

**PROPOSED REGULATION OF THE
DIVISION OF CHILD AND FAMILY SERVICES OF THE DEPARTMENT
OF HUMAN SERVICES**

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**

August 8, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: §§1-26, NRS 424.020.

Section 1. Chapter 424 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this regulation.

Sec. 2. *“Relative foster home” means a foster home that a relative foster parent is licensed to operate.*

Sec. 3. *“Relative foster parent” means:*

- 1. A person who is related to a child by blood, marriage, tribal custom, or adoption; or*
- 2. A person who is not included in subsection 1, but who has a significant emotional and positive relationship with a child.*

Sec. 4. *Before the licensing authority grants an initial license to operate a relative foster home, a licensing authority representative or his or her designee shall conduct an investigation of the relative foster home to ensure the following minimum requirements are met:*

- 1. A satisfactory background report about the applicant and anyone else living in the home who is 18 years of age or older pursuant to NRS 424.033.*

2. A determination by a licensing authority or licensing authority representative, following at least one visit to the home of the relative foster parent, that the home is safe and meets minimum requirements.

3. The completion of an assessment of suitability for each applicant.

4. The receipt of written assurances by the applicant and other applicable residents that they will:

(a) Refrain from engaging in corporal or degrading punishment;

(b) Refrain from using illegal substances, engaging in excessive consumption of alcohol or marijuana, or consuming medication in an illegal or improper manner; and

(c) Comply with the reasonable and prudent parent standard.

5. The satisfactory completion by the applicant of at least 8 hours of training described in NRS 424.0365 and approved by the licensing authority or the licensing authority representative. If the relative foster home has a pool, hot tub or other freestanding body of water, the applicant must obtain training on the administration of cardiopulmonary resuscitation, and information on water safety, pool safety and the risk of drowning.

6. If required by the licensing authority, proof by any member of the household of immunizations required of a student according to the guidelines of the local health officer.

Sec. 5. *Each relative foster parent must:*

1. Have a demonstrated ability to exercise sound judgment and decision making.

2. Be willing to cooperate with the licensing authority in establishing and carrying out goals for a child by:

(a) Providing pertinent information; and

(b) Assisting in meeting identified needs regarding the child for his or her safety, permanency and well-being.

3. Possess skills necessary to provide a nurturing and caring home and family environment.

4. Be in sufficiently good physical and mental health and be capable of caring for all physical, emotional, medical, and educational needs of a child.

5. Be able to provide for the basic needs of a child, including food, clothing and housing.

6. Accept feedback and participate in additional training to care for a specific child.

7. Possess realistic expectations regarding behaviors of children who have experienced trauma.

8. Welcome each child as a member of the family, where he or she will be treated equally and respectfully, including, without limitation, when dealing with:

(a) Benefits, privileges, and the celebration of important milestones of a child; and

(b) The beliefs, attitudes, behavior and culture of a child.

Sec. 6. *1. A licensing authority or licensing authority representative shall conduct an inspection of each relative foster home at initial licensing and at least once annually thereafter. A licensing authority representative may visit a relative foster home at any time, announced or unannounced, to determine compliance with licensing requirements and must be available for consultation as appropriate.*

2. Each relative foster home must meet minimum requirements for emergency preparedness by:

- (a) Having an operating, portable fire extinguisher;*
- (b) Having working smoke detectors;*
- (c) Having at least one working carbon monoxide detector located near any area where a child regularly sleeps; and*
- (d) Being able to articulate the family's evacuation plan upon placement.*

3. Each relative foster home must meet minimum requirements for living space and accommodations by ensuring that:

- (a) It has sufficient living space for all occupants to move freely about the home without restriction or hazards;*
- (b) All rooms used as living or sleeping quarters are clean, well-lit, well-ventilated, and heated or have access to heat;*
- (c) It takes adequate precautions to ensure the safety of children in a home where stoves and heating appliances are used, including, without limitation, portable heaters;*
- (d) Rooms have furnishings that are safe and suitable for use by children as appropriate;*
- (e) Children have access to areas to practice good hygiene and cleanliness and are provided with hygiene products and toiletries as needed, and that provisions are made when a child has unique or special needs;*
- (f) There is an area to prepare meals, appliances are safe and operational, and there is adequate storage for food that is free from health hazards;*
- (g) If a refrigerator or freezer is not in use, it is made inaccessible to children through removal from the premises, having its door locked or removed, or turning the door against the wall;*
- (h) The home is free from insect and rodent infestation; and*

(i) The home has access to hot water and electricity.

