafter as required pursuant to 42 U.S.C. §  
28 675(5)(I); or

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

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

40 4. If the agency which provides child welfare services  
41 determines that an inaccuracy exists in the credit report of a child,  
42 the agency which provides child welfare services must:

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



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

3 (c) If an inaccuracy remains unresolved after the child has left  
4 the custody of the agency which provides child welfare services,  
5 notify the child or, if the child has not attained the age of majority,  
6 the person responsible for the child's welfare:

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

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

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

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

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

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

23 432A.0245 1. "Child care institution" means a facility which  
24 provides care and shelter during the day and night and provides  
25 developmental guidance to 16 or more children who do not  
26 routinely return to the homes of their parents or guardians. Such an  
27 institution may also provide, without limitation:

28 (a) Education to the children according to a curriculum approved  
29 by the Department of Education;

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

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

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

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

42 432A.160 1. Except as otherwise provided in this section, the  
43 Division may issue a provisional license, effective for a period not  
44 exceeding 1 year, to a child care facility which:



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

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

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

14 2. The provisions of subsection 1 do not require the issuance of  
15 a license or prevent the Division from refusing to renew or from  
16 revoking or suspending any license in any instance where the  
17 Division considers that action necessary for the health and safety of  
18 the occupants of any facility or the clients of any outdoor youth  
19 program.

20 3. A provisional license must not be issued pursuant to this  
21 section unless the Division has completed an investigation into the  
22 qualifications and background of the applicant and the employees of  
23 the applicant pursuant to NRS 432A.170 to ensure that the applicant  
24 and each employee of the applicant, or every resident of the child  
25 care facility who is 18 years of age or older, other than a ~~resident~~  
26 ~~who remains under the jurisdiction of a court~~ *participant in the*  
27 *Extended Young Adult Support Services Program established*  
28 *pursuant to ~~NRS 432B.594,~~ section 25 of this act,* or participant in  
29 any outdoor youth program who is 18 years of age or older, has not  
30 been convicted of a crime listed in subsection 2 of NRS 432A.170  
31 and has not had a substantiated report of child abuse or neglect  
32 made against him or her.

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

34 432A.170 1. The Division may, upon receipt of an  
35 application for a license to operate a child care facility, conduct an  
36 investigation into the:

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

39 (b) Qualifications and background of the applicant or the  
40 employees of the applicant;

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

42 (d) Policies and purposes of the applicant.

43 2. Subject to the provisions of subsection 7, the Division shall  
44 secure from appropriate law enforcement agencies information on  
45 the background and personal history of every applicant, licensee,



1 operator of a small child care establishment, employee of an  
2 applicant, licensee or small child care establishment, resident of a  
3 child care facility or small child care establishment who is 18 years  
4 of age or older, other than a ~~resident who remains under the~~  
5 ~~jurisdiction of a court~~ participant in the *Extended Young Adult*  
6 *Support Services Program established* pursuant to ~~[NRS~~  
7 ~~432B.594.]~~ *section 25 of this act*, or participant in an outdoor youth  
8 program who is 18 years of age or older, to determine whether the  
9 person has been convicted of:

10 (a) Murder, voluntary manslaughter or mayhem;

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

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

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

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

20 (f) Arson;

21 (g) Assault;

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

24 (i) Kidnapping;

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

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

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

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

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

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

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



1 3. Subject to the provisions of subsection 7, the Division shall  
2 request information concerning every applicant, licensee, operator  
3 of a small child care establishment, employee of an applicant,  
4 licensee or small child care establishment, resident of a child care  
5 facility or small child care establishment who is 18 years of age or  
6 older, other than a ~~resident who remains under the jurisdiction of a~~  
7 ~~court~~ *participant in the Extended Young Adult Support Services*  
8 *Program established pursuant to ~~[NRS 432B.594,] section 25 of~~*  
9 *this act*, or participant in an outdoor youth program who is 18 years  
10 of age or older, from:

11 (a) The Central Repository for Nevada Records of Criminal  
12 History for its report concerning a conviction in this State of any of  
13 the crimes set forth in subsection 2 and for submission to the  
14 Federal Bureau of Investigation for its report pursuant to NRS  
15 432A.175; and

