

**STATE AND COUNTY  
WELFARE ADMINISTRATION  
IN NEVADA**

**BULLETIN No. 46**



**Nevada Legislative  
Counsel Bureau**

**NOVEMBER 1960**



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**NEVADA LEGISLATIVE COUNSEL BUREAU  
CARSON CITY, NEVADA**

**NOVEMBER 1960**





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## FOREWORD

The Nevada Legislative Counsel Bureau is a fact-finding organization designed to assist legislators, State officers, and citizens in obtaining the facts concerning the government of the State, proposed legislation, and matters vital to the welfare of the people. The staff will always be non-partisan, and non-political; it will not deal in propaganda, take part in any political campaign, nor endorse or oppose any candidates for public office.

The primary purpose of the Counsel Bureau is to assist citizens and officials in obtaining effective State government at a reasonable cost. The plan is to search out facts about government and to render unbiased interpretations of them. Its aim is to cooperate with public officials and to be helpful rather than critical. Your suggestions, comments, and criticisms will greatly aid in accomplishing the object for which we are all working--the promotion of the welfare of the State of Nevada.



1960 SESSION

NEVADA LEGISLATURE

ASSEMBLY RESOLUTION NO. 14

BY MR. SCHOUWEILER AND MISS HERR:

Memorializing the Legislative Counsel Bureau to conduct a study of state and county welfare programs.

WHEREAS, Welfare programs in the State of Nevada affect the lives and welfare of many persons; and

WHEREAS, There is increasing and widespread interest in welfare programs at both the state and county levels; and

WHEREAS, There has been a considerable amount of newspaper and other publicity, and various criticisms have been expressed; and

WHEREAS, It is recognized that the present system of dual administration by the State and the counties results in costly duplication of administration and of staff effort; and

WHEREAS, A comprehensive study will provide facts as a basis for legislative, administrative or other action that might improve welfare services to the people of the State of Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Legislative Counsel Bureau be memorialized to study state and county welfare programs in the State of Nevada, and to present a report relative thereto to the 1961 Session of the Nevada Legislature; and be it further

RESOLVED, That the scope of the study include (1) an analysis of existing programs with recommendations to correct overlapping and duplication of functions, and to overcome any deficiencies in the services now provided; and (2) planning for future development of the welfare programs based on predicted future population; and be it further

RESOLVED, That the Legislative Counsel Bureau shall employ technical and expert personnel to make the study and to compile the report with recommendations; and be it further

RESOLVED, That the report and recommendations be presented to the Legislative Commission and, as soon as practicable thereafter, that copies of the report, together with any additional recommendations by the Legislative Commission, shall be made available to the Governor, to members of the State Welfare Board, and to members of the Nevada Legislature.



## P R E F A C E

During the 1960 Session of the Nevada Legislature, the Assembly adopted Assembly Resolution No. 14 which memorialized the Legislative Counsel Bureau to study state and county welfare programs in order to provide a basis for "legislative, administrative or other action that might improve welfare services to the people of the State of Nevada." The study programs of the Legislative Counsel Bureau are guided by the Legislative Commission, which is composed of four Senators and four Assemblymen.

As a first step, the Legislative Commission appointed three citizens committees on a county basis, each with nine members, to participate in the study.

District Judge Grant L. Bowen was chairman of the Washoe County Citizens Advisory Committee, District Judge John Mowbray was chairman of the Clark County Citizens Advisory Committee, and District Judge Richard Hanna was chairman of the Fifteen County Citizens Advisory Committee.

Careful consideration was given to the selection of the members of the welfare study staff with due regard to professional competence and experience with specific types of state and local welfare organizations. Prospects with experience in both state administered welfare programs and county administered programs with state supervision were interviewed and four special consultants were selected: (1) staff director, (2) special consultant on welfare administration, (3) special consultant on child welfare services, and (4) special consultant on welfare legislation and state-county relations.

The Staff Director, S. James Barrick, of Sacramento, California, is a consultant in government organization and procedures with prior experience with the Social Security Board and legislative committees and state agencies in California and other states. The Staff Director was responsible for organizing and planning the work of the welfare study, coordinating the activities of the special consultants, and preparing the staff report.

The Special Consultant on welfare administration, Newton R. Holcomb, is Director of the Santa Clara County Welfare Department, San Jose, California. He has had extensive experience in welfare administration as Director of the Hawaii Department of Public Welfare, Chief of Administrative Services of the California Department of Social Welfare, and other administrative experience with federal agencies.

Since many of the problems investigated by the welfare study staff were concerned with both state and county activities in the field of child welfare including foster homes, institutional care, and licensing of child care facilities, a specialist in this field with experience in comparable problems was selected to confer with and advise the other members of the welfare study staff. The Special Consultant on Child Welfare Services, Joseph H. Roe, is Director of the Division of Child Welfare Services, Montana Department of Public Welfare, Helena, Montana.

The Special Consultant on Welfare Legislation, William M. Siegel, is Assistant County Counsel, Santa Clara County, San Jose, California. Prior

experience as Associate Counsel, County Supervisors Association of California, included specialized consulting on welfare legislation and administration in California.

The members of the welfare study staff found that the people of the State of Nevada are vitally interested in welfare organization and administration and wish to have an efficient and effective program of public welfare services. Valuable information and suggestions were obtained from interested legislators, state and county officials, newspaper editors and publishers, and other community leaders throughout the State. The members of the welfare study staff and the staff of the Legislative Counsel Bureau express their appreciation for the unstinted time and free expression of opinion provided by these interested citizens.

Special acknowledgement is made of the cooperation and valuable assistance provided by the members of the State Welfare Board. The Director and employees of the central and district offices of the State Welfare Department provided factual information and statistical data essential to the conduct of this study. County welfare workers and officials were most helpful. The personnel of the Clark County Relief Administration, Washoe County Welfare Department, and the probation offices of these two counties were particularly helpful in the analysis of welfare problems of the urban centers.

The members of the three Citizens Advisory Committees performed important services by providing facilities for grass-root discussions of welfare problems in all counties in the State. The final reports of these committees, however, were not available at the time the welfare staff study report was completed.

Copies of this study may be obtained without cost from the Nevada Legislative Counsel Bureau, Carson City, Nevada.

J. E. Springmeyer  
Legislative Counsel



An affirmative program of social welfare is an expression of the promise of a democracy to all its people, not just to those who are strong.

--Wayne Vasey

Government and Social

Welfare: N.Y. 1958

If the liberal is a man who dislikes change but recognizes its necessity, then he and his legislators will need the time to plan what must be changed, the courage to leave some things unchanged, and the wisdom to tell the difference.

--Osler L. Peterson, M.D.

The Atlantic: September

ber 1960



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## SUMMARY AND RECOMMENDATIONS

State and county welfare programs in Nevada have experienced rapid changes during the past quarter of a century. The tradition of local governmental administration of public welfare activities has been supplemented by state programs with federal grants-in-aid under the provisions of the Social Security Act.

The study of state and county welfare administration requested by Assembly Resolution No. 14 affords an opportunity to appraise the existing system and to suggest recommendations for legislative and administrative action that might improve welfare services to the people of Nevada, which is the principal objective of the Resolution.

The history and evolution of public welfare programs is traced in Chapter I. This chapter also sets forth the scope of the study as determined by the Legislative Commission.

Chapter II discusses population and other economic factors and shows the number of persons receiving various types of public assistance, expenditures for public assistance programs, and some relationships of public welfare and the economy of the State.

Casework procedures and public welfare functions are described and defined in Chapter III. Chapter IV includes a further discussion of caseload management and shows how expanded casework activities have reduced public assistance costs in other jurisdictions.

The variety of general assistance programs administered by the various counties is shown in Chapter V.

The three federally-aided public assistance programs; Old-Age Assistance, Aid to the Blind, and Aid to Dependent Children are discussed in Chapters VI, VII and VIII. Special services to the blind are also discussed in Chapter VII.

The relationship of public assistance programs and family services is discussed in Chapter IX and Chapter X and describes the welfare program for the care of dependent and neglected children. The care of dependent and neglected children in foster homes and group care facilities is discussed in Chapter XI.

Some of the problems of medical assistance and remedial care are listed in Chapter XII.

Chapters XIII and XIV discuss administrative responsibility and suggested reorganization for the administration of the welfare functions in Nevada.

## Findings

1. State and county governments now have joint responsibilities for providing various types of public assistance which result in overlapping and duplication of services.
2. State licensing of foster homes does not include licensing or supervision of other child care facilities.
3. City and county licensing of child care facilities results in overlapping and duplication of state licensing functions.
4. General assistance is provided by the counties without uniform standards.
5. General assistance programs are administered by boards of county commissioners without specialized personnel in 12 counties; one worker each in 3 counties; and welfare personnel of more than one in 2 counties.
6. Medical assistance, particularly hospital and nursing home patient care is the most expensive part of general assistance programs.
7. Relative responsibility provisions are inadequately enforced.
8. Provisions for action and responsibility for locating absent parents are outdated and inadequate.
9. The objectives of lien laws can be accomplished by adequate procedures for determination of eligibility for public assistance.
10. Rules and regulations for the administration of public assistance programs are combined with a policy statement in the public assistance manual.
11. The state welfare director's qualifications with respect to graduation in public or business administration as specified in NRS 422.160 have not been followed in the selection made for this position.
12. Some of the administrative policies for determination of eligibility of blind persons for aid to the blind were declared by the Attorney General to be illegal.
13. The administrative responsibility for activities of field-worker-counselors for the blind is contrary to legal provisions.
14. Administrative procedures for the establishment of vending stands to be operated by blind persons are contrary to several established legal provisions.
15. Casework procedures, in most instances, are limited to determination of eligibility and payment of aid to recipients of public assistance.

16. The caseload of public welfare workers is too heavy to permit adequate casework procedures for services and guidance to assist recipients to help them solve problems which underlie dependency.
17. Adequate casework procedures increase personnel costs but decrease overall program expenditures.
18. The various public assistance programs, except aid to the blind, are inadequate to meet the budgeted needs of the assistance clients, particularly those who receive ADC assistance payments.
19. Medical assistance and remedial care problems are complex and require analysis and investigation beyond the scope of this survey.
20. The ADC program does not make provision for medical and remedial care.
21. The purposes and objectives of the ADC program are limited to providing assistance to needy children and their families and do not include provisions for comprehensive welfare services for families and children.
22. Responsibility for the care of dependent and neglected children is diffused among the courts, probation departments and welfare agencies.
23. Both foster homes and group care facilities are treatment resources for the care of dependent and neglected children outside of their own homes.
24. The State of Nevada has two agencies providing vocational rehabilitation services for the handicapped, including the bureau of special services to the blind in the State Welfare Department, which provides such services for blind persons. This service was formerly supplied by the Division of Vocational Rehabilitation in the State Department of Education.
25. Responsibility for formulation of administrative policy for state welfare programs is a function of the State Welfare Board.
26. Welfare services such as mental care and group care for certain types of dependent and neglected children are performed by various state agencies.

#### Recommendations

The recommendations of the welfare study staff assigned to the investigation of state and county welfare administration concerning the above findings are as follows:

1. The administration of all public welfare programs should be centralized in the State Welfare Department including the addition of a new state program for general assistance.

Duplication and overlapping of welfare services in Nevada can be avoided by centralization of administrative responsibility in the State Welfare Department. The principal objective of this recommendation is to centralize administration and provide for state-wide uniform standards. County administration and state supervision as provided for in other states is not practical for Nevada conditions. The centralization of responsibility for all public welfare programs requires the addition of a new state program for general assistance and the repeal of the provisions which now provide that general assistance is a county function.

2. The State of Nevada should assume the costs of a general assistance program administered by the State.

The State of Nevada has relieved the counties of costs of participation in the OAA and ADC programs in order to relieve the county fiscal distress. Similar consideration should be given to the costs of general assistance other than the care of dependent and neglected children. This problem should be considered along with other proposals to provide additional operating funds for local governmental units.

3. The Legislature should enact legislation authorizing boards of county commissioners to appoint a Community Welfare Services Advisory Board.

Community participation in public welfare programs is essential if such activities are to meet community needs. The proposed transfer of the general assistance programs to the State requires additional provisions to insure the continuation of local services which the community may desire and which might be in addition to the uniform programs administered by the State. Such extended community services could be recommended to the board of county commissioners. If approved, the board could contract with the State Welfare Department for such services to be paid by the county funds if necessary.

4. The Legislature should provide adequate appropriations for the state-administered public assistance programs in order to provide improved caseload management procedures to reduce the overall costs of assistance programs.

Casework procedures provide social services to assistance recipients to help them solve the problems which lead to dependency and become more self-supporting. Such services increase personnel costs but achieve reduction in overall program costs and provide improved services to welfare clients. Limitations on attention to determination of eligibility and payment of aid result in expensive, short-sighted and inefficient administrative procedures.

5. The general content of the Aid to Dependent Children program should be expanded to provide for parental responsibility for the care and support of children and to extend family services to aid in the accomplishment of this objective.



A coordinated program for children and their families is possible only by centering total responsibility for family services in the State Welfare Department. A re-statement of objects and purposes of the ADC program, which is the basic program for services to families and children should include a statement emphasizing parental responsibility together with provisions which would enlarge the scope of protective and preventive services of the Welfare Department.

6. The Juvenile Court Act should be amended to authorize the Welfare Director to initiate actions on behalf of dependent and neglected children and to clarify the administrative functions of the courts and the Welfare Department.