4. Each relative foster home must meet minimum requirements for sleeping

accommodations by ensuring that:

(a) Each child has a designated sleeping space that is in good condition and equipped with a pillow, sheets and coverings;

(b) Each child has access to a private space to change;

(c) A child's sleeping arrangements consider the child's preferences, age, gender identity and expression, and special needs; and

(d) Each crib meets the standards prescribed in 16 C.F.R. Part 1219 or 1220, as applicable, and is equipped with a firm crib mattress that properly fits the crib. An infant must always be placed on his or her back to sleep and must not be:

(I) Allowed to sleep on a soft or semisoft surface, including, without limitation, a sofa, waterbed, large pillow or bean bag;

(II) Placed in a crib containing any loose item, including, without limitation, a comforter, quilt, blanket, stuffed animal, crib bumper, wedge, pillow or other loose bedding; or

(III) Allowed to sleep with another person on the same sleeping surface, which may include, without limitation, a bed, sofa or chair.

5. Each relative foster home must ensure that prescription and nonprescription medications, including, without limitation, vitamins, herbal remedies, and pet medications are stored out of reach of children.

6. Any outdoor play area at a relative foster home must be safe and free from hazards.

7. Each relative foster home must meet minimum requirements for water features by ensuring that:

(a) Children are always supervised by an adult when in or around a pool, hot tub, pond or other standing body of water, in a manner appropriate for the age and maturity of the children; and

(b) The relative foster home meets the requirements for empty water features and bodies of water set forth in NAC 424.420, or local city and county codes, or if otherwise not required, receives approval from the licensing authority or licensing authority representative of an alternative safety plan, to include a barrier that will prohibit the child from accessing the body of water.

8. Each relative foster home must ensure that each pet presents no problems of sanitation and has a temperament which is not hazardous or frightening to children.

9. Each relative foster home must meet minimum requirements for hazardous materials by ensuring that:

(a) Chemicals, tools and other equipment are inaccessible to a child dependent on the age and developmental needs of the child;

(b) Items and products intended only for adult use, including, without limitation, alcohol, tobacco products, alternative nicotine products, edibles, vapor products and lighters, are reasonably stored and inaccessible to children;

(c) Smoking is prohibited when a child is physically present in a relative foster home or a vehicle; and

(d) Smoking is prohibited in the relative foster home as necessary based on a child's medical needs.

10. Each relative foster home must always have all weapons and ammunition inaccessible to children.

11. There is no limitation on the number of children for which a relative foster home is licensed if the minimum requirements of this section are met.

12. Any vehicle used to transport children must be in safe operating condition and adhere to Nevada laws related to operating a vehicle.

Sec. 7. *A relative foster home shall:*

1. Adhere to the reasonable and prudent parent standard where applicable for a relative foster parent.

2. Afford children an opportunity to participate in neighborhood, school and other community groups appropriate to the age and needs of each child.

3. Cooperate with the licensing authority's efforts to provide services to the child and family.

4. Assist the agency which provides child welfare services with transporting the child to necessary appointments, meetings, or other required travel for the child's health, ongoing visitation and sibling contact.

5. Maintain confidentiality of information relating to foster children.

6. Respect each child's gender identity or expression regarding the child's choice of clothing, hairstyle, makeup and jewelry or other accessories as are appropriate for the child's age and development.

7. Address a child by the name and pronoun preferred by the child, whether the name and pronoun conform to the child's assigned sex at birth, and honor the child's wishes regarding the times and places in which the child wishes to be addressed by that preferred name and pronoun or in another manner.

8. Provide supervision appropriate to a child's age and maturity.

9. Ensure that discipline is fair, reasonable, consistent and related to the offense. Relative foster parents shall refrain from engaging in corporal or degrading punishment.

10. Ensure that three healthy meals and appropriate snacks are provided daily in the quantity and quality necessary to meet a child's dietary, nutritional and caloric needs. Special diets must be followed as prescribed.

11. Observe children for signs of illness or changes in emotional, behavioral or mental functioning, including improvement or deterioration in behavior, social interaction, talk about suicide, running away and other factors.