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

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

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

25 (a) Employee of an applicant, licensee or small child care  
26 establishment, resident of a child care facility or small child care  
27 establishment who is 18 years of age or older, other than a ~~resident~~  
28 ~~who remains under the jurisdiction of a court~~ *participant in the*  
29 *Extended Young Adult Support Services Program established*  
30 *pursuant to ~~[NRS 432B.594,] section 25 of this act~~*, or participant in  
31 an outdoor youth program who is 18 years of age or older for an  
32 initial background check not later than 3 days after the employee is  
33 hired, the residency begins or the participant begins participating in  
34 the program and before the employee, resident or participant has  
35 direct contact with any child at the child care facility, and then at  
36 least once every 5 years thereafter.

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

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

43 6. A person who is required to submit to an investigation  
44 required pursuant to this section shall not have contact with a child  
45 in a child care facility without supervision before the investigation



1 of the background and personal history of the person has been  
2 conducted.

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

8 **Sec. 16.** NRS 432A.175 is hereby amended to read as follows:  
9 432A.175 1. Subject to the provisions of subsection 2:

10 (a) Every applicant for a license to operate a child care facility,  
11 licensee, operator of a small child care establishment, employee of  
12 an applicant, licensee or small child care establishment, resident of a  
13 child care facility or small child care establishment who is 18 years  
14 of age or older, other than a ~~resident who remains under the~~  
15 ~~jurisdiction of a court~~ *participant in the Extended Young Adult*  
16 *Support Services Program established* pursuant to ~~NRS~~  
17 ~~432B.594,~~ *section 25 of this act*, or participant in an outdoor youth  
18 program who is 18 years of age or older, shall submit to the  
19 Division, or to the person or agency designated by the Division, to  
20 enable the Division to conduct an investigation pursuant to NRS  
21 432A.170, a:

22 (1) Complete set of fingerprints and a written authorization  
23 for the Division or its designee to forward the fingerprints to the  
24 Central Repository for Nevada Records of Criminal History for its  
25 report and for submission to the Federal Bureau of Investigation for  
26 its report;

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

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

33 (b) If an employee of an applicant for a license to operate a child  
34 care facility, licensee or small child care establishment, a resident of  
35 a child care facility or small child care establishment who is 18  
36 years of age or older, other than a ~~resident who remains under the~~  
37 ~~jurisdiction of a court~~ *participant in the Extended Young Adult*  
38 *Support Services Program established* pursuant to ~~NRS~~  
39 ~~432B.594,~~ *section 25 of this act*, or participant in an outdoor youth  
40 program who is 18 years of age or older, has been convicted of any  
41 crime listed in subsection 2 of NRS 432A.170 or has had a  
42 substantiated report of child abuse or neglect filed against him or  
43 her, the Division shall immediately notify the applicant, licensee or  
44 small child care establishment who shall then comply with the  
45 provisions of NRS 432A.1755.



1 (c) An applicant for a license to operate a child care facility,  
2 licensee or operator of a small child care establishment shall notify  
3 the Division as soon as practicable but not later than 24 hours after  
4 hiring an employee, beginning the residency of a resident who is 18  
5 years of age or older, other than a ~~[resident who remains under the~~  
6 ~~jurisdiction of a court]~~ *participant in the Extended Young Adult*  
7 *Support Services Program established* pursuant to ~~[NRS~~  
8 ~~432B.594,]~~ *section 25 of this act*, or beginning the participation of a  
9 participant in an outdoor youth program who is 18 years of age or  
10 older.

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

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

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

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

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

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

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

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

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

39 (1) The applicant, licensee or operator, an employee of the  
40 applicant, licensee or small child care establishment, a resident of  
41 the child care facility or small child care establishment who is 18  
42 years of age or older, other than a ~~[resident who remains under the~~  
43 ~~jurisdiction of a court]~~ *participant in the Extended Young Adult*  
44 *Support Services Program established* pursuant to ~~[NRS~~  
45 ~~432B.594,]~~ *section 25 of this act*, or participant in an outdoor youth





1 program who is 18 years of age or older, or a facility, establishment  
2 or program operated by the applicant, licensee or operator is the  
3 subject of a lawsuit or any disciplinary proceeding; or