The State Welfare Director should be authorized to file petitions with the Juvenile Court in cases of dependency and neglect. Provision should also be made for the services of child welfare specialists to assist the court in determining the best disposition of neglected and dependent cases. These recommendations are discussed in detail in Chapter X of this report.

7. Chapter 432 of Nevada Revised Statutes should be amended to authorize and direct the State Welfare Department to investigate complaints of neglect, abuse, or abandonment of children.

Investigation of complaints of child neglect, abuse or abandonment should be a mandated function of the State Welfare Department, regardless of whether or not such children receive public assistance. Specific proposals are discussed in Chapter X of this report.

8. The administration of the State Children's Home should be centralized as one of the functions of the State Welfare Department.

Responsibility for the administration of the Children's Home operations was a function of the State Welfare Department from 1949 to 1951. The coordination of the activities of the group care facilities and the departmental child welfare services in the State Welfare Board can be better achieved by centralizing administrative functions and responsibility in the Department.

9. The Bureau of Special Services to the Blind should be abolished and its functions transferred to the Division of Vocational Rehabilitation in the Department of Education.

The existence of two agencies for vocational rehabilitation services appears to be an unnecessary luxury for the State of Nevada. Vocational rehabilitation services for the blind were performed by the Division of Vocational Rehabilitation prior to 1957. This division has a well-trained staff which performs such services for other handicapped persons in a capable and economical manner.

10. The functions of the State Welfare Board should be changed from administrative policy making to advisory and appellate functions.

The Legislature determines the policy of the State Welfare Department in the assignment of administrative functions to the department. Administrative rules and regulations which may be necessary to administer the assigned functions should be promulgated by the executive officer of the department. An Advisory Board can provide valuable suggestions for the guidance of the director. The separation of policy functions also frees the Board from acting on appeals from its own policy decisions.

11. Enactment of proposed changes in the functions of the State Welfare Board and the recommended changes in departmental functions would require a reorganization of the State Welfare Department.

Changing the functions of the Welfare Board would require another method of appointing the welfare director. It is recommended that the director be appointed by the Governor. The director, subject to the approval of the Governor should have the authority to establish, coordinate or abolish administrative units for the performance of the functions assigned to the department by the Legislature. The proposed organization chart included in this report, therefore, is designed to suggest realignment of functions which would be assigned if other recommendations included in this report are adopted.

12. The Legislature should also consider the desirability of centralizing all welfare functions of other state agencies in an expanded Department of Social Services.

One of the objectives of Assembly Resolution No. 14 is to improve welfare services to the people of Nevada. Centralization of other services such as mental care and services for children and youth in a Department of Social Services would provide improved coordination and use of such services for the benefit of all welfare programs.

13. The State Welfare Department should be responsible for the licensing and supervision of all child care facilities except homes providing care for children who are close relatives.

Chapter 424 NRS provided for the licensing of foster homes by the State Welfare Department but excluded child care facilities where the child care costs are paid by the child's parents or guardians. Some cities and one county have adopted local ordinances for licensing and supervision of such child care facilities to fill the gap caused by the exclusion of certain child care facilities from the provisions of state law. Centralization of licensing and supervision in the State Welfare Department would eliminate duplication and overlapping in the performance of these functions.

14. All persons providing boarding homes to care for aged persons other than those related by blood or affinity within the second degree should be licensed, and all boarding homes for aged persons should be licensed by the State Department of Health.

Boarding homes caring for 4 or more aged persons are licensed by the State Welfare Department. The State Department of Health licenses and establishes standards for the operation of nursing homes. Since the licensing and supervision processes are similar for both boarding and nursing homes, licensing and supervision of both by the State Department of Health would be more economical and efficient. Standards for the operation of boarding homes for the aged should be established by the State Department of Health in consultation with the State Welfare Department.



## CHAPTER I

### BACKGROUND AND SCOPE OF STUDY

Assembly Resolution No. 14 adopted during the 1960 Session of the Nevada Legislature requested the Legislative Counsel Bureau to conduct a comprehensive study of state and county welfare programs to provide a basis for "legislative, administrative, or other action that might improve welfare services to the people of the State of Nevada." This resolution requested that the scope of the study "include (1) an analysis of existing programs with recommendations to correct overlapping and duplication of functions, and to overcome any deficiencies in the services now provided; and (2) planning for future development of the welfare programs based on predicted future population."

State and county welfare programs in Nevada have experienced rapid changes and expansion during the past 25 years. These changes and expanded activities are, in general, the result of the stimulating influence of large amounts of federal financial assistance for state and local welfare programs which developed during the depression of the 1930's.

The traditional welfare programs, exclusively administered by county governments, are now supplemented by state welfare programs, financed in part by federal grants. The study of state and county welfare programs requested by Assembly Resolution No. 14 affords an opportunity for an analysis of the welfare problems which face the State of Nevada as a result of the experience produced by the tremendous developments of governmental welfare programs during the last quarter of a century.

Section 3 of Article XIII of the Nevada Constitution, repealed by vote of the people, March 17, 1937, provided that governmental assistance for needy persons was the responsibility of county governments. This section read as follows:

Section 3. The respective counties of the State shall provide as may be described by law, for those inhabitants who, by reason of age, and infirmity or misfortunes, may have claim upon the sympathy and aid of Society.

This constitutional provision was a part of Nevada's inheritance from the British tradition of government. The principle of local governmental responsibility for the care of the poor was established by the Elizabethan Poor Law of 1601.

Concepts of the needs of the indigent were changed considerably during the depression of the 1930's. The sudden descent from comparative riches to abject poverty was not an uncommon experience during the third decade of this century. Local resources were insufficient to meet the needs for relief, due to widespread unemployment. Emergency relief programs financed in whole or in part by the federal government became necessary to supplement the resources of state and local governments available for public welfare activities.

The Federal Emergency Relief Act of 1933 appropriated \$500,000,000 for grants to states for unemployment relief. This act set a precedent for federal participation in public assistance programs providing direct relief for needy persons.

The Federal Emergency Relief Administration (FERA), created by the Federal Emergency Relief Act, administered the grants-in-aid to the states, subject to certain specified conditions. These were: (1) granting of public assistance without discrimination, (2) administration by governmental agencies, and (3) FERA approval of personnel selected by the states.

Nevada did not have a state welfare agency at that time inasmuch as the Nevada Constitution restricted the operation of direct relief activities to county governments. In order to be eligible for FERA grants, Nevada, like most other states, had to create a state agency to comply with FERA rules and regulations. The Legislature created the State Board of Charities and Public Welfare for this purpose in 1933.

Two years later, this board was superseded by the State Board of Relief, Work Planning and Pension Control which had broad powers to cooperate with federal and local governments in distributing funds for relief activities. This board was also authorized to supervise county administration of poor relief and mothers' pensions. This authorization, however, was not exercised because of the restrictive provisions of Section 3 of Article XIII of the Constitution.

The Social Security Act of 1935 resulted in radical changes in the role of the federal and state governments in public welfare programs. The provisions of this act marked the entry of federal participation in social insurance and public assistance programs in place of federal emergency relief assistance, which was discontinued in 1936. The two social insurance programs of the Social Security Act set up safeguards against the hazards of old age and unemployment. The Old Age and Survivors Insurance program is administered by the federal government. State unemployment insurance programs are assisted by federal grants authorized by the Social Security Act.

The public assistance provisions of the Social Security Act provided for federal grants to the states for old-age assistance, aid to dependent children, maternal and child welfare, and aid to the blind. Another category, aid to the permanently and totally disabled, was added in 1950. The most recent amendments to the Social Security Act, passed during the August 1960 Session of Congress, provide for the extension of federal grants to the states for medical care for the aged.

The Social Security Act enumerates several criteria which must be met by state laws before federal funds are granted for state and local public assistance programs. One of these is the requirement that a single state agency administer or supervise the administration of the public assistance programs. Nevada, therefore, could not accept federal funds or adopt state laws for the administration of public assistance until the repeal of Section 3 of Article XIII of the Nevada Constitution by the voters, March 17, 1937.

The repeal of the constitutional provision for county responsibility for relief paved the way for the legislation of 1937 providing for state welfare programs for old-age assistance and child welfare services under Title I and Title V of the Social Security Act. The Nevada Legislature approved a program for the acceptance of federal grants for aid to the blind in 1953 and aid to dependent children in 1955. Nevada does not have a federally aided assistance program for the permanently and totally disabled.

The State Welfare Department, consisting of the State Board of Relief, Work Planning and Pension Control was established in 1937 to administer the state welfare programs established under the provisions of Title I and Title V of the Social Security Act. Chapter 127, Statutes of Nevada 1937, empowered the board to "exercise direct supervision of the administration of old-age assistance or pensions, aid to dependent children, aid to the blind, child welfare, and such other welfare activities as may be vested in it by law." The board established a Division of Old-Age Assistance and a Division of Child Welfare Services. Supervision and control of the Nevada State Orphans' Home was added to the board's responsibilities in 1943. The name of this institution was changed to Nevada State Children's Home in 1951.

The State Board of Relief Planning and Pension Control, in the Report of the State Welfare Department for the period ending June 30, 1948, recommended the reorganization of the department to provide for a board responsible for the adoption of policy and an executive director with responsibility for the administration of the program. An organization study of the department was conducted by the Legislative Counsel Bureau and the Legislature accepted its recommendations in the legislation which reorganized the department in 1949.

#### State Welfare Functions

NRS 427.060 now provides that the State Welfare Department shall consist of the State Welfare Board, the State Welfare Director, and such offices and employees as the director, with the approval of the board, may appoint. The activities of the department are conducted by four divisions and twelve district offices. The divisions are Research and Finance, Field Services, Social Services, and Services to the Blind.

The powers and duties of the State Welfare Department are set forth in NRS 422.270. This section provides, in part, that the department shall "administer all public welfare programs of this state, including old-age assistance, blind assistance, aid to dependent children, general assistance, child welfare services, and such other welfare activities and services as now or hereafter may be authorized or provided for by the laws of this state and vested in the department."

The department is also authorized and directed to establish reasonable minimum standards and regulations for foster homes, and shall license the same as provided by law. This section also provides that the department shall provide services and care to children, and shall receive any child for placement and shall provide for their care directly or through agents. Chapter 173, Statutes of Nevada 1960, authorizes and empowers the

department to provide maintenance and special services to children who are referred to the department by appropriate law enforcement officials for emergency care or placed by court order in the custody of the department and who are placed in foster homes or group care facilities.

The 1949 legislation creating the department provided that the State Children's Home should be operated as a division of the department. Legislation enacted in 1951, however, separated the administration of the home from that of the department but provided that the State Welfare Board should be the governing body. Chapter 423, NRS provides that the services provided by the home and the department shall be coordinated in the State Welfare Board.

### County Welfare

Although NRS 422.270 provides that the state welfare department shall administer all public welfare programs of this state, including general assistance, boards of county commissioners continue to have administrative and financial responsibility for general relief and indigent medical care. NRS 428.010 provides as follows:

428.010 County aid and relief to indigent.

1. Every county shall relieve and support all paupers, incompetent, poor, indigent persons and those incapacitated by age, disease or accident, lawfully resident therein, when such persons are not supported or relieved by their relatives or friends, or by their own means, or by state hospitals or other state or private institution.
2. The boards of county commissioners of the several counties are vested with entire and exclusive superintendence of the poor in their respective counties.

This section was enacted in 1861 and parallels the powers given to the counties in the section of the Nevada Constitution which was repealed in 1937. Subsection 1 was enacted in 1911 and subsection 2 remains unchanged, although other provisions of the statutes have assigned assistance functions to the state welfare department.

General relief and indigent medical care assistance programs are administered personally by the commissioners in twelve counties. Five counties have one or more welfare workers to administer these programs under the supervision of the boards of county commissioners. Churchill County has a part-time County Welfare Office. Elko County employs a Welfare Director and office assistant, and White Pine County has a County Welfare Supervisor.

Clark County has a County Relief Administration with a staff of four, consisting of the administrator, secretary and office manager, one caseworker, and one clerk. The administrator also supervises the activities of a social service caseworker, secretary, and clerk responsible for indigent medical aid certification at the Southern Nevada Memorial Hospital.

Washoe County has a County Welfare Department with a staff of a director, supervisor, two senior social workers, two junior social workers, one



foster home license worker, and clerical personnel. The department also has a social worker to determine eligibility for hospital services. In addition, the department administers the Washoe County ordinance providing for the licensing of child care facilities and the child care license provisions of the ordinances of the cities of Reno and Sparks.

Both state and county agencies have responsibilities for the care of dependent and neglected children. Judges of the district courts may commit such children to the custody of the State Children's Home or may place such children in the custody of the state welfare department or county agencies for foster home care.

The two largest counties, Clark and Washoe, have entirely different programs for the care of dependent and neglected children. This function is a responsibility of the probation department in Clark County and the welfare department in Washoe County. As will be noted later in this report, Clark County and the State Welfare Department have entered into an agreement for the care of dependent and neglected children by the department pursuant to the provisions of Chapter 173, Statutes of Nevada 1960.

