

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

LCB File No. R131-26

June 26, 2026

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

AUTHORITY: §§ 1-5, NRS 432.120.

A REGULATION relating to child welfare; prescribing a process to request the deletion of certain information from the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child; clarifying when certain information that is not the subject of such a request will be deleted from the Central Registry; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child. Existing law requires the Division of Child and Family Services of the Department of Human Services to maintain the Central Registry. Existing law prescribes the information which must be contained in the Central Registry, including information contained in any substantiated report of child abuse or neglect. Existing law authorizes the Division to release information contained in the Central Registry to an employer, with the consent the person who is the subject of a background investigation by the employer, if: (1) the employer is required by law to conduct the background investigation of the person for employment purposes; or (2) the person who is the subject of the background investigation could, in the course of his or her employment, have regular and substantial contact with children or regular and substantial contact with elderly persons who require assistance or care from other persons. (NRS 432.100) Existing law requires the Division to delete information contained in the Central Registry concerning a substantiated report of abuse or neglect of a child not later than 10 years after the child who is the subject of the report reaches the age of 18 years and authorizes the Division to adopt regulations to carry out that requirement. (NRS 432.120)

Section 2 of this regulation authorizes a person who is the subject of information contained in the Central Registry concerning a substantiated report of abuse or neglect of a child to submit a request to an agency which provides child welfare services for the deletion of the information from the Central Registry if certain conditions are met. **Section 2** requires that such a request be accompanied by a complete set of fingerprints and written authorization for the agency which provides child welfare services to conduct a criminal background investigation. **Section 3** of this regulation prescribes the criteria and process for an agency which provides

child welfare services to evaluate a request for the deletion of information from the Central Registry. If the agency which provides child welfare services denies such a request, **section 3** prohibits the person who made the request from making another request for 2 years after the date on which the initial request was denied. If the agency which provides child welfare services approves such a request, **section 4** of this regulation: (1) requires the agency which provides child welfare services to request that the Division delete the information; and (2) provides that the Division will delete the information upon receiving such a request. **Section 5** of this regulation clarifies that, if the Division does not delete information from the Central Registry pursuant to a request, the Division will delete the information not later than 10 years after the child who is the subject of the report to which the information pertains reaches the age of 18 years, as required by existing law. (NRS 432.120)

Section 1. Chapter 432 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this regulation.

Sec. 2. 1. *A person who is the subject of information reported to the Central Registry pursuant to NRS 432B.310 concerning a case in which a report of abuse or neglect of a child by that person has been substantiated may request that the information be deleted from the Central Registry if:*

(a) The investigation of the report of abuse or neglect of a child found that the child was safe;

(b) There were no active safety concerns regarding the person requesting the deletion of information at the time of the closure of the case that is the subject of the request;

(c) The case that is the subject of the request was closed immediately after the investigation;

(d) The person who is requesting the deletion of information:

(1) Is not responsible for causing any of the following:

(I) The death of a child;

(II) A near fatality, as defined in NRS 432B.175;

(III) Sexual abuse, as defined in NRS 432B.100;

(IV) Physical abuse resulting in substantial bodily harm;

(V) Mental injury; or

(VI) Neglect resulting in substantial bodily harm;

(2) Does not currently have an investigation pending or a case open with an agency which provides child welfare services; and

(3) Consents to the agency which provides child welfare services obtaining records of criminal history pursuant to paragraph (b) of subsection 4 of NRS 179A.100; and

(e) At the time of the request, it has been at least:

(1) One year since the agency which provides child welfare services substantiated the report; and

(2) Three years since the closure of the case involving the most recent substantiation of abuse or neglect of a child by the person for which information is included in the Central Registry, regardless of whether that case is the same as the case involving the information that is the subject of the request.

2. For the purpose of subsection 1, the closure of a case occurs on the latest of the following dates:

(a) For a court-involved case, the date on which the final order was signed by a judge;

(b) For a case involving only in-home services, the date of the final safety assessment; or

(c) For a case involving only an investigation, the date of the approval of the investigation.

3. A person who satisfies the requirements set forth in subsection 1 may submit a request to delete information contained in the Central Registry concerning a case in which a report of abuse or neglect of a child by that person has been substantiated by submitting a completed

form prescribed by the Division to the agency which provides child welfare services that submitted the report to the Central Registry pursuant to NRS 432B.310.

4. A request to delete information made pursuant to this section must be accompanied by a complete set of fingerprints and written permission authorizing the agency which provides child welfare services or its designee to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report to enable the agency or its designee to make a determination pursuant to section 3 of this regulation.

Sec. 3. 1. Upon receiving a request to delete information contained in the Central Registry pursuant to section 2 of this regulation, the agency which provides child welfare services or its designee shall determine whether:

(a) The person submitting the request satisfies the requirements of section 2 of this regulation; and

(b) The information to which the request pertains should be deleted from the Central Registry based on:

(1) The nature and severity of the substantiated abuse or neglect of the child;

(2) Whether the person has had parental rights to any child involuntarily terminated by a court order;

(3) Any other reports received by the agency which provides child welfare services related to the person and the disposition, if any, of the reports;

(4) Whether the circumstances of the person have changed since the time the substantiated report of abuse or neglect of the child was submitted to the Central Registry, and if so, the nature of those changes; and

(5) Any other factor that may indicate that the person may pose a risk to a child or other vulnerable person.

2. The decision to delete information contained in the Central Registry pursuant to this section is within the sole discretion of the agency which provides child welfare services and is not subject to review.

3. For the agency which provides child welfare services to decide to delete information contained in the Central Registry pursuant to this section, the person who makes a request pursuant to section 2 of this regulation must prove by a preponderance of the evidence that the conditions set forth in subsection 1 have been satisfied.

4. If the agency which provides child welfare services denies a request pursuant to section 2 of this regulation to delete information contained in the Central Registry:

(a) The agency which provides child welfare services shall notify the person who made the request of its decision in writing within 10 business days after making the decision; and

(b) The person who made the request may not make another request to delete information contained in the Central Registry pursuant to section 2 of this regulation for 2 years after the date on which the agency which provides child welfare services denied the request.

Sec. 4. 1. *If an agency which provides child welfare services determines that information should be deleted from the Central Registry pursuant to section 3 of this regulation, the agency which provides child welfare services shall request the Division to delete the information.*

2. Not later than 10 business days after receiving a request from an agency which provides child welfare services to delete information contained in the Central Registry, the Division will delete the subject information from the Central Registry. Not later than 10

business days after deleting that information, the Division will notify the agency which provides child welfare services that the information has been deleted.

3. Upon receiving notification pursuant to subsection 2 that the Division has deleted information from the Central Registry, an agency which provides child welfare services shall notify the person who requested the deletion of the information pursuant to section 2 of this regulation that the information has been deleted.

Sec. 5. If the Division does not, at any point, delete information contained in the Central Registry concerning cases in which a report of abuse or neglect of a child has been substantiated by an agency which provides child welfare services pursuant to section 4 of this regulation, the Division will delete that information within the time period specified in NRS 432.120.