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

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

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

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

19 432A.1755 1. Subject to the provisions of subsection 2:

20 (a) Except as otherwise provided in paragraph (c), upon  
21 receiving information pursuant to NRS 432A.175 from the Central  
22 Repository for Nevada Records of Criminal History or the Statewide  
23 Central Registry for the Collection of Information Concerning the  
24 Abuse or Neglect of a Child established pursuant to NRS 432.100 or  
25 from an employee of an applicant for a license to operate a child  
26 care facility, a licensee or a small child care establishment, a  
27 resident of a child care facility or small child care establishment  
28 who is 18 years of age or older, other than a ~~resident who remains~~  
29 ~~under the jurisdiction of a court~~ *participant in the Extended Young*  
30 *Adult Support Services Program established pursuant to ~~NRS~~*  
31 *432B.594, section 25 of this act*, or participant in an outdoor youth  
32 program who is 18 years of age or older or from any other source  
33 that such an employee, resident or participant has been convicted of  
34 a crime listed in subsection 2 of NRS 432A.170 or has had a  
35 substantiated report of child abuse or neglect made against him or  
36 her, the applicant, licensee or operator of the small child care  
37 establishment shall terminate the employment of the employee or  
38 remove the resident from the facility or establishment or participant  
39 from the outdoor youth program after allowing the employee,  
40 resident or participant time to correct the information as required  
41 pursuant to paragraph (b).

42 (b) If an employee, resident or participant believes that the  
43 information provided to the applicant, licensee or operator pursuant  
44 to paragraph (a) is incorrect, the employee, resident or participant  
45 must inform the applicant, licensee or operator immediately. The



1 applicant, licensee or operator shall give any such employee,  
2 resident or participant 30 days to correct the information.

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

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

24 (e) During any period in which an employee, resident or  
25 participant seeks to correct information pursuant to paragraph (b) or  
26 requests a review of information pursuant to paragraph (d), it is  
27 within the discretion of the applicant, licensee or operator whether  
28 to allow the employee, resident or participant to continue to work  
29 for or reside at the child care facility or small child care  
30 establishment or participate in the outdoor youth program, as  
31 applicable, except that the employee, resident or participant shall not  
32 have contact with a child without supervision during such a period.

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

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

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

44 432A.1785 1. Subject to the provisions of subsection 3, each  
45 applicant for a license to operate a child care facility, licensee and



1 operator of a small child care establishment shall maintain records  
2 of the information concerning employees of the child care facility or  
3 small child care establishment and any residents of the child care  
4 facility or small child care establishment who are 18 years of age or  
5 older, other than ~~residents who remain under the jurisdiction of a~~  
6 ~~court~~ participants in the *Extended Young Adult Support Services*  
7 *Program established* pursuant to ~~NRS 432B.594,~~ *section 25 of*  
8 *this act*, or participants in any outdoor youth program who are 18  
9 years of age or older that is collected pursuant to NRS 432A.170  
10 and 432A.175, including, without limitation:

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

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

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

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

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

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

28 3. The provisions of this section apply to a small child care  
29 establishment and an operator of a small child care establishment if  
30 the operator of such an establishment has registered with the  
31 Division of Welfare and Supportive Services of the Department  
32 pursuant to NRS 432A.1756.

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

34 432A.190 1. The Division may deny an application for a  
35 license to operate a child care facility or may suspend or revoke  
36 such a license upon any of the following grounds:

37 (a) Violation by the applicant or licensee or an employee of the  
38 applicant or licensee of any of the provisions of this chapter or of  
39 any other law of this State or of the standards and other regulations  
40 adopted thereunder.

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

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



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

4 (e) Conviction of any crime listed in subsection 2 of NRS  
5 432A.170 committed by the applicant or licensee or an employee of  
6 the applicant or licensee, or by a resident of the child care facility or  
7 participant in the outdoor youth program who is 18 years of age or  
8 older.

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

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

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

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

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

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

33 (b) Is ordered to but fails to abate a nuisance pursuant to NRS  
34 244.360, 244.3603 or 268.4124; or

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

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

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



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

3 (c) A report of any disciplinary action taken against the facility.  
4 ➔ The facility shall make the information available to the public  
5 pursuant to NRS 432A.178.