12. In cooperation with the licensing authority or licensing authority representative, arrange for any needed services for the care or treatment of the medical, mental, behavioral and emotional health of a child.

13. Ensure that each child attends school as required by law and provide or cooperate with persons responsible for the educational planning for each child. Each child must be afforded the opportunity to complete schooling or training in accordance with his or her aptitude.

14. Ensure that any program of medication, physical therapy, special exercises, or other activity prescribed by a licensed medical practitioner for a child is adhered to.

15. Ensure that prescription and nonprescription medication is administered in the manner set forth in NAC 424.560.

16. Ensure that the children are kept clean and well groomed.

17. Obtain the approval of a child's caseworker and the child's birth parent, if applicable, before anything is done to significantly or permanently change the child's personal appearance, including, without limitation, major changes in hair length or hair color, tattooing or ear piercing.

Sec. 8. Upon the occurrence of a serious incident, accident or injury to a child involving a relative foster home or a child in a relative foster home, a licensed relative foster parent shall, after contacting necessary emergency personnel, provide notice of the event in the manner set forth in NAC 424.476 to the licensing authority and any caseworker assigned to the child.

Sec. 9. 1. In addition to the requirements of NRS 424.030, a license for a relative foster home must show:

(a) The type of license.

(b) The signature of the licensing authority representative.

2. The current license must be on file in the relative foster home.

3. The license is nontransferable and applies only to the address and the licensee stated on the license.

4. The license becomes invalid when:

(a) It is voluntarily returned;

(b) The relative foster parent moves to another location; or

(c) The license is revoked.

5. A relative foster home may also be issued a license to operate a family foster home at the same location if the relative foster parent otherwise qualifies to operate a family foster home

and a total of not more than six children are cared for at that location pursuant to both licenses.

Sec. 10. 1. *The licensing authority representative shall assess a relative foster home, prior to the expiration of the license, and the license must be renewed if all relative foster home licensing requirements are met.*

2. If the codes for fire and life safety as adopted by the State Fire Marshal or local fire authority change, the relative foster home will be allowed 90 days to comply with the new requirements.

Sec. 11. 1. *Whenever the licensing authority has reason to believe that a relative foster home is not conforming to the requirements for relative foster care, the licensing authority shall make an investigation to determine the facts. The licensing authority may inspect the premises where the violation is alleged to have occurred and conduct such other inquiries as are necessary.*

2. If it is found that a licensed relative foster home is not conforming to the requirements for relative foster home care, the licensing authority may, depending on the circumstances:

- (a) Issue a written notice specifying the nature of the noncompliance, a plan of corrective action and the time in which each corrective action must be taken;*
- (b) If the noncompliance does not involve health or safety issues, continue the license conditioned on the relative foster home achieving full conformity by a date set forth in the written notice issued pursuant to paragraph (a);*
- (c) Suspend the license; or*
- (d) Revoke the license.*

3. Allegations regarding possible child abuse or neglect of children will be investigated pursuant to chapter 432B of NRS.

Sec. 12. *The authority to operate a relative foster home is dependent upon continued compliance with the relative foster home licensing requirements of the licensing authority. The licensing authority may deny, suspend or revoke a license to operate a relative foster home in the manner set forth in NAC 424.185, NAC 424.190, and NAC 424.205.*

Sec. 13. *Except as otherwise provided in NAC 424.205, a relative foster home licensee may, by written request, obtain a hearing regarding the revocation or denial of the renewal of his or her license by the licensing authority. The request must be received by the licensing authority within 14 days after the notice of revocation or denial was mailed, including the date of mailing. The hearing must be held before a hearing officer of the Division or the designee of the Administrator. The hearing officer or designee, as appropriate, shall render a written decision on the matter within 90 calendar days after the request for a hearing was filed.*

Sec. 14. NAC 424.005 is hereby amended to read as follows:

424.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 424.010 to 424.083, inclusive, *and sections 2 and 3 of this regulation*, have the meanings ascribed to them in those sections.

Sec. 15. NAC 424.130 is hereby amended to read as follows:

424.130 1. A licensing authority representative shall conduct a fair and impartial inspection of each foster home at initial licensing and at least one visit annually thereafter. The licensing authority representative may request any health, fire, building or other inspection if he or she has any reason for concern regarding the health or safety of the foster home.