#### Scope of Study

The fast-moving events in public welfare programs during the past 25 years, including the continuation of county welfare activities and the development of new state programs, present a number of specific problems to be analyzed in the study requested by Assembly Resolution No. 14. The Legislative Commission determined that the scope of the study would include five classifications of welfare problems: (1) overlapping services, (2) future planning, (3) eligibility for public assistance, (4) gaps in services, and (5) composition of State Welfare Board. These subjects, listed in the order of priority fixed by the Legislative Commission, are as follows:

- A. Overlapping Services
  - 1. Child care licensing, state law, city and county ordinances.
  - 2. Care of dependent and neglected children outside own homes.
    - a. County welfare, county probation, district judges, and state welfare.
  - 3. Investigation for public assistance, county hospital and general assistance (county investigation prior to receiving public assistance and supplementation of public assistance recipients in nursing homes, etc.)
  - 4. Dual administration with respect to licensing of nursing homes by State Health Department and licensing of adult group care facilities by State Welfare Department.
  - 5. Relationship between state institutions and other community services.
    - a. Children's Home under State Welfare Department
- B. Future Planning
  - 1. All programs - state and county administered?
    - a. Clients under which agency
    - b. Immediate assistance for emergencies

C. Eligibility for Public Assistance

1. Financial responsibility of relatives
2. Lien Laws

D. Gaps in Service

1. Aid to permanently and totally disabled.
2. Medical care for ADC families who lack residence for county aid (3 years in state, 6 months in county).
3. Licensing of child placing agencies and, outside of Washoe and Clark counties, group care facilities such as Youth Ranch, foster homes not covered by state law.
4. Exclusion from licensing provisions of court placements (except in cases of private institutions which must be approved by State Welfare Department).
5. Social services for follow-up on persons released from Nevada State Hospital.
6. Lack of protective and other services to children in their own homes (i.e., children returned from Children's Home to own family).

E. Composition of State Welfare Board

## CHAPTER II

### PUBLIC WELFARE AND THE ECONOMY

Nevada, with an area of 110,690 square miles and a 1960 population of 282,139, is a state of vast proportions and a relatively small population. Approximately three-fourths of the total population are concentrated in two metropolitan areas which are more than 400 miles apart. Two of the seventeen counties have 74 percent of the population and 65 percent of the total assessed valuation.

Nevada's rapid growth in population since 1940 outdistances most of the other states in population increase. The preliminary data for the 1960 census show that this rapid growth has continued during the past decade. The state increase of 76 percent in 10 years was exceeded in two counties: Clark showed an increase of approximately 160 percent; and Ormsby, 92.5 percent. Three counties--Douglas, Lyon, and Washoe--had an increase of approximately two-thirds from 1950 to 1960. The population of the counties in the order of the 1960 census data and increase from 1950 are shown in Table 1.

Table 1

#### Population of Nevada by Counties, 1960 & 1950

<u>County</u>	<u>1960</u>	<u>1950</u>	<u>% Increase</u>
<u>Total State</u>	<u>282,137</u>	<u>160,083</u>	<u>76.2</u>
Clark	125,466	48,289	159.8
Washoe	83,700	50,205	66.7
Elko	11,923	11,654	2.3
White Pine	9,721	9,424	3.2
Churchill	8,410	6,161	36.5
Ormsby	8,032	4,172	92.5
Mineral	6,270	5,560	12.8
Lyon	6,094	3,679	65.6
Humboldt	5,686	4,838	17.5
Nye	4,336	3,101	39.8
Douglas	3,447	2,020	69.9
Pershing	3,168	3,103	2.1
Lincoln	2,385	3,837	-37.8
Lander	1,560	1,850	-15.7
Eureka	756	896	-15.6
Esmeralda	616	614	0.3
Storey	567	671	-15.5

Source: U. S. Bureau of the Census, preliminary data.

The changes in the rate of population increase or decrease by counties reflect changes in the economy in various parts of the state. The increases in Clark, Douglas, and Washoe counties are due in general to the increases

in services for tourists such as hotels, motels, and amusement centers. Several luxurious resort facilities are located in the Las Vegas area and new facilities have been added in the Reno area. The increase in the population in Douglas County is due, in large part, to the growth of resort facilities at Lake Tahoe.

Although the tourist industry is more important to the economy of Nevada than most other states, industrial development, even though not as great as that of other states in the far west, has also contributed to population growth in some counties. Industrial employment has increased in Clark County, for example, as a result of the activities of the group of industries connected with Basic Magnesium, Inc., (BMI).

The growth of BMI activities illustrates the part state government can play in the development of the state's economy. The town of Henderson was built in 1942 when the Basic Magnesium plant was constructed. This plant was shut down after the war. The State of Nevada purchased the property and resold to several different industrial enterprises. Some of these are a part of the BMI complex. The City of Henderson was incorporated in 1953 and is now the industrial center of Nevada, with a 1960 population of 12,518.

Substantial increases in population from 1950 to 1960 have also occurred in Ormsby and Lyon counties. The growth of governmental activities has contributed to the population increase of 92.5 percent in Ormsby County since 1950. The 65.6 percent increase in population in Lyon County is due, in part, to an increase in mining.

Mining activities in Nevada, however, have decreased in recent years, causing economic setbacks and, eventually, decreases in population in some areas such as Lincoln, Lander, Eureka, and Storey counties. Although the population has not decreased in other areas where mining is important to the economy, changes in mining technology have resulted in decreases in personnel requirements. White Pine County, for example, with considerable mining production and processing, has a population increase of only 3.2 percent since 1950.

Mining, however, is the only factor used to measure business activity in Nevada which has shown a decrease in recent years. The Nevada Business Activity index, compiled by the Bureau of Business and Economic Research of the University of Nevada shows a relatively continuous climb since the base year of 1955. The high point of this index of 135.3 percent of the monthly average in 1955 was reached in June 1960. The trend of business activity from 1955 to the middle of 1960 is shown on page 14a.

Nonagricultural employment, one of the business indicators used in the construction of the business activity index, shows an increase of approximately 20 percent during the past five years. The increase in such employment from June 1959 to June 1960 was 4.7 percent. Certain types of employment, however, have increased at a much more rapid rate than the employment of all industries for the same period. Employment in the amusement and recreation industry, for example, increased 12.5 percent from June 1959 to June 1960. Wholesale trade employment increased 10.7 percent; and employment in finance, insurance, and real estate increased 10.3 percent. (Source: Nevada Business Review, July 1960)

The graph displays the monthly variation of daylight hours from 1955 to 1960. The vertical axis (y-axis) is labeled with values from 80 to 140 in increments of 10, representing the number of hours. The horizontal axis (x-axis) is labeled with the years 1955, 1956, 1957, 1958, 1959, and 1960. The data shows a consistent seasonal pattern, with peaks occurring around June and troughs around December. The overall trend shows an increase in the number of daylight hours over the period, with a particularly high peak in 1959 and 1960.

Year	Approximate Peak (June)	Approximate Trough (December)
1955	105	90
1956	108	95
1957	113	98
1958	115	100
1959	130	120
1960	138	125

14a

The increase in nonagricultural employment of 20 percent from 1956 to 1960 was accompanied by significant changes in types of employment. The industries providing services for tourists such as hotels, amusement and recreation, and trade show substantial increases whereas other types of employment have remained comparatively stable or declined. The increase in governmental employment, mostly state and local, reflects the increase in services required by an exploding population. These data for selected industries are shown in Table 2.

Table 2

Estimated Nonagricultural Employment, 1956 - 1960

<u>Selected Industries</u>	<u>June 1960</u>		<u>Av./mo. 1956</u>	
	<u>Industry Total</u>	<u>Percent of Total</u>	<u>Industry Total</u>	<u>Percent of Total</u>
<u>Total, all industries</u>	<u>101,900</u>	<u>100.0</u>	<u>85,200</u>	<u>100.0</u>
Mining	3,400	3.4	5,067	5.9
Contract construction	7,500	7.3	7,442	8.7
Manufacturing	5,300	5.2	5,775	6.8
Transportation	6,100	6.0	6,725	7.9
Public Utilities	3,400	3.4	2,450	2.9
Wholesale Trade	3,100	3.0	2,358	2.8
Retail Trade	18,300	18.0	15,858	18.6
Finance, ins. & real estate	3,200	3.1	2,442	2.9
Hotels	11,500	11.2	6,658	7.8
Amusement & recreation	12,600	12.4	8,833	10.4
Government	18,300	18.0	15,292	17.9
Other	9,200	9.0	6,358	7.5

Source: June 1960 data from Nevada Business Review, July 1960; 1956 data from Industrial Nevada Basic Data: 1958, Nevada Department of Economic Development. All data compiled from records of Nevada Employment Security Department.

Public Assistance

Although Nevada is one of the highest per capita income states in the nation, the total individual income is not evenly distributed. Some individuals have little or no earning power because of age or other causes of dependency.

The income of such dependent persons is derived in whole or in part from assistance provided by the county, state, or federal governments. The counties provide general assistance for the needy persons who have been residents of the state for three years. State administered programs provide assistance for special groups of needy persons such as aged, dependent children, and blind who meet different residence standards and other eligibility requirements. The costs of general assistance are paid from county funds, whereas the state and federal governments share the cost of the state administered programs, according to the provisions of the Social Security Act.

The data in Table 3 show that an average of approximately 7,000 persons received general or public assistance funds during the 1959-60 fiscal year. Since assistance may be required for a relatively short period, the total number of recipients is considered greater than the average. The average total of 7,000, however, is approximately 3 persons per 100 population. The county range is from 1.2 to 6.3 persons per 100.

Table 3

AVERAGE NUMBER OF PERSONS RECEIVING ASSISTANCE FROM  
STATE AND COUNTY FUNDS BY COUNTIES:  
FOR FISCAL YEAR ENDING JUNE 30, 1960

County	County Welfare*	State Welfare Programs**				Total State & County	% of Total Population
		OAA	ADC	AB	Total		
Churchill	7	198	115	8	321	328	3.9
Clark	281	623	1,730	59	2,412	2,693	2.1
Douglas	6	34	16	2	52	58	1.7
Elko	63	181	209	11	401	464	3.9
Esmeralda	1	13	7	-	20	21	3.4
Eureka	4	25	5	3	33	37	4.9
Humboldt	13	89	138	10	237	250	4.4
Lander	-	43	41	1	85	85	5.3
Lincoln	9	62	76	3	141	150	6.3
Lyon	12	71	82	5	158	170	2.8
Mineral	11	98	179	6	283	294	4.7
Nye	13	87	63	3	153	166	3.8
Ormsby	8	53	30	3	86	94	1.2
Pershing	2	68	43	5	116	118	3.7
Storey	4	10	-	2	12	16	2.8
Washoe	118	831	633	56	1,520	1,638	1.9
White Pine	55	144	240	3	387	442	4.5
Total	607	2,630	3,607	180	6,417	7,024	2.5

\*Exclusive of transients and medical care.

\*\*Exclusive of child welfare services.

Source: Records of Nevada State Welfare Department.

These data also show the number of recipients for each type of assistance. More than nine-tenths of the total recipients receive assistance from the special assistance categories administered by the state and less than ten percent receive general assistance administered by the counties.

The number of persons receiving aid to the blind is relatively small. The relative importance of the two major assistance programs, old-age assistance and aid to dependent children, varies according to the composition and requirements of the population in each county. The majority of the counties have more persons receiving old-age assistance than aid to dependent children. Counties with relatively large minority groups,

such as Clark, Elko, Lyon, and Mineral, however, have more persons receiving aid to dependent children assistance than any of the other programs.

The number of persons receiving a particular type of assistance varies according to changes in program procedures and requirements. The comparatively small number of persons receiving direct relief from counties might change rapidly during a time of widespread unemployment. The number of persons receiving old-age assistance declined during the 1959-60 fiscal year because of increases in OASDI payments which reduced the need for this type of assistance. The number of persons receiving assistance from the aid to dependent children program which has been in effect in Nevada for the last five years is increasing faster than the number of recipients of other forms of assistance.