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

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

15 **Sec. 21.** *As used in NRS 432B.591 to 432B.595, inclusive,*  
16 *and sections 21 to 26, inclusive, of this act, unless the context*  
17 *otherwise requires, the words and terms defined in NRS 432B.591*  
18 *and sections 22 and 23 of this act have the meanings ascribed to*  
19 *them in those sections.*

20 **Sec. 22.** *“Program” means the Extended Young Adult*  
21 *Support Services Program established pursuant to section 25 of*  
22 *this act.*

23 **Sec. 23.** *“Young adult” means a person who is at least 18*  
24 *years of age but less than 21 years of age and whose plan for*  
25 *permanent placement adopted pursuant to NRS 432B.553 was, on*  
26 *his or her 18th birthday, a permanent living arrangement other*  
27 *than reunification with his or her parents.*

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

30 *2. While under the jurisdiction of the court, a young adult*  
31 *has the same authority to make decisions as a person who is over*  
32 *18 years of age and who is not subject to the jurisdiction of the*  
33 *court.*

34 **Sec. 25.** *1. The Division of Child and Family Services shall*  
35 *establish and administer the Extended Young Adult Support*  
36 *Services Program to provide extended support services to young*  
37 *adults pursuant to the provisions of NRS 432B.591 to 432B.595,*  
38 *inclusive, and sections 21 to 26, inclusive, of this act and the*  
39 *Fostering Connections to Success and Increasing Adoptions Act*  
40 *of 2008, Pub. L. No. 110-351, 42 U.S.C. § 675.*

41 *2. On or before September 1 of each year, the Division of*  
42 *Child and Family Services shall submit a report regarding the*  
43 *Program, including, without limitation, the number of participants*  
44 *and the costs for providing the extended support services, for*  
45 *submittal to:*



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

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

5 3. *The Division of Child and Family Services shall adopt*  
6 *regulations governing the Program. Such regulations, must,*  
7 *without limitation, ensure that the Program complies with the*  
8 *Fostering Connections to Success and Increasing Adoptions Act*  
9 *of 2008, Pub. L. No. 110-351, 42 U.S.C. § 675.*

10 **Sec. 26.** 1. *Except as otherwise provided in subsection 4,*  
11 *the court shall, within 12 months after the date on which a*  
12 *participant entered into a written agreement pursuant to NRS*  
13 *432B.594 and each year thereafter, hold a hearing to:*

14 (a) *Review the plan developed pursuant to NRS 432B.595; and*  
15 (b) *Determine whether the agency which provides child*  
16 *welfare services has made reasonable efforts to assist the*  
17 *participant in meeting the goals prescribed in the plan.*

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

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

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

30 **Sec. 27.** NRS 432B.040 is hereby amended to read as follows:  
31 432B.040 "Child" means a person under the age of 18 years or,  
32 if in school, until graduation from high school. ~~[The term does not~~  
33 ~~include a child who remains under the jurisdiction of the court~~  
34 ~~pursuant to NRS 432B.594.]~~

35 **Sec. 28.** NRS 432B.060 is hereby amended to read as follows:  
36 432B.060 "Custodian" means a person or a governmental  
37 organization, other than a parent or legal guardian, who has been  
38 awarded legal custody of a child. The term does not include a person  
39 or governmental organization who continues to provide services to a  
40 ~~[child that remains under the jurisdiction of a court pursuant to NRS~~  
41 ~~432B.594.]~~ *participant in the Extended Young Adult Support*  
42 *Services Program established pursuant to section 25 of this act.*

43 **Sec. 29.** NRS 432B.391 is hereby amended to read as follows:  
44 432B.391 1. An agency which provides child welfare  
45 services or its approved designee may, in accordance with the



1 procedures set forth in 28 C.F.R. §§ 901 et. seq., conduct a  
2 preliminary Federal Bureau of Investigation Interstate Identification  
3 Index name-based check of the records of criminal history of a  
4 resident who is 18 years of age or older of a home in which the  
5 agency which provides child welfare services wishes to place a child  
6 in an emergency situation, other than a ~~resident who remains under~~  
7 ~~the jurisdiction of a court~~ *participant in the Extended Young Adult*  
8 *Support Services Program established* pursuant to ~~NRS~~  
9 ~~432B.594,~~ *section 25 of this act*, to determine whether the person  
10 investigated has been arrested for or convicted of any crime.

