

Steve Sisolak
Governor

Richard Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Ross Armstrong
Administrator

PUBLIC NOTICE

Intent to Adopt Regulations Related to NAC 62

AGENDA

DATE: October 5, 2021

TIME: 11:00 AM – 1:00 PM

Location:

Video Access: <https://us02web.zoom.us/j/83852384755?pwd=NUpPMWtyeTdWNWtuVjkzalFPZEJCZz09>

Phone Access: (415) 762-9988

Meeting ID: 838 5238 4755

Passcode: 580636

This will be a **virtual only** meeting as authorized pursuant to AB253 (2021)

Members of the public may hear and observe the hearing and participate by video or phone. Members of the public may also provide live public comment during the public comment sections of the agenda. If members of the public desire to provide a pre-recorded public comment for the hearing, please contact Leslie Bittleston no later than October 4, 2021, in order to provide the pre-recorded comment to be reviewed at the public hearing.

As required by Open Meeting Law, this public hearing contains this agenda, the hearing will be recorded, and minutes will be completed following the public hearing.

AGENDA

1. Call to Order
2. Public Comment
3. Introduction of DCFS Administrator
4. Introduction of DCFS Staff and Presenter

5. Presentation of NAC's
 - NAC 62B (R021-20P)
 - NAC 62H (R024-20P)
6. Presentation of changes made per public workshop or public comment
 - Definition of State Money – NAC 62B
 - Inclusion of DCFS Youth Parole/Facility in NAC's
 - Clear due dates
 - Clarification on process of when proposed NAC revisions are sent to the Legislative Counsel Bureau (LCB) for drafting
7. Public Comment
8. Adoption of NAC's
 - NAC 62B (R021-20P)
 - NAC 62H (R024-20P)
9. Adjourn

We are pleased to provide special accommodation assistance to persons with disabilities who wish to attend. Notify Kayla Dunn in writing at the Division of Child and Family Services, 4126 Technology Way, 3rd Floor, Carson City, NV 89706, or by calling (775) 684-4410 no later than three (3) business days prior to the meeting date. Supporting materials may be obtained at the above address or by contacting Kayla Dunn at (775) 684-4410.

This Agenda along with the Notice of Intent to Act Upon a Regulation has been sent to be posted at the following locations, in accordance with NRS Chapter 241:

1. Leslie Bittleston, Division of Child and Family Services, 4126 Technology Way, 3rd Floor, Carson City, NV 89706
2. Nevada Youth Parole Bureau, 751 Ryland Street, Reno, NV 89502
3. Grant Sawyer Building, 555 Washington Avenue, Las Vegas, NV 89101
4. Elko Juvenile Court, 665 W. Silver Street, Elko, NV 89801
5. Clark County District Attorney, 601 North Pecos Road, Las Vegas, NV 89101
6. Division of Child and Family Services, 475 W. Haskell St. #7, Winnemucca, NV 89445
7. Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701
8. The Children's Cabinet, 1090 S. Rock Blvd, Reno, NV 89502
9. ACLU of Nevada, 601 S. Rancho Dr, Suite B-11, Las Vegas, NV 89106
10. Great Basin College, 1500 College Parkway, Elko, NV 89801

Notices are also sent to all Juvenile Probation Departments, Youth Camps, and Youth Correctional Centers

State of Nevada- Division and Child Family Services

Website- [JJOC 2021 Agendas and Minutes](#)

State of Nevada- Nevada Public Notices

Website: [Nevada Public Posting Link](#)

Legislative Counsel Bureau - Administrative Regulation Notices Meetings and Workshops

Website: <http://www.leg.state.nv.us>

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations of the Division of Child and Family Services (DCFS). DCFS will hold a **virtual only** public hearing at 11:00 a.m., on October 5, 2021.

Video Access: <https://us02web.zoom.us/j/83852384755?pwd=NUpPMWtyeTdWNWtuVjkzalFPZEJCZz09>

Phone Access: (415) 762-9988

Meeting ID: 838 5238 4755

Passcode: **580636**

The purpose of the hearing is to receive comments from all interested persons regarding the Adoption of regulations that pertain to chapter 62 of the Nevada Administrative Code. The following information is provided pursuant to the requirements of NRS 233B.0603.

The adoption of NAC 62 is pursuant to Assembly Bill (AB) 472 which was signed in law in 2017. These regulations incorporate data gathering requirements from county and state juvenile probation/parole entities as well as juvenile detention and state facilities. It further allows the state to withhold funds to county entities for not providing data as required and when required. This change also updates data requirements specifically required by the Juvenile Justice Oversight Commission (NRS 62B.600) and DCFS.

These regulations are beneficial to the state in gathering and providing data regarding the juvenile justice system.

There is no financial impact to public businesses, but there may some staffing impact to agencies in gathering and providing data requested to the state.

Persons wishing to comment upon the proposed action of DCFS may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Leslie Bittleston at lbittleston@dcfs.nv.gov. Written submissions must be received by DCFS on or before October 4, 2021. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, DCFS may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at DCFS's administrative office at 4126 Technology Way, Carson City, NV 89706, for inspection and copying by members of the public during business hours.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>.

Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption. This notice of hearing has been posted at the following locations:

This notice and Agenda has been sent to be posted at the following locations, in accordance with NRS Chapter 241:

11. Leslie Bittleston, Division of Child and Family Services, 4126 Technology Way, 3rd Floor, Carson City, NV 89706
12. Nevada Youth Parole Bureau, 751 Ryland Street, Reno, NV 89502
13. Grant Sawyer Building, 555 Washington Avenue, Las Vegas, NV 89101
14. Elko Juvenile Court, 665 W. Silver Street, Elko, NV 89801
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16. Division of Child and Family Services, 475 W. Haskell St. #7, Winnemucca, NV 89445
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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO AB 472, 2021**

A small business is defined in Nevada Revised Statutes NRS 233 as a “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement is made pursuant to NRS 233B.0608 (3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608 (3), this statement identifies the methods used by the agency in determining the impact of the proposed regulation on a small business in sections 1,2,3 and 4 below and provides the reasons for the conclusions of the agency in section 8 below followed by the certification by the person responsible for the agency.

Background

These regulations do not apply to any small business as there are no privately-operated juvenile detention facilities, privately-operated youth centers, or privately-operated juvenile parole and probation agencies. These regulations only affect state and local governments who operate secure facilities and provide supervision to youth are affected. In Nevada, all juvenile detention facilities, juvenile youth centers, juvenile probation services, and juvenile parole services are government operated and therefore there is no impact on small business. Privately operated residential treatment facilities and acute care hospitals that provide services to youth are not affected by these regulation changes.

The agency did reach out to the Nevada Association of Juvenile Justice Administration (NAJJA) and the Governor’s Juvenile Justice Oversight Commission (JJOC) to inform them of potential changes in policy and/or practice due to these regulations.

Certification by Person Responsible for the Agency

I, Ross Armstrong, Administrator of the Division of Child and Family Services, certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and the information contained in this statement was prepared properly and is accurate.

Signature:  Date: September 2, 2021