The average monthly payment per recipient varies according to the type of program. This amount may also vary from time to time for a given type of program. The average OAA payment, for example, changed from \$64.14 per month for the 1959-60 fiscal year to \$74.85 for the month of July 1960 as a result of administrative changes in the methods of computing individual budget needs. The average monthly payments for the various types of assistance during the 1959-60 fiscal year are as follows:

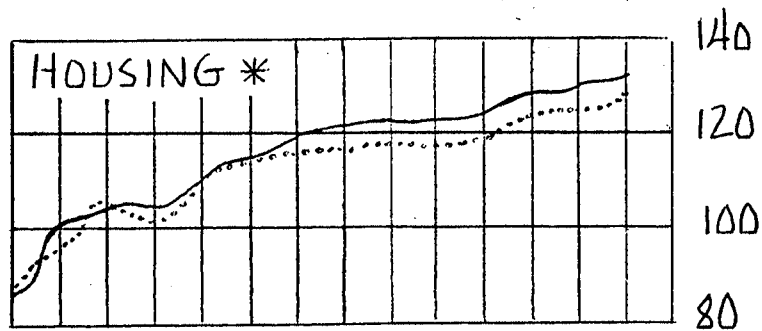
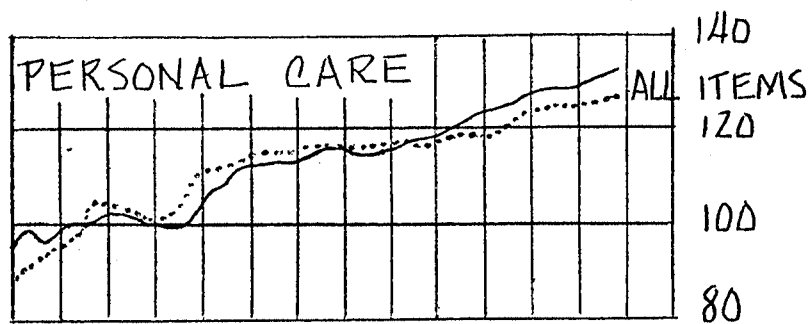
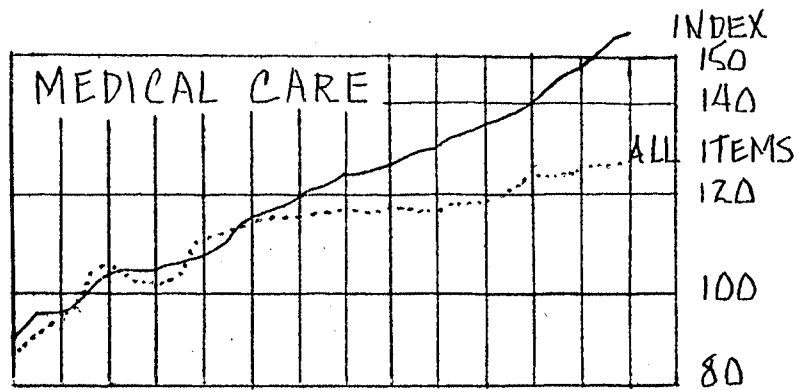
<u>Welfare Program</u>	<u>Average per Mo.</u>
Aid to the Blind	\$91.80
Old Age Assistance	64.14
Aid to Dependent Children	26.88
County Assistance	7.21

The number of persons receiving assistance and the amount of assistance required are influenced by living costs. The Consumer Price Index maintained by the Bureau of Labor Statistics of the U. S. Department of Labor shows a fairly steady upward trend since World War II. Food is the only component of this index which reached a high point in 1958 and then started to decline. Some of the component factors of this price index have increased much more than all items included in the index. These are medical care, personal care, housing, and transportation. The relation of the indices for these costs to the index for all items from 1947 to 1960 are shown on the graphs for these items. (See page 11a)

Total payments to recipients of public assistance programs administered by the State of Nevada amounted to \$3,387,489 for the 1959-60 fiscal year. A little over one-fourth of the total was paid to recipients residing in Clark County and approximately the same amount to recipients residing in Washoe County. The total payments for each type of assistance to recipients by county of residence are shown in Table 4.

County welfare costs for the 1959-60 fiscal year included general relief and the county share of the payments for old-age assistance and aid to dependent children. Legislation enacted in 1960 relieves the counties from financial participation in the payments to OAA and ADC recipients. Total county costs for the 1959-60 fiscal year are shown in Table 5.





\* Includes rent, home purchase and other home owner costs, gas and electricity, fuels, housefurnishings, and household operating expenses.

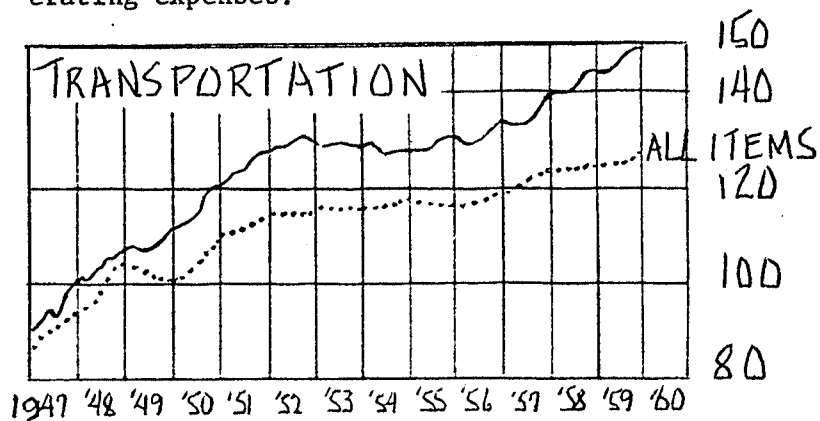


Table 4

## NEVADA PUBLIC ASSISTANCE PAYMENTS:

1959-60 FISCAL YEAR

<u>County</u>	<u>OAA</u>	<u>ADC</u>	<u>AB</u>	<u>Total</u>
Churchill	\$ 165,565	\$ 36,309	\$ 8,416	\$ 210,290
Clark	459,738	546,045	60,141	1,065,924
Douglas	29,392	4,763	2,167	36,322
Elko	132,460	66,103	12,893	211,456
Esmeralda	9,809	2,188	-	11,997
Eureka	19,128	1,452	3,348	23,928
Humboldt	66,847	44,750	7,975	119,572
Lander	30,429	12,641	1,073	44,143
Lincoln	51,042	26,201	3,366	80,609
Lyon	54,610	27,751	4,863	87,224
Mineral	67,954	57,910	6,603	132,467
Nye	62,332	21,488	2,891	86,711
Ormsby	45,489	8,928	3,839	58,256
Pershing	48,427	14,841	5,304	68,572
Storey	9,965	-	2,153	12,118
Washoe	670,954	211,359	70,071	952,384
White Pine	101,334	81,272	2,910	185,516
TOTAL	\$2,025,475	\$1,164,001	\$198,013	\$3,387,489

Source: Nevada State Welfare Department.

COUNTY WELFARE COSTS: 1950-60 FISCAL YEAR

County	General Relief				County Participation			Total Welfare	% of Co. Prop. Tax Levies
	Assistance	Medical	Child Care	Total	OAA	ADC	Total		
Churchill	\$ 32,383	\$ 74,971	\$ -	\$ 107,354	\$ 24,645	\$ 3,526	\$ 28,171	\$ 135,525	55.9
Clark	98,861	769,810	27,697	896,368	56,946	52,438	109,384	1,005,752	40.8
Douglas	4,425	11,116	646	16,187	4,614	437	5,051	21,238	49.2
Elko	53,296	115,119	2,397	170,812	16,305	6,410	22,715	193,527	31.4
Esmeralda	560	12,762	-	13,322	1,256	215	1,471	14,793	31.2
Eureka	13,414	9,149	250	22,813	2,552	144	2,696	25,509	29.6
Humboldt	5,415	15,487	-	20,902	8,588	4,415	13,003	33,905	13.1
Lander	324	22,980	1,833	25,137	3,585	1,200	4,785	29,922	24.5
Lincoln	4,815	22,445	547	27,807	7,440	2,703	10,143	37,950	30.2
Lyon	5,553	57,865	4,283	67,701	7,218	2,808	10,026	77,727	31.5
Mineral	3,820	17,197	5,317	26,334	7,605	5,714	13,319	39,653	17.8
Nye	3,393	17,957	100	21,450	7,375	2,151	9,526	30,976	18.3
Ormsby	22,602	11,457	6,077	40,136	6,975	823	7,798	47,934	41.3
Pershing	2,280	34,249	3,807	40,336	5,733	1,471	7,204	47,540	30.7
Storey	5,020	3,494	1,800	10,314	1,770	-	1,770	12,084	24.5
Washoe	102,658	621,841	63,754	788,253	95,612	21,306	116,918	905,171	40.3
White Pine	18,075	24,362	1,138	43,575	11,612	8,262	19,874	63,449	12.9
TOTAL	<u>\$377,894</u>	<u>\$1,842,261</u>	<u>\$119,646</u>	<u>\$2,339,801</u>	<u>\$269,831</u>	<u>\$114,563</u>	<u>\$384,394</u>	<u>\$2,674,283</u>	

Table 5

Source: Relief costs from County Auditor's Reports & County records; County share of OAA & ADC, Nevada State Welfare Department; Percent of county taxes computed from tax levy data compiled by Nevada Tax Commission.

General relief included direct relief or assistance to needy persons, medical assistance, and child care. Medical assistance is the most costly item in county welfare programs. Expenditures for medical assistance, which includes medical and hospital care, exceeded the costs of direct relief in all counties except Ormsby and Storey for the 1959-60 fiscal year.

Other welfare programs, such as child welfare services, licensing and operation of group care facilities, and mental health services have indirect effects on the economy, but do not call for much direct money payment to the recipients of such services. These services will be discussed in other parts of this report.

## CHAPTER III

### PUBLIC WELFARE FUNCTIONS

State welfare officials believe that public welfare functions and activities are not understood by the public. There is considerable justification for this belief. Many questions are asked about public welfare programs, particularly the newest programs, such as aid to dependent children and other child welfare services.

Some of these questions are: Why are some children cared for by one program and some by another? Why does the state spend so much on some programs when county relief is more economical? Why doesn't the state control how the money is spent by the recipients? What is the reason for so much red tape and delay? Why are welfare workers so nosey? Why do some individuals get more money than others instead of a fixed amount for everyone?

Many of these questions can be answered by the persons asking the questions, provided such persons understand the purposes, requirements, and operations of the Social Security Act, inasmuch as most of the state welfare programs are geared to that Act and must comply with its provisions. Although this Act has now been in effect for 25 years, many otherwise intelligent and interested citizens do not know this law, or know only certain aspects, such as unemployment and social insurance, and are not well-informed concerning the operations or reasons for activities governed by other provisions of the Act.

The Social Security Act which became law in August, 1935 has had revolutionary as well as evolutionary effects on public welfare programs in Nevada and other states. The discussion in this chapter analyzes the principal changes that have occurred and the reasons for the development of new concepts and practices in the administration of public welfare programs in this state.

Public welfare programs are social welfare programs supported by governmental appropriations and administered by governmental agencies. Public welfare programs have evolved from civilization's early concern about the relationships of man and his fellows through individual acts of charity to organized welfare activities. Social welfare, as defined by Walter A. Friedlander in Introduction to Social Welfare (N.Y. 1955, p. 4), is "the organized system of welfare services and institutions, designed to aid individuals and groups to attain satisfying standards of life and health. It aims at personal and social relationships which permit individuals the development of their full capacities and the promotion of their well-being in harmony with the needs of the community."

The Social Security Administration prepared a report for the United Nations in July 1950 which presents another definition of social welfare in terms of types of services. This report, Social Welfare Administration in the United States of America, states that: "Most recently, social welfare has been defined as encompassing the development and administration of (1) Social Insurance, (2) Social Assistance, and

(3) other services designed to strengthen family life and to provide care and protection for special groups such as children, the aged, and mentally, socially or physically handicapped persons."

Professor Wayne Vasey, author of Government and Social Welfare (N.Y. 1958, p. 11), points out two characteristics which stand out in these and other definitions of social welfare. These are: "(1) the utilization of welfare measures to support or strengthen the family as a basic social institution through which needs are met. Even those programs designed to aid the victims of broken homes or untenable family situations attempt to find the best possible substitutes pending the return to or development of a good family situation, (2) the intent to strengthen the individual's capacity to cope with his life situation."

These definitions and interpretations of social welfare suggest the principal difference in public welfare programs consisting of general relief measures and public assistance programs complying with the provisions of the Social Security Act. General relief administration requires little or no attention to the circumstances which lead a needy person to apply for relief. Relief, other than work relief, does not involve much, if any, cash payment to the recipients. Relief is usually administered in kind with the recipient receiving groceries and other supplies or orders for goods or services to be supplied by vendors.

Public assistance programs financed in part by federal funds granted pursuant to the provisions of the Social Security Act, however, have different standards of eligibility for assistance. These programs require analysis of reasons for the need for assistance in order to determine eligibility and assist the individual to cope with the problems which may require assistance from public funds. The public welfare worker, in determining eligibility and developing a plan for assistance, may also be able to enlist the services of other public agencies or community resources which may be able to meet individual needs.

Another difference in relief and public assistance programs is that public assistance is usually disbursed in the form of cash payments. This practice is based on the theory that the government should not dictate the manner in which an individual meets his needs. According to this theory, persons who are not capable of making wise decisions with respect to these needs require professional counseling and guidance.

#### Public Welfare Work

Prior to the enactment of the Social Security Act, professional social work, in general, was performed by private organizations to aid individuals to cope with special problems and to strengthen family life. Such activities did not include much, if any, direct relief.

The combination of social welfare objectives and direct relief in public assistance programs and the addition of other services such as child welfare to public welfare programs created a demand for trained workers which still exceeds the supply. The developing profession of social work requires training in the casework process. The report of the Nevada State Welfare Department for the year ending June 30, 1947, defines casework as

"helping others to help themselves." This simplified definition, however, does not indicate the skills required for effective use of the casework process. Dr. Dorothy Dietz, Associate Professor of Social Welfare, Sacramento State College, in Social Welfare Information for Teachers (1952) explains casework as follows:

Casework is a process by which an individual is helped to express his problem and to understand it, and by which he is aided in finding within himself the potentiality for solving his difficulties. It is premised on the condition that the caseworker has skill in creating an environmental and social situation in which there can be a free flow of communication between the client and herself (himself). In an attempt to establish this kind of a relationship, the caseworker holds to basic concepts. She (or he) accepts the client "as he is." She must begin to help him with what he sees as his problem; she is aware that only he knows what it means to him in terms of his whole life experience. She helps him to sort out and analyze his own feelings and to explore the possible solutions to his problem, within the sphere of his own ability and effort. The caseworker lends clarity and sympathetic objectivity to the problem, which the client cannot achieve alone, because of the hurts, the pressures, and the frustrations which have become a part of his life. The worker is always aware that the client will work out his problems as he sees fit. She respects his rights and his dignity as a human being, and she does not usurp his freedom of choice.