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

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

40 **Sec. 30.** NRS 432B.591 is hereby amended to read as follows:

41 432B.591 ~~[As used in NRS 432B.591 to 432B.595, inclusive,~~  
42 ~~“child”]~~ *“Child”* means a person who is ~~:~~

43 ~~— 1. Under] under~~ the age of 18 years . ~~;~~ and

44 ~~— 2. Over the age of 18 years and who remains under the~~  
45 ~~jurisdiction of the court pursuant to NRS 432B.594.]~~





1       **Sec. 31.** NRS 432B.592 is hereby amended to read as follows:  
2       432B.592 1. A court shall refer a child who is in the custody  
3 of an agency which provides child welfare services to an attorney in  
4 the county who provides legal services without a charge to abused  
5 or neglected children if the court determines that the child:

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

9       2. The court shall request the attorney to whom such a child is  
10 referred to ~~{counsel}~~ :

11       (a) *Counsel* the child regarding the legal consequences of  
12 ~~{remaining}~~ :

13           (1) *Remaining* under the jurisdiction of the court ~~{after~~  
14 ~~reaching 18 years of age}~~ *pursuant to section 24 of this act,*  
15 *regardless of whether the child elects to participate in the*  
16 *Program; and*

17           (2) *Participating in the Program;* and ~~{assist}~~

18       (b) *Assist* the child in deciding whether to ~~{remain under the~~  
19 ~~jurisdiction of the court.}~~ *participate in the Program.*

20       **Sec. 32.** NRS 432B.593 is hereby amended to read as follows:

21       432B.593 1. At least 120 days before the date on which a  
22 child who is in the custody of an agency which provides child  
23 welfare services reaches the age of 18 years, the agency which  
24 provides child welfare services shall meet with the child to  
25 ~~{determine}~~ :

26       (a) *Provide information to the child regarding the Program,*  
27 *including, without limitation, eligibility requirements for*  
28 *participation in the Program and extended young adult support*  
29 *services available to participants in the Program; and*

30       (b) *Determine* whether the child intends to request ~~{that the~~  
31 ~~court retain jurisdiction over the child pursuant to NRS 432B.594~~  
32 ~~after the child reaches the age of 18 years.}~~ *to participate in the*  
33 *Program.*

34       2. ~~{If the child indicates during the meeting held pursuant to~~  
35 ~~subsection 1 that the child does not intend to request that the court~~  
36 ~~retain jurisdiction over the child, the agency which provides child~~  
37 ~~welfare services shall recommend that the court terminate~~  
38 ~~jurisdiction over the child when the child reaches the age of 18~~  
39 ~~years.~~

40       ~~—3.}~~ Notwithstanding a determination made by a child during a  
41 meeting held pursuant to subsection 1, *and notwithstanding any*  
42 *previous decision to terminate participation in the Program,* any  
43 time before reaching the age of ~~{18}~~ 21 years, ~~{the child}~~ *a young*  
44 *adult* may ~~{~~





1 ~~—(a) Inform the agency which provides child welfare services that~~  
2 ~~the child intends to request that the court continue jurisdiction over~~  
3 ~~the child pursuant to NRS 432B.594, and the agency shall revise its~~  
4 ~~recommendation to the court accordingly; or~~

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

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

10 *(a) Shall, upon the request of the young adult to participate in*  
11 *the Program made on or after his or her 18th birthday, assist the*  
12 *young adult to enroll in the Program.*

13 *(b) May refer the young adult to an attorney who provides*  
14 *legal services without a charge to assist the young adult to enroll*  
15 *in the Program.*

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

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

26 432B.594 1. ~~[A court which orders a child to be placed other~~  
27 ~~than with a parent and which has jurisdiction over the child when~~  
28 ~~the child reaches the age of 18 years shall retain jurisdiction over the~~  
29 ~~child if the child so requests.] To be eligible to participate in the~~  
30 *Program, a young adult must:*

31 *(a) Enter into a written agreement with the agency that*  
32 *provides child welfare services that satisfies the requirements*  
33 *prescribed in subsection 3;*