2. All foster homes must receive fire safety inspections upon their initial application for a license and annually thereafter pursuant to NAC 424.135.

3. A licensing authority representative shall inspect the entirety of each foster home and any attached property, including, without limitation, areas of the foster home and property that are not accessible to children, for safety. The licensing authority representative may take notes and photographs during the inspection.

4. ~~[The licensing authority may require all foster homes to be inspected annually by a health authority if individual well water or a septic tank is used.]~~

~~5. If a foster home is not located on a city water system, the licensing authority may require the analysis of a water sample and the issuance of a report of approval by the appropriate governmental authority. The licensing authority may require foster homes that obtain their water from an individual well to have an annual water inspection to ensure that the water is safe for drinking.~~

6. All group foster homes must be inspected as single-family dwellings, as defined in the current codes for those dwellings adopted by the State Fire Marshal.

Sec. 16. NAC 424.135 is hereby amended to read as follows:

424.135 1. Fire safety inspections must be conducted by a licensing authority representative, or the local fire inspector based on the home's total occupancy, including the number of foster children for whom the home is to be licensed. If the home will accept or is currently occupied by a person who is nonambulatory or a person with a severe disability, each such person must be counted twice when determining total occupancy.

2. If the total occupancy is:

(a) Less than 10, the licensing authority representative shall, except as otherwise provided in this paragraph, inspect the home to ensure the requirements of subsection 3 are met. The licensing authority representative is not required to inspect a home pursuant to this paragraph if the state or local fire inspector has inspected the home in conjunction with a current application.

(b) Ten or more, the State Fire Marshal or ~~this or her designee~~ *the local fire department* shall inspect the home. The State Fire Marshal *or the local fire department* may, based upon information he or she *or it* receives regarding the home, designate the licensing authority representative to conduct the inspection.

3. Requirements for safety from fire must be met as established by the State Fire Marshal considering the number of occupants and their ability to exit in case of a fire.

Sec. 17. NAC 424.168 is hereby amended to read as follows:

424.168 1. The licensing authority shall ensure that a foster home is financially solvent. A foster home must, as a condition of licensure:

(a) Demonstrate that it has adequate financial resources to provide basic necessities for all persons residing in the home before a child is placed in the foster home; *and*

(b) ~~Demonstrate the ability to meet all of its financial obligations regardless of whether the foster home receives payments for providing foster care.~~

~~—(c) Agree to account for all money expended for clothing and incidental expenses for each child who is placed in the foster home.~~

~~—(d) Unless the foster home is operated as a public program, provide financial records to the licensing authority which demonstrate ongoing financial solvency, upon the request of the licensing authority; and~~

~~—(e)~~ Disclose whether the foster home has been the subject of bankruptcy proceedings.

2. The licensing authority shall keep confidential any financial records or information provided by a foster home pursuant to this section.

Sec. 18. NAC 424.255 is hereby amended to read as follows:

424.255 Foster parents and staff must:

1. Be competent adults with a demonstrated ability to exercise sound judgment and decision making. Their character, integrity and conduct must be above reproach, especially with regard to their role as foster caregivers.

2. Be willing to cooperate with the agency in establishing and carrying out agency goals for the child by:

(a) Providing pertinent information about the child and the needs of the child that the foster parents and staff have gained by caring for the child on a daily basis; and

(b) Assisting in meeting any identified needs of the child.

3. Possess skills necessary to provide a nurturing and caring home and family environment.

4. Welcome each foster child into the foster home as a full member of the family and treat each foster child equally to any children of the foster parent who reside in the foster home, including, without limitation, when according to benefits and privileges.

5. Be kind and respectful when communicating and interacting with the child and the family of the child and discussing the family of the child.

6. Have knowledge and understanding of the needs of the child for well-being, safety and permanency.

7. Be flexible to best meet the needs of the child.

8. Present a positive image of fostering to the community.

9. Maintain good relationships with each member of the community who is involved with the child and the family.

10. Be professional in each action taken as a foster parent and caregiver and be a positive role model for each foster child when engaging in daily activities, making decisions, setting boundaries and modeling behaviors.

11. Communicate effectively and respectfully with each person involved in the care of a foster child and respect differences and opinions of others.