This type of casework requires both time and special skills of a high order. Some professionally trained public welfare workers do not have time for such casework because of a high case load per worker. Other public welfare workers are employed without such professional training because of the demands of the public welfare agencies for personnel to meet the workload.

Efficient public welfare administrators use in-service training and staff development programs to assist the staff members to acquire the necessary skills for their particular jobs or training required for other assignments to meet specific agency needs. The late Hilary M. Leyendecker, in Problems and Policy in Public Assistance (N.Y. 1955, p. 249) states that "the skill inherent in public assistance administration cannot be learned from books alone. . .it can be considered from two related aspects: social investigation and human relations. The former is focused on what the worker must know about the needy person in order to help him, while the latter is focused on how he secures these data and how he provides the needed assistance." This author also cites an article by Karl deSchwenitz, The Basic Skill in Social Security (Social Security Bulletin, January 1944, p. 24), which stresses the importance of explaining the program as follows:

Explanation. No other skill is so universally important to the success of the program as this. The quality of the working relationship between the organization and the applicant largely depends upon his understanding what the requirements of the applicant are; what. . .is expected of him; and whether he is or is not eligible, and why. The extent to which the individual appreciates what social security involves as it relates to him not

only affects, often decisively, the whole process of determining eligibility, but also influences the development of a popular understanding of the program. Explanation calls for a high degree of individual activity; it is not something done by rote. It varies as people vary, and it calls both for insight into human nature and for facility--frequently ingenuity--in statement.

Even when explained, many sincere persons nevertheless believe that there is too much social casework in the administration of public assistance programs. Sometimes such beliefs arise from close personal contact of social insurance programs such as withholding for future OASDI benefits and benefits received from unemployment compensation, workmen's compensation, and other insurance programs, together with a corresponding lack of personal contact with public assistance programs. Social insurance benefits are received as a matter of right or due similar to paychecks or dividend payments. Although social insurance payments are granted on the basis of an application, there is no difficult or lengthy interview to determine the applicant's rights such as required in the public assistance process to determine the applicant's needs.

The marked difference between the qualifications for social insurance and those for public assistance is reason for a lack of understanding of the public assistance program. Leyendecker (op. cit., pp. 243-244) comments as follows:

Since the growth of social insurance in this country, the point is sometimes made that assistance recipients are, in a sense, discriminated against; that need for assistance arises primarily because of the absence of insurance coverage; and that this lack of coverage is due solely to the failure of Congress to provide the necessary protection. Some people, when they are in need, can get insurance; others, although in similar circumstances, must seek public assistance. The proposition is advanced, therefore, that assistance should be administered in a manner approximating that of social insurance. The rights and duties of the recipient and the agency should be clearly defined in written policies and regulations; the area within which those who administer assistance exercise discretionary judgment should be held to a minimum; the behavior of the applicant or recipient, except insofar as it affects economic need, should not be a matter of concern; the agency should confine itself to problems related to economic need and should not try to deal with any of the other environmental or psychological problems the needy persons may appear to have. Should the latter request help with such problems, they should be referred to other community agencies. . .

In spite of its good points, this approach to assistance administration is impractical precisely because assistance is the last line of defense against want. . . In general assistance, the staff cannot take the relatively detached and objective point of view of insurance personnel because decisions regarding the granting or withholding of assistance are fraught with much more serious consequences.



## Functional Organization

Two large public welfare programs, OASDI and veterans' services are administered by the federal government. Other federally-administered welfare programs are insurance programs for railroad workers and services for the American Indian.

Most other public welfare programs are administered by state and local governments with federal assistance in the form of grants-in-aid for practically all public welfare programs except direct relief. Most of the grant-in-aid programs are administered by the Department of Health, Education and Welfare. The federal program for grants to the states for unemployment compensation insurance systems is administered by the Bureau of Employment Security in the Department of Labor.

The operating units of the Department of Health, Education, and Welfare are:

- Public Health Service
- Office of Education
- Social Security Administration
- Office of Vocational Rehabilitation
- Food and Drug Administration
- St. Elizabeth's Hospital

Functional consolidation of welfare services such as those in the Department of Health, Education, and Welfare is the exception rather than the rule in state governments. Education is a separate function of state departments or boards of education. Two states, Maine and Missouri, have a combined department of health and welfare.

Some health and welfare programs, such as mental health or mental hygiene and special services for children, are very closely related. There is no uniform state pattern for the administration of such services. Approximately half of the states provide for the administration of mental health or hygiene programs by state health departments. Twelve states, however, have separate mental health or hygiene departments and five states provide for mental health community services in state welfare departments.

The Children's Bureau in the Social Security Administration of the Department of Health, Education, and Welfare has four operating divisions: health services, social services, juvenile delinquency service, and research. This bureau administers grants-in-aid to the states for crippled children's services, maternal and child health services, and child welfare services. State programs for such services are administered by various state agencies. In Nevada, crippled children's services and maternal and child health services are administered by the State Department of Health and child welfare services are administered by the State Welfare Department.

Three states have moved farther than others in the direction of consolidation of public welfare services in one administrative agency. The New Jersey Department of Institutions and Agencies and the Wisconsin

Department of Public Welfare administer public assistance, child welfare, mental health, and corrections programs. The Minnesota Department of Public Welfare administers all of these programs with the exception of the programs of the Youth Conservation Commission and the Parole Board, which are separate agencies.

## CHAPTER IV

### CASE LOAD MANAGEMENT

The preceding chapter discussed the objectives of the Social Security Act and the changes which occurred in both the types of public welfare programs administered and the methods of administration of public assistance which resulted from the enactment of this legislation. The discussion within this chapter analyzes the extent of the application of casework procedures in the administration of public assistance programs in Nevada and some other states.

The primary focus of the Nevada State Welfare Department, like that of other public welfare agencies in other states, has been on determining eligibility for public assistance and the payment of assistance grants to eligible recipients. Public welfare workers are required to determine eligibility according to uniform standards and to review the recipients' eligibility at least once a year.

The determination of eligibility and the periodic review of eligibility requires most of the time of the public welfare workers. This work provides the basis for the payments for economic assistance. The heavy case load of this type of activity does not allow much time for casework procedures to assist needy persons to solve the problems which require economic assistance from public funds.

In recent years, there has been a hard look at welfare administration in many parts of the nation. This has been directed to finding ways to help people to self-support and self-care and to prevent patterns of long-term dependency.

Public welfare programs are established by law to provide funds and services to people in trouble. These programs do not cause the troubles that require people to seek this help. They will not solve the broad social and economic problems that bring people to the doors of the welfare department. They are not responsible for nor can they solve the broader problems of unemployment, prejudice, crime, illegitimacy, divorce, desertion, physical and mental health, aging, immaturity, or lack of education that produce welfare clients.

But the program can be utilized to help individuals solve some of their problems; to avoid their children having the same problems; and to assist many of these people to get on their feet and become self-supporting and self-respecting citizens in their communities. It can be used to help the aged and the handicapped to maintain themselves better, be less of a burden on the community, and to lead happier and more useful lives.

Solutions to the "welfare problem" will not be found in continued reliance on a system focused mainly on payment of aid nor by imposing legal restrictions which deny help when it might most be needed. This is being widely recognized throughout the country. Emphasis is shifting to identifying the problems that cause dependency and taking action to attempt

to correct these problems. This is especially true in the administration of Aid to Dependent Children programs.

This approach has been recognized rather widely in the Aid to the Blind program. Many states, including Nevada, have provided skilled help and services to enable blind persons to become adjusted to their blindness, to better care for themselves, and to become partially or fully self-supporting. This has come about by individualizing help; by providing specific kinds of services needed; as well as by making financial aid available.

Most ADC families have a long history of social, economic, and emotional problems. Most have pressing needs in addition to their financial ones. There are serious problems of health, mental illness, mental deficiency, lack of education, little work experience or skills, poor social and family environment, family disorganizations, and other personal problems that usually underlie the economic ones of many of these families.

It is too much to expect that many of these families, beset as they are with difficult and serious personal problems, are going to find their way to self-sufficiency without more help than just a monthly subsistence payment.

Individuals who can help themselves tend to do so. Few find life on ADC attractive. But those who do not have the inherent capacity to achieve self-sufficiency may tend to stay on the rolls, and frequently to resign themselves, and in the process their children, to dependency upon the financial aid of the program.

There have been many studies of the problems of these dependent families. Those in St. Paul and Winona, Minnesota; Washington County, Maryland; and San Mateo, California, are examples. These have shown that approximately six percent of the population was using half of the health and welfare services. Many of these chronically dependent and chronically in-trouble families were second or third generation families on welfare.

Research projects were conducted to determine whether the application of intensive social service efforts to these families would be economically sound. Emphasis was placed on the "hard-core" families--those using the greatest amount of health and welfare services. In St. Paul over 40 percent of these families showed considerable improvement. In Winona, where the project centered on problems of chronic dependency, a 28 percent improvement was reported. In Washington County, concerned with disabled indigents, 47 percent had been rehabilitated at the termination of the project.

Marin County, California, emphasized services dealing with disordered behavior patterns (delinquency, child neglect and abuse, etc.) and an improvement in functioning of 63 percent of these families was noted.

The Marin project differed from the others in that it was not designed with a specific beginning and ending date but as a new approach to administration on a long-term basis. Caseloads per worker were reduced to 45 to 50 and social workers with professional training employed. An evaluation by the California State Department of Social Welfare revealed that

while salary expenditures increased substantially, this was greatly offset by savings in aid payments as illustrated by the following expenditure data:

	Calendar Quarter, July to September		
	1953	1954	1955
ANC (ADC) families	\$114,713	\$117,671	\$ 87,880
General Relief	21,651	30,575	20,822
Salaries	6,486	10,724	12,323
<b>TOTAL</b>	<b>\$142,861</b>	<b>\$158,972</b>	<b>\$121,026</b>

Each of these projects had a different focus. Each was attempting to solve a different type of problem. Yet all had these elements in common:

1. Small caseloads per worker--usually from 30 to 40 families.
2. Focus on problems. The families were studied and their real problems identified and appraised. The work program for the family was based on the problems, including those of all members of the family. A definite work plan was established and recurrently evaluated for each family.
3. Well-trained social work staff were used.
4. Medical and psychiatric and other services were employed.

Realizing that the payment of aid alone was not sufficient and stimulated by the results of these research projects which focused activity on identifying problems and doing something about them, many welfare departments are now using or developing case classification systems.

#### Case Classification

Case classification is simply a method of analyzing and classifying cases in accordance with the problems they present; the treatment necessary in relation to the problems; and the complexity and difficulty of the cases. Medical men recognize the technique as diagnosis and prescribing treatment based on careful examination of the patient. The insurance salesman used a similar method in "sizing up" his prospect and presenting a plan to meet his particular needs.

Case classification is a means whereby the welfare department can develop for each individual and family a plan for action which includes:

1. An analysis of the problems and difficulties each presents;
2. An evaluation of the resources and potentials that each client has to achieve stability and independence;
3. The specific activities to be undertaken by the department to realize the potentials of the case;
4. The responsibilities and activities to be undertaken by the client to help himself;
5. Plans for periodic evaluation of achievement and modification of activities as may be indicated.

This, basically, is a tool for management of the welfare caseload. It focuses attention and effort on helping people out of trouble, of getting them on a self-sustaining basis whenever possible. It enables the social worker to plan her work in accordance with the requirements of each case. It enables the department to equalize the work load of staff based on the actual work requirements of the cases being handled. It gives the department a much better picture of what it is dealing with. It should enable it to tell the public just what problems it is trying to solve and what progress it is making in solving them.

The intent of case classification is to give consideration to the differences in cases that require varying amounts of time, effort, and skill. It can be used in many ways, depending upon objectives. In some places it is used to concentrate work on those cases presenting the greatest problems and taking a disproportionate amount of community services. In others, more emphasis is on services to cases where there is a relatively good potential for improvement in order to more quickly achieve self-support in these cases.

There is a variety of systems in operation or development. They range from very detailed and precise methods of diagnosis to relatively simple plans for assessment of problems. All incorporate the objective of providing focus and direction of services to clients so as to achieve progress in the individual case. Some are limited to particular types of welfare cases, such as ADC families. Others are designed to provide focused services for all classes of welfare recipients. All are based on the conviction that there must be well directed efforts to help individuals and families solve their problems.

#### Use of a Case Classification System

In practice, each case is analyzed and assigned numerical rates in accordance with defined problem areas on a schedule. A rating scale is established for groups of cases according to the severity of the problem, amount of time and skill required for dealing with the problem, and the potential for improvement.

Usually the cases fall into three or four major groupings ranging from the relatively uncomplicated group of cases to those that present unusually difficult problems. For example, one system in use groups cases according to (1) relatively simple ones requiring minimum services; (2) moderately difficult cases requiring more skill and time; and (3) exceptionally difficult cases calling for a maximum expenditure of time and skill.

According to the group within which it falls, each case can then be assigned a numerical workload weighting which reflects the time requirements for handling it. Likewise, cases can be segregated in terms of the skill and training needed for effective work so that these can be assigned to more experienced and skillful staff. Thus workloads in the agency can be equalized in terms of actual time requirements and assigned in relation to the ability of the staff members.

The process of assessing problems and setting up a plan for dealing with them focuses efforts of the staff on dealing with the specific

problems of the individual case. This in itself, without other advantages of the system, justifies its use because it enables staff to better direct their energies in a purposeful and planned manner for each case.

Problems and potentials in individual cases change. Thus, they are subject to continuing reassessment and classification and may move from one group to another depending upon developments in the case.