34 *(b) Be:*

35 *(1) Enrolled in a program of secondary education or an*  
36 *educational program leading to a general educational*  
37 *development certificate or an equivalent document;*

38 *(2) Enrolled in a program of postsecondary or vocational*  
39 *education;*

40 *(3) Enrolled or participating in a program or activity*  
41 *designed to promote employment or remove obstacles to*  
42 *employment;*

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



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

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

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

9 (a) The agency which provides child welfare services, the  
10 ~~child~~ *young adult* and the attorney of the ~~child~~ *young adult*  
11 agree to terminate ~~the jurisdiction;~~ *participation in the Program;*

12 (b) The court determines that:

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

15 (2) The ~~child~~ *young adult* is not making a good faith effort  
16 to achieve the goals set forth in the plan developed pursuant to NRS  
17 432B.595; or

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

22 (c) The ~~child~~ *young adult* requests that ~~jurisdiction~~  
23 *participation in the Program* be terminated; or

24 (d) The ~~child~~ *young adult* reaches the age of 21 years,  
25 ↪ whichever occurs first.

26 3. ~~If the court that retains jurisdiction over a child pursuant to~~  
27 ~~this section transfers jurisdiction to another court in this State, the~~  
28 ~~court which accepts jurisdiction must retain jurisdiction over the~~  
29 ~~case for the period provided pursuant to this section.~~

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

37 (a) The ~~child~~ *young adult* voluntarily requested ~~that the court~~  
38 ~~retain jurisdiction over the child;~~ *to participate in the Program;*

39 (b) While ~~under the jurisdiction of the court,~~ *participating in*  
40 *the Program*, the ~~child~~ *young adult* is entitled to continue to  
41 receive services from the agency which provides child welfare  
42 services and to receive monetary payments ~~directly or to have such~~  
43 ~~payments provided to another entity as designated] in the manner~~  
44 *prescribed* in the plan developed pursuant to NRS 432B.595 in an  
45 amount *sufficient to assist the young adult to achieve self-*



1 *sufficiency which does* not ~~[to]~~ exceed the rate of payment for foster  
2 care;

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

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

11 (e) If there is an issue concerning the ~~[child while under the~~  
12 ~~jurisdiction of the court,]~~ the ~~[child]~~ *participant, the participant* and  
13 the agency which provides child welfare services agree to attempt to  
14 resolve the issue before requesting a hearing before the court to  
15 address the issue.

16 ~~[5.] 4.~~ If an issue arises concerning a ~~[child who remains under~~  
17 ~~the jurisdiction of the court, the child,]~~ *participant*, the agency  
18 which provides child welfare services or the attorney assigned to the  
19 case may request a hearing before the court to address the issue.  
20 Before requesting such a hearing, the ~~[child]~~ *participant* and the  
21 agency which provides child welfare services must attempt to  
22 resolve the issue.

23 ~~[6.] 5.~~ If the agency which provides child welfare services  
24 wishes to ~~[have the court]~~ terminate ~~[jurisdiction over]~~ the ~~[child,]~~  
25 *participation of a young adult in the Program*, the agency which  
26 provides child welfare services must send a notice to the ~~[child]~~  
27 *participant* and ~~[the]~~ *his or her* attorney ~~[of the child informing the~~  
28 ~~child and the attorney of the child]~~ that the ~~[child]~~ *participant* has  
29 15 days after receipt of the notice in which to request an informal  
30 administrative review. If, during the administrative review, a  
31 resolution is not reached, the ~~[child]~~ *participant* or the attorney of  
32 the ~~[child]~~ *participant* may request a hearing before the court  
33 pursuant to subsection ~~[5.] 4.~~ If the ~~[child]~~ *young adult* and the  
34 attorney of the ~~[child]~~ *young adult* agree to ~~[have jurisdiction~~  
35 ~~terminated]~~ *terminate participation* or do not request an informal  
36 administrative review, ~~[the jurisdiction of the court]~~ *participation in*  
37 *the Program* must terminate upon notice to the court by the agency  
38 which provides child welfare services.