12. Accept additional feedback and participate in additional training to increase the foster parents or staff member's knowledge and ability to care for a child with unique needs.

13. When safe and appropriate, work directly with the parents or other family members of a child in support of the best interests of the child and the permanency goal of the child.

14. Possess realistic expectations regarding behaviors of children who have experienced past trauma and be able to remain calm during the emotional and behavioral outbursts of a child.

15. Set appropriate verbal and physical boundaries with foster children and their families.

16. Recognize and celebrate milestones in the life of a foster child, including, without limitation, birthdays, graduations and holidays.

17. Demonstrate sound judgment by making mindful and careful decisions.

18. Be able to communicate with any child placed in the foster home, the agency which provides child welfare services and providers of health care and others who provide services to a child placed in the foster home. At least one foster parent or member of the staff must be capable of understanding and following directions on the label of any medication.

19. Comply with the reasonable and prudent parent standard.

Sec. 19. NAC 424.270 is hereby amended to read as follows:

424.270 1. Except as otherwise provided in this section, applicants for a license to operate a foster home must attend at least 8 hours of training approved by the agency which provides child welfare services in the subjects described in NRS 424.0365, laws and regulations applicable to foster parenting, the structure of agencies which provide child welfare services, childhood trauma, the importance of family relationships and other meaningful relationships and basic first aid, including, without limitation, training in the administration of cardiopulmonary resuscitation. If the home has a pool, hot tub or other freestanding body of water, the applicants must obtain information on water safety, pool safety and the risk of drowning.

2. Except as otherwise provided in this section, foster parents shall attend at least 4 hours annually of training in foster parenting which is provided or approved by the agency which provides child welfare services.

3. The annual training or portions of the annual training required by subsection 2 may for good cause, as determined by the agency which provides child welfare services, be obtained from another agency that places foster children, as a substitute for the training provided by the agency which provides child welfare services, if at least one foster parent participates in the training and the training has been preapproved by the agency which provides child welfare services.

4. A family foster home which is licensed to provide foster care for a specific, licensed child-placing agency may receive the training required by subsections 1 and 2 through that agency.

5. In addition to the training required by subsections 1 and 2, applicants for a license to operate a foster home must receive training in how to use and apply the reasonable and prudent parent standard to provide normalcy for foster children when making decisions authorized by NAC 424.573. The training required by this subsection must be provided or approved by the agency which provides child welfare services.

6. In addition to the training required by subsections 1, 2 and 5, a licensee that operates a foster home must receive, not later than 90 days after initial licensure ~~and annually thereafter,~~ training concerning working with lesbian, gay, bisexual, transgender and questioning children.

7. The requirements of this section are not applicable to any person who is subject to the requirements of NAC 424.712 and 424.714 and completes the training or continuing education required by those sections.

Sec. 20. NAC 424.275 is hereby amended to read as follows:

424.275 1. Adults who provide foster care for children must provide evidence of their character and ability to care for children. The licensing authority must have received at least ~~five~~ *three* satisfactory references for such a person ~~+~~, *and one of them must be unrelated to the applicant.*

2. A licensing authority representative is not obligated to share with the applicant concerns raised by references if the licensing authority representative cannot do so without compromising the reference's confidentiality.

3. A licensing authority may deny an application for a license to operate a foster home based upon a negative reference.

Sec. 21. NAC 424.375 is hereby amended to read as follows:

424.375 1. Foster children must sleep in a room, designated as a bedroom, which must ensure privacy. Closets, partitioned rooms, and similar areas are unacceptable areas for children to sleep. No child may be allowed to sleep in a detached building, unfinished attic or basement, stair hall or room commonly used for other than bedroom purposes.

2. Rooms used by children for sleeping must have adequate floor space between beds to allow foster children and other persons to easily access beds and exits.

3. Dormitories housing more than six children are not allowed. Single rooms must be provided for those children whose behavior or development makes it desirable for them to have a single room.

4. Except as otherwise provided in this subsection, children of the opposite sex who are 5 years of age or more must not share a bedroom, and children who are more than 12 months of age must not sleep in the same room with an adult.