Once established, with ratings made and maintained on a current basis, the rating scales derived from the system can be used in a variety of ways:

1. As a basis for establishing specialized caseloads so as to concentrate on dealing with certain types of problems; or assigning certain types of cases on the basis of worker skill and experience.
2. To establish equitable workloads and distribute work more evenly among staff, with recognition of skill and experience of different staff members.
3. To establish priorities for dealing with individual cases.
4. For evaluating progress in administering individual cases and the agency caseload as a whole.
5. For reporting to the community and to the legislature as to the nature of the problems in the welfare caseload and the needs of the department for dealing with them.

#### Installation of a Case Classification System

The problems that must be dealt with in the Welfare Department are difficult and complex. No two cases are exactly alike. The problems they present differ greatly among the people served by the program. It follows that there is no simple ready-made classification system that can fulfill the needs of the Department to deal with these individual client problems.

While much can be gained from study of systems being developed and used elsewhere, whatever is used in Nevada must in the final analysis be hand-tailored to its cases, to its staff, and to its community problems.

Since this involves a new approach and a change of direction, its introduction into a going organization with staff, tradition, policies, procedures, and attitudes will not be simple. It demands involvement and participation of staff in its development as well as its operation in order to best fit the needs of the department and to assure the understanding and acceptance required for its use.

Even though much might be borrowed, the tailoring of such a system to the Nevada department will require the sustained attention and skill of a staff person, preferably one with research experience or orientation. Not only must definitions be established, but levels of time and skill required for different classification groups must be worked out and methods developed for maintaining continuous reporting of the caseload and results attained in individual cases.

A case classification system is in itself only a tool in administration. It can be an important and significant tool in achieving better public welfare administration, but it is still a method and not an end in itself.

Fundamental to a successful caseload management program are good organizational structure, clear and well-communicated agency standards and objectives, well-defined job responsibilities, good supervision, sound and complete policies, adequate and simple procedures, and appropriate staffing in terms of numbers of staff as well as skills needed to accomplish requirements of the total job. Given these, a case classification system can be a most effective method for good administration of cases and for concentrating the time and skill of staff on work that will yield the greatest return.

Research projects and demonstrations using the case classification methods have shown long-term financial savings. However, such a system calls for greater expenditures for personnel since the key to rehabilitative and preventive services is sufficient well-directed, skilled staff.

It is certain that the use of this method in administration, given adequate staff, will shorten dependency for many individuals, will restore many to self-support and productivity, will enable many to be more self-sufficient and less burdensome to others, and will assist in preventing delinquency and family dependency problems by dealing with some of the basic causes at an early stage.

This is not a magic formula. It is merely the application of logic and system to welfare case administration. It will not correct problems of individuals that cannot be corrected, but it will sort these cases out so that time and effort is not expended when it could be used more profitably for others with potential for improvement. It will not in itself produce results, but it will better enable staff to do so. And while it will enable more effective use of staff, full benefits from this approach to case administration will require more personnel with better qualifications.

The application of case classification procedures to the activities of the Nevada State Welfare Department would require additional personnel as well as different personnel requirements. In addition to supervisory and clerical personnel, the department employs "public welfare workers" and "child welfare workers." Public welfare workers are assigned to the three public assistance programs--OAA, AB, and ADC. Child welfare workers are assigned to the Child Welfare Services Program, which includes adoption procedure, work with unmarried mothers, and foster home licensing and placements.

The department employs senior public welfare workers, child welfare workers, and senior child welfare workers. The senior public welfare workers are in districts V and VI, which are one-worker offices. Offices with directors and supervisors have only one classification of public welfare workers. Supervisors and child welfare workers have different educational requirements.

The caseload of public welfare workers is measured according to program units. OAA units are determined by the number of cases, with one



unit the equivalent of one case. ADC units have a weight of three per case, and AB units are weighted 1.3 per case. This system of caseload measurement is based on experience, which shows that the average ADC case included three or more persons, and that ADC and AB cases require somewhat more time than OAA cases.

Using this system of caseload measurement, the current caseload of public welfare workers is estimated to be from 250 to 275 per worker. The State Welfare Department is requesting additional personnel for the 1961-62 budget year to reduce this load to 225 per worker. Table 6 shows the number of workers employed and the worker equivalent required to reduce the weighted caseload to 225. These data show that 11 additional workers would be required to reach this goal based on the August 1960 caseload.

Table 6

NUMBER OF NEVADA WELFARE WORKERS EMPLOYED AS OF AUGUST 31, 1960 &  
THE WORKER EQUIVALENT REQUIRED FOR A WEIGHTED CASELOAD OF 225

Dist.	Public Welfare Workers Employed as of August 31, 1960						Caseload (Worker equiv.) Aug. 1960		
	Supervisory*	Total**	Integrated	PA	CWS	Vacant	Total	PA	CWS
I	2.0	9.0	-	6.0	3.0	-	11.2	7.3	3.9
II	-	1.5	1.0	.5	-	-	1.5	1.4	.1
III	-	3.0	-	2.0	1.0	-	3.3	2.0	1.3
IV	.4	2.1	.6	1.0	-	.5	2.1	1.7	.4
V	-	1.0	1.0	-	-	-	1.4	.8	.6
VI	-	1.0	1.0	-	-	-	.7	.6	.1
VII	2.0	11.0	-	7.0	2.0	2.0	17.5	9.6	7.9
VIII	-	2.0	1.0	1.0	-	-	1.9	1.4	.5
IX	-	1.0	1.0	-	-	-	1.3	.7	.6
X	-	2.0	1.0	1.0	-	-	2.1	.9	1.2
XI	.2(vacant)	2.0	-	1.0	-	1.0	1.8	1.3	.5
XII	-	1.0	1.0	-	-	-	.8	.6	.2
TOTAL	4.6	36.6	7.6	19.5	6.0	3.5	45.5	28.2	17.3

\* "Supervisory" column shows only those positions, or part of a position's, time that is not required for carrying a caseload. Vacancies exist in several districts, but at present funds are available for only one of these (XI).

\*\* "Total" refers to staff required to carry caseloads, including vacancies.



## CHAPTER V

### GENERAL ASSISTANCE

Nevada is one of eighteen states which have no state responsibility for general assistance programs. Although NRS 422.270 provides that the State Welfare Department shall administer all public welfare programs of this state, including general assistance, no implementation of this provision has been made by either specific legislation or appropriation of state funds. The counties, therefore, continue to be responsible for the administration of general assistance pursuant to the provisions of NRS 428.010 which vests boards of county commissioners with "entire and exclusive superintendence of the poor" in their respective counties.

The publication of the Bureau of Public Assistance of the Social Security Administration, Characteristics of General Assistance in the United States (1959), shows that thirty-two states provide for various degrees of state responsibility for administration or supervision of general assistance programs. General assistance is a part of all public assistance programs administered by the state government in fifteen states. Nine states provide for state supervision of locally administered general assistance programs and eight states provide for limited state responsibility such as receiving statistical reports, authority over specified types of intercounty disputes, and financial support for specified general assistance activities.

The term "general assistance" is usually applied to public welfare programs for needy persons who do not qualify for aid under one of the public assistance programs financed by state and federal governments under the provisions of the Social Security Act. The Bureau of Public Assistance of the Social Security Administration defines general assistance as follows:

General assistance is a public program (financed from State or local funds) which furnishes financial assistance to needy families or individuals primarily in their own homes. Assistance may be given in the form of money payments, assistance in kind provided directly to recipients, vendor payments for medical or remedial care, or vendor payments for other goods and services. It may include assistance to recipients living in boarding or nursing homes or in certain public or private institutions, with the exception of transient care given through shelters or overnight lodging houses.

General assistance provided by Nevada county welfare programs also includes some assistance for persons outside their own homes, such as allowances for indigent burial expenses, ambulance service, transportation for non-residents, and expenditures for the care of dependent and neglected children. Expenditures for general assistance programs include administrative costs, direct assistance, drugs and medical care, care of patients in hospitals and nursing homes, and child care in foster homes and institutions.

Most of these expenditures are included in the annual reports of county auditors as indigent expenses. Since there are no uniform statutory provisions for such services or expenditures, the counties have considerable

latitude in reporting these various classifications of services and expenditures. Some county auditor reports include patient costs in indigent expense and some include out-patient costs in this classification and exclude hospital and nursing home care. Others report hospital expenditures separately without itemizing indigent care costs. The data in Table 7 showing the general assistance costs by counties for the 1959-60 fiscal year, therefore, are classified according to three major activities: (1) General Relief, which includes administrative costs, direct assistance to recipients, and expenditures for the maintenance and operation of rest homes; (2) Medical Assistance, including care of patients in hospitals and nursing homes, and other medical care costs such as drugs, clinics, and other treatment costs; and (3) child care in foster homes and institutions.

### General Relief

General relief includes direct assistance to families and individuals, administrative costs, and rest homes maintained in five counties for the care of the aged. Total general relief costs of all counties amounted to \$377,894 for the 1959-60 fiscal year.

Administrative costs approximate or exceed the costs of direct assistance to recipients in four of the six counties employing welfare workers. The administrative costs in Mineral and Nye counties include expenditures for office supplies and travel.

Clark County administrative costs include personnel and operating expenses of the Clark County Relief Administration, social service operations for the Southern Nevada Memorial Hospital, which include determination of eligibility for indigent hospital care, and maintenance of the administration building including facilities for approximately twenty indigent residents. Administrative costs in Washoe County include personnel and operating expenses of the Washoe County Welfare Department. This department administers direct relief for needy persons, determines eligibility for indigent hospital care, licenses child care facilities, and places and supervises dependent and neglected children in foster homes.

### Rest Homes

State law authorizes counties to maintain facilities for the care of "resident paupers." Such facilities exist in five counties under various names such as rest homes or county farms with one county calling such facilities a "county hospital." These rest homes are the vestiges of the early day "poor farms" which were once the last resort for the needy aged.

Such facilities are comparatively expensive means of caring for small populations of such needy persons. Ormsby County, for example, expends approximately \$20,000 per year for the operation of the "county farm" which seldom accommodates more than ten aged persons, some of whom are residents of other counties. Old-age assistance provided for by Chapter 427 NRS is not available to any person who is an inmate of a public institution, except as a patient in a public medical institution.

Old-age assistance and aid to the blind funds are available to eligible residents of private boarding homes. Although the needs for boarding home

GENERAL ASSISTANCE COSTS FOR RELIEF, MEDICAL ASSISTANCE  
AND CHILD CARE BY COUNTIES: 1959-60 FISCAL YEAR

County	General Relief				Medical Assistance			Child Care	Total Gen. Assistance
	Total	Administ.	Assistance	Rest Homes	Total	Inpatient	Outpatient		
Churchill	\$ 32,383	\$ 2,676	\$ 1,921	\$27,786	\$ 74,971	\$ 67,221	\$ 7,750	\$ -	\$ 107,354
Clark	98,861	48,140	50,721	-	769,810	724,669	45,141	27,697	896,368
Douglas	4,425	-	4,425	-	11,116	6,067	5,049	646	16,187
Elko	53,296	10,748	14,437	28,111	115,119	89,181	25,938	2,397	170,812
Esmeralda	560	-	560	-	12,762	10,882	1,880	-	13,322
Eureka	14,414	-	8,020	6,394	9,149	7,499	1,650	250	22,813
Humboldt	5,415	-	5,415	-	15,487	13,327	2,160	-	20,902
Lander	324	-	324	-	22,980	20,266	2,714	1,833	25,137
Lincoln	4,815	-	4,815	-	22,445	19,413	3,032	547	27,807
Lyon	5,553	-	5,553	-	57,865	54,581	3,284	4,283	67,701
Mineral	3,820	441	3,379	-	17,197	11,497	5,700	5,317	26,334
Nye	3,393	175	3,218	-	17,957	8,286	9,671	100	21,450
Ormsby	22,602	-	3,097	19,505	11,457	8,425	3,032	6,077	40,136
Pershing	2,280	-	2,280	-	34,249	29,382	4,867	3,807	40,336
Storey	5,020	-	2,583	2,437	3,494	2,894	600	1,800	10,314
Washoe	102,658	60,032	42,626	-	621,841	601,521	20,320	63,754	788,253
White Pine	18,075	4,295	13,780	-	24,362	18,362	6,000	1,138	43,575
TOTAL	\$377,894	\$126,507	\$167,154	\$84,233	\$1,842,261	\$1,693,473	\$148,788	\$119,646	\$2,339,801

care that cannot be met by OAA and AB must be provided by county general relief, such costs are less than institutional care. County rest homes, however, are often maintained for reasons other than concern for economy in the expenditure of public funds. At least one county is considering changing its rest home to a nursing home type of facility to meet a special need in that county.

#### Transient Aid

General relief expenditures include costs of assistance for transients in some counties. The Clark County relief administration, for example, reports that 80 to 85 percent of all general relief expenditures are for aid to non-residents. Other counties provide no transient assistance. Transients in such counties may be assisted by Red Cross or other private and volunteer welfare agencies. Some counties provide aid for transient families with small children but not for single individuals.

NRS 428.060 provides for temporary relief for "non-resident paupers" upon notification and claim upon the county of residence for reimbursement of assistance and related costs. NRS 428.070 also authorizes county boards of commissioners to incur expenses in returning non-resident indigents to place of residence. Such assistance for transients or non-residents is usually in kind or orders for goods and services to vendors.

