

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

LCB File No. R113-26

June 2, 2026

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

AUTHORITY: §§ 1-3, NRS 127C.810.

A REGULATION relating to child welfare; revising qualifications for certain staff of a child-placing agency; authorizing certain caseworkers to attest to a relinquishment for adoption; repealing certain licensure requirements for employees and volunteers of a child-placing agency; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Division of Child and Family Services of the Department of Human Services to adopt regulations governing agencies which provide child welfare services and child-placing agencies. (NRS 127C.810) Existing regulations prescribe the qualifications for a member of the staff of a child-placing agency who handles individual cases relating to adoption, including requirements relating to education, licensure and experience. (NAC 127.165) **Section 1** of this regulation revises those qualifications to provide that such a staff member must have graduated from an accredited college or university and either: (1) possess a license issued by the Board of Examiners for Social Workers; or (2) possess a degree in a field related to child welfare and at least 1 year of related experience. **Section 1** also removes the existing requirement that such a staff member possess at least 2 years of experience. Existing regulations additionally require an employee or volunteer who provides services relating to adoption to hold a license issued by the Board. (NAC 127.160) **Section 3** of this regulation repeals this requirement.

Existing law requires at least two competent and disinterested witnesses to attest to a consent to adoption or relinquishment. (NRS 127.053) Existing regulations prescribe requirements governing the acceptance of a relinquishment of a child for adoption by a child-placing agency. Among other requirements, existing regulations require a child-placing agency to ensure that a relinquishment is attested by at least two competent and disinterested witnesses, including at least one social worker employed by a child-placing agency or an agency which provides child welfare services. (NAC 127.260) **Section 2** of this regulation revises that requirement to authorize a relinquishment to be attested by either a social worker or a caseworker employed by a child-placing agency or an agency which provides child welfare services.

Section 1. NAC 127.165 is hereby amended to read as follows:

127.165 A member of the staff of a child-placing agency who handles individual cases relating to adoption must ~~†~~

~~1. Have† have~~ graduated from an accredited college or university ~~†~~

~~2. Have at least 2 years' experience in child welfare.~~

~~3.† and:~~

1. Possess a license issued by the Board of Examiners for Social Workers pursuant to chapter 641B of NRS ††; or

2. Possess a degree in a field related to child welfare and have at least 1 year of related experience.

Sec. 2. NAC 127.260 is hereby amended to read as follows:

127.260 1. Before a child-placing agency accepts from biological parents a relinquishment of a child for adoption, the agency shall comply with the requirements of NAC 127.245 and, if the agency determines that the child is not an Indian child:

(a) Discuss with the parents the alternatives for keeping the child, and determine that the parents are prepared to relinquish their rights and responsibilities regarding the child.

(b) Assist the parents in reaching a decision regarding the most favorable plan of action for both the parents and the child, and determine the services necessary to carry out that plan.

(c) If appropriate, inform the parents that rights of visitation may be granted to certain relatives pursuant to NRS 125C.050.

(d) Ensure that the parents have had ample time and received ample counseling to consider all the implications of their decision. A child-placing agency shall not accept such a relinquishment within 72 hours after the birth of the child.

(e) Ensure that the relinquishment is:

(1) Executed in the presence of and acknowledged before a notary public or other person authorized to administer oaths in this state; and

(2) Attested by at least two competent and disinterested witnesses, including at least one social worker *or caseworker* employed by a child-placing agency or an agency which provides child welfare services, who subscribe their names to the relinquishment in the presence of the relinquishing parent.

(f) The child-placing agency shall arrange, if necessary, for the provision of:

(1) Except as otherwise provided in this subparagraph, living accommodations until no later than 3 months after the birth of the child. The child-placing agency may arrange for the provision of living accommodations until no later than 5 months after the birth of the child if the biological parent has extenuating medical needs.

(2) Financial assistance, such as for food, clothing, rent and utilities, until no later than 3 months after the birth of the child.

(3) Medical care, including prenatal, obstetrical, hospital and dental care.

(4) Psychiatric and psychological services.

(5) Legal assistance.

2. A child-placing agency shall provide a relinquishing parent with a copy of his or her relinquishment of a child for adoption.

Sec. 3. NAC 127.160 is hereby repealed.

TEXT OF REPEALED SECTION

127.160 Qualifications of employee or volunteer who provides services relating to adoption.

1. An employee or volunteer of a child-placing agency who provides any services relating to adoption must hold a current license issued by the Board of Examiners for Social Workers pursuant to chapter 641B of NRS.

2. As used in this section, the provision of “services relating to adoption” does not include the:

- (a) Provision of information only regarding the services provided by a child-placing agency.
- (b) Provision of clerical support or scheduling of appointments.
- (c) Transportation of biological parents.
- (d) Transportation of a child from a hospital to a foster home.
- (e) Fingerprinting of prospective adoptive parents.