5. If a written recommendation by a provider of health care, psychologist, clinical social worker, clinical professional counselor or a child and family team is provided to the licensing authority, the licensing authority may authorize children who are 5 years of age or more to share a room or a child who is more than 12 months of age to sleep in the same room with an adult. A child of the foster parents who is 18, 19 or 20 years of age may share a room with a foster child of the same sex and similar age if this arrangement is appropriate based upon the circumstances and needs of each child. A child in foster care who is the parent of a child in the same placement may share a room with that child. The licensing authority may authorize a child whose gender identity or expression differs from the child's assigned sex at birth to share a room with a child of the opposite sex if the licensing authority determines that this arrangement is safe and in the best interests of each child. In making this determination, the licensing authority must consider:

- (a) The expressed preferences of each child; and
- (b) The recommendations of the child and family team.

6. The foster parents' bedroom must be located on the same floor as the bedroom of any child who is less than 5 years of age.

7. Except as otherwise provided in this subsection, each child must be provided with his or her own bed ~~which must be at least 27 inches wide and of a length which is adequate for the child's height, and the bottom of~~ *or a mattress* which is elevated off the floor. Siblings of the same sex may share a double bed ~~or mattress~~ *or mattress*.

8. Each bed must have a comfortable and supportive mattress in good condition, a pillow, sheets and coverings and, as needed, waterproofing sufficient for the child's comfort.

9. Bunk beds with more than two bunks are prohibited. If bunk beds are used, the upper bunk must have a guardrail. Upper bunks must not be used by children who are less than 6 years of age.

10. A complete change of bed linens must be supplied at least once a week or more often if necessary.

11. Each child must have access to a closet, locker or dresser for clothing and personal belongings in his or her sleeping area.

12. Bedroom furnishings must not be set up in such a manner as to obstruct a clear exit from a door or window.

13. Each crib must meet the standards prescribed in 16 C.F.R. Part 1219 or 1220, as applicable, and be equipped with a firm crib mattress that properly fits the crib. An infant must always be placed on his or her back to sleep and must not be:

(a) Allowed to sleep on a soft or semisoft surface, including, without limitation, a sofa, waterbed, large pillow or bean bag.

(b) Placed in a crib containing any loose item, including, without limitation, a comforter, quilt, blanket, stuffed animal, crib bumper, wedge, pillow or other loose bedding.

(c) Allowed to sleep with another person on the same sleeping surface, which may include, without limitation, a bed, sofa or chair.

14. As used in this section, "provider of health care" means a physician, advanced practice registered nurse, physician assistant or homeopathic physician.

Sec. 22. NAC 424.420 is hereby amended to read as follows:

424.420 1. Any standing body of water on the premises of a foster home must be maintained in a condition that is healthy and safe for children. The water in any pond used for swimming must be maintained in a healthy and sanitary condition.

2. Except as otherwise provided in this subsection, a foster home that has an empty water feature or standing body of water on the premises and is licensed to care for any child who is less than 5 years of age must *either* provide a fence on all sides of the empty water feature or standing body of water, separating it from the general yard area , *or provide an alternative safety plan, with licensing approval that prohibits the access of children into the area.* If the empty water feature or standing body of water is adjacent to an area of an outside wall of the foster home that has no windows or doors, the wall may function as part of the fence. A fence is not required for a hot tub on the premises of a foster home described in this subsection if the hot tub has a protective cover that is kept in place and locked when the hot tub is not in use.

3. The fence required by subsection 2 must:

- (a) Be at least 4 feet high on all sides.
- (b) Have no vertical opening more than 4 inches wide.
- (c) Be of such a design that young children cannot climb it or squeeze under it. The use of a chain link fence is prohibited.
- (d) Not obstruct the view of the empty water feature, standing body of water or surrounding area from the house.
- (e) Have a gate that is self-closing, with a self-latching mechanism which is in proper working order and out of the reach of young children.

4. If a foster home is licensed to care only for children who are 5 years of age or more:

- (a) Except as otherwise provided in paragraph (b), the area surrounding an empty water feature or standing body of water must be fenced and locked in a manner which prevents access by children or others who are not entitled to be on the premises; or
- (b) If the area surrounding the empty water feature or standing body of water is not fenced, there must be a locked, protective cover which will not allow access by a child. Any pool cover must be free from standing water.

5. A reaching pole with a life hook, and a ring buoy, must be present and accessible at all times as minimum safety devices unless the standing body of water is such that a person supervising a child is able, without entering the water, to reach the child in the water and remove the child by hand.