#### Relief Administration

General relief assistance for either resident or non-resident persons seldom involves cash payments to recipients. Assistance is usually provided in kind or orders to vendors for goods and services. There is wide disparity in the dispensing of general relief assistance in the various counties. There are no uniform standards for determining eligibility or amount or kind of assistance provided. Some persons receive grocery orders and some receive groceries. The Clark County Relief Administration, for example, operates a commissary and gives groceries to needy persons. The operation of this program involves the recipients in a type of guessing game. Lists of available supplies are not provided although the applicant is required to make out a list of groceries and amounts required. If items requested are not available, the item is crossed off the list with no opportunity for substitution.

The absence of uniform standards or formal administrative procedures limits the above evaluation of general relief programs to the available cost data and the general and vague provisions of Chapter 428 NRS for the care of needy persons defined as "paupers, incompetent, poor, or indigent." In fact, there is not and cannot be any general relief program as such without adequate legislation providing for uniform standards and adequate reporting methods to provide information on the extent of general relief needs, costs, and trends. Much of the confusion and duplication involved in the administration of state and county welfare programs could be avoided if the antiquated provisions of Chapter 428 were repealed and uniform standards established together with provision for the centralization of administration of all public welfare programs in one agency.

## Medical Assistance

Medical assistance is the most expensive part of the general assistance program of the various counties and greatly exceeds the costs of general relief. Medical assistance includes patient care in hospitals and nursing homes and medical needs such as drugs and medical services for other needy persons. Some counties employ county physicians and visiting nurses whose services are available for indigent relief. The costs of such services are included in the item for other medical care as shown in Table 7.

Medical care for county residents is provided under the general provisions of NRS 428.010 for the care of "paupers, incompetent, poor, or indigent." Medical assistance for non-residents is authorized by NRS 428.080 which empowers boards of county commissioners to provide assistance for any non-resident or any other person not coming within the definition of a pauper who falls sick in the county without having money or property to pay his board, nursing, or medical aid. Subsection 3 provides that the board of county commissioners shall make such allowance for these costs as the board shall deem just and equitable, and order the same to be paid out of the county treasury.

NRS 428.080 was amended in 1957 to provide that the responsibility of the board of county commissioners to provide medical aid or other type of remedial aid shall be relieved to the extent of the amount of money or the value of services provided by the State Welfare Department to or for such persons for medical care or any type of remedial care under the provisions of Chapters 426 and 427 of NRS. Chapter 426 provides for aid to the blind and Chapter 427 provides for old-age assistance.

Chapters 426 and 427 NRS were amended in 1957 to empower the State Welfare Department to provide medical assistance financed by state and federal funds for recipients of aid to the blind and old-age assistance. The effect of these amendments and the amendment to NRS 428.080 is the transfer of responsibility for medical care for such persons from the counties to the state government. The state public assistance program for aid to dependent children does not provide for medical care for persons receiving such assistance. The counties, therefore, still have the responsibility of providing medical or remedial care for such persons. The result is added confusion and duplication in the administration of these assistance programs.

The medical care programs for the recipients of aid to the blind and old-age assistance do not include assistance for hospital or nursing home care. The counties continue to have the responsibility for providing hospital care for such persons.

The high cost of hospital and nursing home care is due to the frequency of need for such care by the aged and victims of motor vehicle accidents. The unpredictable costs of such care pose serious financial problems for a number of counties in this state. Highway accidents are a particular cause of concern regarding the responsibility of the counties for hospital care for the victims of such accidents who require public assistance.

Legislation proposing financial assistance to the counties from state funds for emergency care of needy victims of highway accidents has been considered at previous sessions of the Legislature and should receive serious consideration at the 1961 Session. Other aspects of public assistance for medical care for needy persons require further study and analysis. The recent amendments to the Social Security Act providing federal funds for state programs for medical care for the aged who may not be recipients of old-age assistance is a specific subject requiring careful consideration with particular attention to the effect that such legislation might have on general assistance programs.

### Child Care

The care of dependent and neglected children is a responsibility of the district courts, some county agencies, and the State Welfare Department. This mixed responsibility is another source of confusion and duplication in administration of public welfare programs which is discussed at length in another part of this report. The child care activities of county welfare programs, in general, however, are confined to payments for the care of children in foster homes or group care facilities.

State law provides that counties shall pay \$50 per child per month for the care of children committed to the State Children's Home. Foster home care costs may be paid in whole or in part by the counties. The county share of such costs depends upon the extent of responsibility which a county may have for the custody of foster children.

Chapter 432 NRS, enacted in 1960, authorizes and empowers the State Welfare Department to provide maintenance and special services to children who are placed by court order in the custody of the department, and who are placed in foster homes or group care facilities. Two-thirds of the non-federal share of the costs of such maintenance are paid by the state and one-third of maintenance costs are paid by the county from which the child is placed.

The child care program authorized by Chapter 432 NRS, however, is not in full force and effect in all parts of the state. County participation in this program is optional. The State Welfare Department has entered into an agreement with Clark County to provide the foster home care services authorized by this legislation and is presently engaged in negotiating such agreements with other counties which wish to participate in this program.

The county costs for child care shown in Table 7 for the fiscal year ending June 30, 1960, represents the costs for such care prior to the operation of the child care program authorized by Chapter 432 NRS. The largest amount of expenditures for such purposes for that year was made by Washoe County. This county has had its own foster home care program for several years. The operation of this program is a function of the Washoe County Welfare Department. The costs of foster home care for children in the custody of the county welfare department are paid from county funds.



Washoe County also has a county ordinance providing for the licensing of child care facilities by the County Welfare Department, including foster homes licensed by the State Welfare Department pursuant to the provisions of Chapter 424 NRS. The Washoe County Welfare Department administers the provisions of the licensing ordinances of the cities of Reno and Sparks. The problems of duplication of administration of state and local group care licensing requirements are discussed later in this report.



## CHAPTER VI

### OLD-AGE ASSISTANCE

Nevada was one of the first states to provide a specific public assistance program for the needy aged. Legislation enacted in 1925 provided for a system of old-age pensions administered and financed by the counties. Earlier legislation providing for old-age pensions enacted in Alaska in 1912 and Arizona in 1914 was declared unconstitutional. The first legislation of this type to survive the test of constitutionality was a law enacted in Montana in 1923.

The 1925 legislation provided for old-age pensions not to exceed \$1 per day. One of the eligibility requirements was ten years residence in Nevada. Property ownership was limited to \$3,000 and the county was empowered to attach the estate of the recipient for the amount of aid which the county had provided.

Authorization for federal grants-in-aid for state and local old-age assistance programs was provided ten years later when the Social Security Act was approved August 14, 1935. Federal grants-in-aid for old-age assistance are conditioned by the requirements of the Social Security Act, which has been amended several times since 1935, that a state plan for old-age assistance must:

1. provide that it shall be in effect in all political subdivisions of the state, and if administered by them, be mandatory upon them;
2. provide for financial participation by the state;
3. either provide for the establishment or designation of a single state agency to administer the plan, or provide for the establishment of a single state agency to supervise the administration of the plan;
4. provide for granting an opportunity for a fair hearing before the state agency to any individual whose claim for old-age assistance is denied or is not acted upon with reasonable promptness;
5. provide such methods of administration as are found by the administrator to be necessary for the proper and efficient operation of the plan;
6. provide that the state agency will make such reports in such form and containing such information as the administrator may from time to time find necessary to assure the correctness and verification of such reports;
7. provide that the state agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance;
8. provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of old-age assistance;
9. provide that all individuals wishing to make application for old-age assistance shall have opportunity to do so, and that old-age assistance shall be furnished with reasonable promptness to all eligible individuals; and

10. provide, if the plan includes payments to individuals in private or public institutions, for the establishment or designation of a state authority or authorities which shall be responsible for establishing and maintaining standards for such institutions.

The Social Security Act also provides that states may not exclude persons from eligibility for old-age assistance for lack of residence if they have lived in the state for five of the nine years preceding application, provided that there has been one full year of residence immediately previous to the time of application for such assistance. Prior to 1940, states could impose an eligibility requirement of up to 70 years. Since then the upper limit has been 65. States may provide old-age assistance for persons under 65, but federal financial assistance is not available for assistance payments to such persons.

As discussed in Chapter I of this report, Nevada could not meet the condition of the Social Security Act for a single state agency to administer old-age assistance until the repeal of Section 3 of Article XIII of the Nevada Constitution, which provided that "the respective counties of the State shall provide by law for those inhabitants who, by reason of age and infirmity or misfortune, may have claim upon the sympathy and aid of Society." This Section was repealed, and legislation was enacted in 1937 creating the State Welfare Department to administer an old-age assistance program financed by federal, state, and county funds. Legislation enacted in 1960 relieved the counties from financial participation in the costs of this program.

The Nevada law providing for the state old-age assistance program is codified as Chapter 427 NRS. Section 427.090 provides that the State Welfare Department shall make such rules and regulations and take such action as may be necessary or desirable for carrying out the provisions of this chapter.

Economic need is one of the basic requirements for receiving old-age assistance. NRS 427.080, however, provides that no person receiving aid under the provisions of this chapter shall be deemed a pauper by reason thereof. Qualifications for old-age assistance are established by NRS 427.200 as follows:

#### 427.200 Qualifications for assistance.

Assistance shall be granted under this chapter to any person who has all of the following qualifications combined at the time of receiving assistance:

1. Is 65 years of age or older; but if the Congress of the United States shall enact any law reducing the age of eligibility for old-age assistance, such reduced age shall be the age limit under this chapter.

2. Is a resident of the State of Nevada who has actually resided in this state for a period of 5 years or more during the 9 years immediately preceding the making of the application for

such application.

(Note: This requirement is as stringent as possible under the provisions of the Social Security Act.)

3. Is in need of financial or other assistance as provided for in this chapter, and has not sufficient income from all other available sources to provide a reasonable subsistence compatible with decency, health and needs as provided for in this chapter.

4. Is not an inmate of a public institution except as a patient in a public medical institution, and who is not a patient in any institution for tuberculosis or for mental diseases or has been diagnosed as having tuberculosis or psychosis and is not a patient in any medical institution as a result thereof.

5. Has not, at any time within 3 years immediately prior to the filing of the application for assistance pursuant to the terms of this chapter, made any deed, conveyance, bill of sale, assignment or other transfer of property so as to render himself eligible for such assistance under this chapter.

#### Relative Responsibility

NRS 422.310 provides that the husband, wife, father, mother, and children of an applicant for or recipient of public assistance, if of sufficient financial ability so to do, are liable for the support of such applicant or recipient. A married daughter of the applicant is not required to make contribution unless she has income constituting her separate property. The amount of contribution required of a relative is set forth in a Relative Contribution Scale prescribed by NRS 422.320.

The administration and enforcement of the legal provisions for relative responsibility, however, appear to be weak. The procedure for the enforcement of these provisions as provided by NRS 422.340 is now outdated and should be repealed or amended. This section provides that the boards of county commissioners shall advise the district attorney of the county in which such relatives reside of failures to reimburse the county and the circumstances incidental thereto. Provision is made for the district attorney to cause appropriate legal action to be taken to enforce such support. Since the counties do not now participate in the costs of OAA and ADC, provision should be made for initiation of the complaint by state officials if such provisions are to be enforced.

Relative responsibility provisions, particularly if not rigidly enforced, are of doubtful value either as a deterrent to application for assistance or savings in assistance costs. Administrative procedures for the processing of applications for assistance include detailed instructions for checking relative resources, securing signed statements, and other related activities which are time-consuming and costly in terms of administrative expense. Such red-tape procedures, however, are necessary to comply with the existing legal provisions.

The administrative agency, irrespective of legal provisions, should consider all relatives a resource and work with them for maximum assistance in helping parents on a voluntary basis. Such activities on the

part of public welfare workers benefit both the state by reducing assistance costs and the recipients by encouraging relatives to interest themselves in the social and personal, as well as the economic, problems of aged persons.

#### Lien Laws

One of the distinctions in the statutory authorization for general and old-age assistance is that recipients of old-age assistance are not classified as "paupers." Approximately one-fourth of all recipients of OAA own their own homes. OAA recipients are also allowed to own personal property and income-producing property with a value of not more than \$700 (\$1,400 if married).

Other states make similar allowances for real and personal property ownership, some more or less restrictive than those of Nevada, in determining eligibility for public assistance. Thirty-two states, however, also provide for liens against the estates of OAA recipients and recovery of the amount of assistance paid. Some states also have lien and recovery laws for assistance payments to AB and ADC recipients.

The first Nevada old-age pension law, enacted in 1925, limited property ownership to \$3,000 and provided that the county could attach the estate of the recipient for the amount of aid. Legislation authorizing lien and recovery procedures for old-age assistance, enacted in 1937, was repealed in 1957 upon recommendation of the State Welfare Department. The departmental report for the biennium ending June 30, 1958, states that:

Only three-fourths of 1 percent of the total amount of assistance paid since the claim provision was enacted in 1937 had been recovered by 1957. This return was greatly disproportionate to the amount of staff time and effort expended. From the standpoint of uniformity also, administration was difficult as application by county officials varied from county to county.

The lien and recovery legislation repealed in 1957 provided for administration and enforcement by county officials. Assembly Bill No. 179, approved by the Legislature in 1960 but vetoed by the Governor, provided for lien and recovery procedures for old-age assistance payments to be administered by the State Welfare Department. The veto message stated, in part, that: (1) the Welfare Department may, by rule and regulation, accomplish the purpose of the bill but still have enough flexibility so that each case can be determined on its own merits; and (2) the Welfare Board has the power, by rule and regulation, to require the pledging of real property as a condition of receiving assistance.