39 ~~[7.] 6.~~ A ~~[child, while under the jurisdiction of the court~~  
40 ~~pursuant to this section,]~~ *participant* is entitled to continue to  
41 receive services and monetary payments from the agency which  
42 provides child welfare services ~~[directly or to have such payments~~  
43 ~~provided to another person or entity as designated]~~ *in the manner*  
44 *prescribed* in the plan developed pursuant to NRS 432B.595 in an  
45 amount *sufficient to assist the young adult to achieve self-*



1 *sufficiency which does* not ~~[to]~~ exceed the rate of payment for foster  
2 care.

3 ~~[8.]~~ 7. The court may issue any order which it deems  
4 appropriate or necessary to ensure:

5 (a) That the agency which provides child welfare services  
6 provides the services and monetary payments which the ~~[child]~~  
7 *participant* is entitled to receive ~~[:]~~ *as prescribed by the plan*  
8 *developed pursuant to NRS 432B.595;* and

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

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

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

21 (a) *The persons or entities that will receive payments from the*  
22 *agency which provides child welfare services and the manner in*  
23 *which such payments will be allocated. The agency which provides*  
24 *child welfare services may make payments to more than one*  
25 *person or entity authorized to receive payments pursuant to*  
26 *subsection 2.*

27 (b) *The goals set forth in subsection 3.*

28 2. *The plan developed pursuant to subsection 1 may provide*  
29 *for the agency which provides child welfare services to make direct*  
30 *payments to:*

31 (a) *A foster home.*

32 (b) *A qualified residential treatment program.*

33 (c) *A child care institution.*

34 (d) *A person or entity, including, without limitation, a relative*  
35 *or fictive kin, who provides a supervised arrangement for*  
36 *independent living where the participant resides.*

37 (e) *A landlord, property manager or other entity that collects*  
38 *rental payments for housing.*

39 (f) *A participant.*

40 (g) *Any combination of the persons or entities listed in*  
41 *paragraphs (a) to (g), inclusive.*

42 3. *The plan developed pursuant to subsection 1 must include,*  
43 *without limitation, the following goals:*

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



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

(c) If the ~~child~~ **young adult** has graduated from high school or obtained a general equivalency diploma or an equivalent document, that the ~~child;~~ **young adult:**

(1) ~~Enroll in~~ **Complete** a program of postsecondary or vocational education;

(2) ~~Enroll or participate in~~ **Complete** a program or activity designed to promote **employment** or remove obstacles to employment; or

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

(d) That the ~~child~~ **young adult** secure housing;

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

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

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

~~(h)~~ **young adult.**

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

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

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

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

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

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

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



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

3 (b) Contact the ~~[child]~~ *young adult* by telephone at least once  
4 each month and in person at least quarterly;

5 (c) Ensure that the ~~[child]~~ *young adult* meets with a person who  
6 will provide guidance to the child and make the child aware of the  
7 services which will be available to the ~~[child;]~~ *young adult*; and

8 (d) Conduct a meeting with the ~~[child]~~ *young adult* at least 30  
9 days, but not more than 45 days, before ~~[the jurisdiction of the court~~  
10 ~~is terminated]~~ *he or she reaches the age of 21 years* to determine  
11 whether the ~~[child]~~ *young adult* requires any additional guidance.

12 **8. As used in this section:**

13 (a) *“Child care institution” has the meaning ascribed to it in*  
14 *NRS 432A.0245.*

15 (b) *“Foster home” has the meaning ascribed to it in*  
16 *NRS 424.014.*

17 (c) *“Qualified residential treatment program” has the meaning*  
18 *ascribed to it in 42 U.S.C. § 672.*

19 **Sec. 35.** The provisions of subsection 1 of NRS 218D.380 do  
20 not apply to any provision of this act which adds or revises a  
21 requirement to submit a report to the Legislature.

22 **Sec. 36.** Notwithstanding the provisions of NRS 218D.430 and  
23 218D.435, a committee, other than the Assembly Standing  
24 Committee on Ways and Means and the Senate Standing Committee  
25 on Finance, may vote on this act before the expiration of the period  
26 prescribed for the return of a fiscal note in NRS 218D.475. This  
27 section applies retroactively from and after  
28 March 22, 2021.

29 **Sec. 37.** This act becomes effective upon passage and  
30 approval.