6. Steps leading to an above-ground pool must be removed when the pool is not in use.

7. Any sauna or tanning booth on the premises of a foster home must be locked in a manner which prevents access by children.

8. If a wading or inflatable pool is used, it must be constructed, maintained and used in a manner which safeguards the lives and health of the children. A wading or inflatable pool must be emptied when not in use or comply with all regulations applicable to a standing body of water.

9. If a foster home has access to a community pool, the foster parents and staff shall ensure that a child does not enter the pool area unless:

(a) The child is under the direct supervision of a foster parent or staff member; and

(b) The pool is equipped with a reaching pole with a life hook and a ring buoy.

10. As used in this section:

(a) "Empty water feature" includes, without limitation, an empty pool.

(b) "Standing body of water" includes, without limitation, any lake, pond or in-ground or above-ground pool, hot tub or large stationary bird bath.

Sec. 23. NAC 424.455 is hereby amended to read as follows:

424.455 1. If a foster home combines foster care with regular paid care for others, including child care, the licensing authority may place restrictions on the license of the foster home because of the number of children cared for in the foster home on a regular basis and may require the licensee to discontinue providing paid care for others if the licensing authority determines that providing such care may adversely affect the ability of the foster home to provide foster care. A foster home that provides paid care for others shall comply with all requirements relating to staffing in a foster home when it provides both foster care and paid care for others.

2. A foster home may house adult roomers or boarders under the following circumstances:

(a) The roomer or boarder:

- (1) Is considered a part of the family ~~or~~ *or is a permanent resident of the home;* or
- (2) Has been a foster child who has reached the age of 18 years; and

(b) The roomer or boarder, regardless of age, must be willing to submit to the same licensing requirements as the staff, unless the roomer or boarder is a person who remains under the jurisdiction of a court pursuant to NRS 432B.594 ~~or~~ *or is visiting and is not a permanent resident of the home.*

Sec. 24. NAC 424.490 is hereby amended to read as follows:

424.490 1. The foster home shall maintain the home and vehicles in safe operating condition.

2. The foster home shall provide transportation of a foster child to necessary appointments or arrange for such transportation unless an extreme emergency within the foster home prevents making such arrangements.

3. The foster home shall secure prior approval from the agency with responsibility for the foster child before taking the child out-of-state or on a trip or vacation which will require the child to be away from the family home for ~~overnight or longer~~ *longer than 72 hours.*

4. Any person who provides transportation to a foster child:

- (a) Must possess at least the minimum liability insurance coverage required by state law.
- (b) Shall observe state law regarding child restraint systems and seat belts at all times when transporting a foster child; and
- (c) Shall observe all other laws of this State concerning the operation of a motor vehicle.

5. If the foster home is located in an area without access to public transportation, the foster home must have a working vehicle that can safely transport all of the children living in the home at one time in case of an emergency.

Sec. 25. NAC 424.555 is hereby amended to read as follows:

424.555 1. Group foster homes shall adopt a written policy on the services for health care and treatment, and shall follow the policy.

2. The foster parents or direct care staff shall closely observe children for signs of illness.

3. ~~[A] An agency which provides child welfare services may require proof of immunization~~ *according to the guidelines of the local health officer for all* children residing in the foster home ~~must be currently immunized against diseases according to the recommendations set forth by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services. The recommendations are available at no cost on the Internet~~ ~~at <http://www.cdc.gov/vaccines/schedules/hep/imz/child-adolescent.html>~~ *and for any member of the household who will provide care to a foster child.*

4. The services of specialists for treatment and consultation will be obtained when referred by a licensed practitioner and approved by the agency placing the child.

5. The licensee shall ensure that any program of medication, physical therapy, special exercises or other activity prescribed by a licensed medical practitioner for a child in the care of the foster home is adhered to.

6. A dental health program must be designed to effect good oral hygiene, education and practice.

7. No foster care provider may have a child tested for the acquired immune deficiency syndrome virus without the consent of the agency which provides child welfare services or the agency placing the child.

Sec. 26. NAC 424.605 is hereby repealed.

TEXT OF REPEALED SECTION

424.605 Fire drills. (NRS 424.020) A fire drill must be held at least once a month in each foster home and recorded documentation of the activity must be posted in the foster home and must be made available for inspection by the licensing authority.