The State Welfare Board considered these alternatives at its meeting in Carson City, July 21-22 1960, and approved a policy proposal, submitted by the Welfare Director, limiting the value of residences that would be allowed as eligibility requirements for OAA and ADC. The following limits on the assessed value, as used for school apportionment purposes, of homes became effective September 1, 1960: \$10,000 for a home occupied by a 1 or 2 person assistance unit, \$11,000 for a 3 person unit, and \$12,000 for a 4 or more person unit. Exceptions may be made when a health factor creates a hardship.

The determination of eligibility for public assistance is an important administrative process. Administrative rules and regulations implement the statutory provisions but are no substitute for such provisions and must be in conformity with law. The proper use of such procedures eliminates the necessity for elaborate and detailed statutory requirements and provides desirable flexibility in the administrative process.

An administrative rule limiting the value of a residence to be considered in determining eligibility for public assistance, for example, is in conformity with the provision of subsection 3 of NRS 427.200 that old-age assistance shall be granted to a person who is in need of financial or other assistance and has not sufficient income to provide a reasonable subsistence compatible with decency, health, and other needs. Such subjects as lien laws and relative responsibility are directly related to the problem of determining eligibility and can be considered as a part of the administrative process with or without specific legislation, provided the administrative procedures are compatible with the purposes and objectives of the legislation authorizing a particular public assistance program.





## CHAPTER VII

### AID AND SERVICES TO THE BLIND

Welfare services for the blind were first provided by the State of Nevada when Chapter 32, Statutes of Nevada 1925, was enacted to provide a county relief fund for the needy blind. This act provided that a board of county commissioners could provide aid up to \$300 a year for a needy blind person who had been a resident of the county for one year. The maximum amount was increased to \$600 a year in 1929. Funds to pay for this type of assistance were provided from the yield of a property tax at a tax rate of \$.02, which was increased to \$.05 in 1929.

The Nevada Aid to the Blind Law (Chapter 426 NRS) providing public assistance to needy blind persons was enacted by Chapter 369, Statutes of Nevada 1953. This was the second of the public assistance programs in this state under the provisions of the Social Security Act.

The legal provisions for the Aid to the Blind (AB) program are set forth in NRS 426.010 to 426.500 inclusive. The purposes of these provisions, as stated in NRS 426.010 are: (1) to relieve blind persons from the distress of poverty; and (2) to encourage and assist blind individuals in their efforts to render themselves more self-supporting.

A "blind person" is defined in NRS 426.060 as any person who by reasons of loss or impairment of eyesight is unable to provide himself with the necessities of life and who has not sufficient income of his own to maintain himself. A "legally blind person" is an individual whose visual acuity with correcting lenses does not exceed 20/200 in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of no more than 20 degrees.

A survey of aid to the blind cases in 1958 shows that approximately 50 percent of the legally blind persons requiring aid had usable vision; 29 percent had very little usable vision but did have projection or light perception; and only 19 percent were totally blind. A register of blind maintained by the Welfare Department shows that there were 352 known blind in Nevada as of September 12, 1960. An average of 180 persons, or approximately half of the known blind, received monthly payments for aid to the blind during the 1959-60 fiscal year.

Approximately two-thirds of all AB recipients live in Clark and Washoe counties. The average number of recipients in these two counties for the 1959-60 fiscal year were about equally distributed, with 59 residing in Clark and 56 in Washoe. The remaining 65 were scattered throughout the balance of the state with no more than 11 in any one of the other counties.

The state aid to the blind program meets the conditions for federal participation in the costs for this type of public assistance. Some of these conditions, such as ineligibility of TB patients or inmates of mental institutions, are the same as the conditions for federal participation in the costs of the OAA program.

NRS 426.060 provides that each blind person who has become blind while a resident of the state, or who has been a resident of this state for at least 2 years out of the last 9 with 1 year immediately prior to application, shall be eligible to receive aid to the blind. This residence requirement is more liberal than the federal requirement that an approved state AB plan cannot have a residence requirement of more than 5 years out of the last 9 with 1 year immediately prior to application.

The Nevada law also includes provisions to meet other federal conditions, such as the requirement that an aid to the blind applicant must have an examination by a physician skilled in diseases of the eye or by an optometrist. Another condition of the Social Security Act for federal participation in the costs of the aid to the blind program is that the first \$50 of income per month is to be disregarded in the application of income to meet needs in the determination of the amount of the aid to the blind payment.

The 1960 amendments to the Social Security Act made changes in nearly all of the welfare programs, as well as adding a new program for medical assistance for the aged not receiving OAA. One of the changes made by the 1960 amendment is a provision, effective July 1, 1962, whereby a state agency, in determining need for blind assistance, must disregard the first \$85 of earned income per month plus one-half of earned income in excess of \$85. A state is permitted to disregard the \$85 per month and the excess or continue to apply the \$50 per month exemption under the law until July 1, 1962.

#### Income and Need

NRS 426.430 provides that the first \$50 per month of net earned income shall be entirely disregarded in determining the need of an applicant for or recipient of aid to the blind. The \$50 exemption was automatically increased to \$85 plus one-half of the net earned income in excess of \$85, October 1, 1960, effective date of the federal amendment, inasmuch as subsection 2 of NRS 426.430 provides for conformity with such changes made in the federal laws or regulations. This provision is as follows:

426.420 (2). If, when and during such times as the amount of earned income permitted or required to be disregarded, in determining need, by statute or regulations of the Federal Government shall be increased, the amount of net earned income required to be disregarded under the provisions of this section shall be immediately increased to the maximum extent permitted or required by the statute or regulation of the Federal Government.

NRS 426.430 also provides that only such income and resources as are actually and immediately available to the individual for his support shall be taken into consideration in computing the amount of aid to which such individual is entitled. The relative responsibility provisions pertaining to the OAA and ADC programs are not applicable to the determination of need for aid to the blind.

NRS 426.440 provides that only such income as is actually furnished to an applicant or recipient by a relative may be deemed income available

to the applicant or recipient for his support. Subsection 2 provides that no relative of an applicant for or recipient of aid to the blind may be held liable for contributions to the support of such applicant or recipient except in the case of a parent of a minor child applying for or receiving aid to the blind.

The State Welfare Department has interpreted these provisions of NRS 426.430 and 426.440 with respect to the obligations of a spouse to support an applicant or recipient by establishing a policy provision that only the income and resources actually made available by the spouse shall be considered in determining need. Recently, question has arisen regarding the responsibility of the spouse and the department requested the Attorney General to review this policy and advise if it was in accordance with law.

The reply of the Attorney General dated September 8, 1960, states in part that: "The construction and application indicated as heretofore given to the law are. . .not only erroneous but illegal, since there is involved the use of public funds for private benefit on the basis of invalid classification." The reply also states that:

It is our view that the interpretation and application given the indicated statutory provisions are erroneous, insofar as a financially able spouse is absolved from responsibility and liability for the support of his (her) blind wife (husband), especially where they share the same household . . .

In our considered opinion, it is not legislative intent, as reflected in Chapter 426 of Nevada Revised Statutes, to relieve a spouse of legal responsibility and liability for the support of wife or husband, except or unless he is financially in no position to discharge such obligation.

The State Welfare Board, at its meeting in Carson City, September 22-23, 1960, approved policy changes to provide conformity with the law until more experience is gained to establish criteria on the amount of support expected from a spouse. The new policy is as follows:

If a spouse sharing the same household with the client has income or resources to meet their joint requirements, the applicant will not be considered eligible for assistance.

In cases where the couple is not sharing the same household, the spouse of an applicant or recipient is legally responsible and liable for the support of husband or wife to the extent he or she is financially able. Where no court order exists, the amount of support shall be determined on the basis of the individuals' circumstances.

NRS 426.420 provides that the individual needs of each person claiming aid to the blind shall be presumed and deemed to be not less than \$100 per month. Aid, however, is provided to meet the actual need which may be more or less than the presumed need. The amount of the assistance payment is the balance required to meet actual need after the value of the claimant's resources and earnings in excess of \$50 per month have been

used to meet such needs. If an individual has no resources or income, the amount of assistance received is the amount required to meet the individual's actual needs.

The important difference between the AB and OAA and ADC programs is that the AB program meets all of the budget needs of recipients, whereas there are various degrees of unmet needs in the other assistance programs. The amount of unmet needs in the OAA and ADC programs depends upon the amount of funds appropriated for such public assistance. Amounts appropriated for OAA permit payment of more of the actual needs of individuals receiving such assistance than the amounts appropriated to meet the needs of the ADC program.

All state public assistance functions including aid to the blind are performed by public welfare workers in the district offices of the State Welfare Department under the supervision of the State Welfare Director, the staff of the field service division, and the district directors or supervisors. One worker in each district office is assigned to administer all aid to the blind cases as provided by NRS 426.320. The worker assigned to such cases may also have other duties concerned with the administration of OAA and ADC cases since there is no legal provision for the assignment of cases according to types of assistance programs.

NRS 426.320 also authorizes the state department to create a division for the blind, devoted exclusively to the administration of the aid to the blind program. One of the reasons why such division has not been established is that subsection 2 of that section provided that workers assigned to the administration of AB cases would be employees of the division and responsible to the chief of the division, irrespective of their headquarters. This would require a bifurcated type of administrative organization, which is inadvisable and inefficient inasmuch as administrative responsibility would be diffused instead of centralized. This section should be amended or repealed.

The Nevada program for aid to the blind is financed by the state and federal governments. The federal share of both OAA and AB costs is computed according to a formula whereby federal funds are used to meet 4/5 of the first \$30 of the average monthly payment and 50 percent of the amount from \$30 to not more than \$65. The state pays all of the assistance costs which exceed \$65 per month. The average monthly aid to the blind payment per recipient was \$91.80 during the 1959-60 fiscal year.

Chapter 426 NRS was amended in 1957 to define "aid to the blind" as money payments to or medical or remedial in behalf of needy blind individuals. As a result of this and other amendments, state and federal funds equivalent to \$7 per month per recipient are placed in a separate fund for payments to vendors of medical and remedial care. Costs for eye treatment for prevention of blindness are in addition to the payments for medical and remedial care.

#### Services to the Blind

The first aid to the blind activities of the Welfare Department were focused on the statutory objective, to relieve the distress of poverty. The biennial reports of the department show that other services were

provided through the aid to the blind program. The departmental report for the biennium ending June 30, 1956, for example, states that:

The department has recognized that all possible services should be provided in assisting blind persons to achieve physical, educational, social and economic adjustment and in doing so to preserve human values as well as to reduce dependency. Every effort is made by the department to help the blind recipients lead a more satisfying, happier life even if economic rehabilitation is not attainable.

In addition to eye treatment (17 AB cases closed due to restored vision by surgery during the biennium), the workers of the department have provided a number of other services, including referral to Vocational Rehabilitation; referral to workshops for the blind; adult educational programs wherever available; arrangement for foster care of blind infants and adults; securing admission to public housing units; obtaining white canes, talking books, and books in Braille; and making available information regarding the program activities of the State Association for the Blind and Handicapped.

Other services to the blind provided by other state agencies at that time included vocational rehabilitation and training of the Division of Vocational Rehabilitation of the Nevada State Education Department. As noted above, aid to the blind workers considered such services as a resource for improving the economic prospects of blind individuals and made referrals to this agency. This division, although handicapped at times because of insufficient funds, has an experienced staff of field workers who provide vocational rehabilitation services for all handicapped persons. Such services for the blind included the rehabilitation of the blind persons who operate the vending stands in the post offices in Las Vegas and Reno.

A survey of programs for the blind in Nevada was made by the National Federation of the Blind at the request of the Governor. This survey was conducted during the summer of 1956. The report filed with the Governor on September 16, 1956 included recommendations for: (1) some increases in the allowances for special needs and provision for medical and hospital care for AB recipients, (2) transfer of the vocational rehabilitation services for the blind from the State Department of Education to the State Welfare Department, and (3) establishment of a position of field worker for the blind in the State Welfare Department.

Chapter 781, Statutes of Nevada 1957, added NRS 426.520 to 426.620 inclusive to provide the additional services to the blind recommended by the National Federation of the Blind. The Bureau of Vocational Rehabilitation for the Blind was created in the Welfare Department. The name of the bureau was changed to the State Bureau of Services to the Blind by amendments added in 1959. The purposes of the added provisions for services to the blind as set forth in NRS 426.540 are: (1) to enlarge the opportunities of blind persons to obtain education, vocational training and employment; and (2) to enable, assist and encourage blind individuals in their efforts to become more self-supporting.

These purposes are similar to the purposes of the provisions for aid to the blind noted earlier in this chapter. The differences in objectives in the provisions for services to enlarge the opportunities of blind persons to obtain education, training, and employment and provision for aid to the blind to relieve blind persons from the distress of poverty, however, are quite important and require different types of professional services. One is specialized vocational education and the other is social welfare. The differences in the second classification of purposes of both the service and assistance provisions are minor inasmuch as only a fine semantical distinction can be inferred from the slight differences in the wording of these objectives.

NRS 426.550 which establishes the Bureau of Services to the Blind in the State Welfare Department also provides that the bureau is the sole agency in the state responsible for the rehabilitation of the blind. Subsection 2 provides that the duties of the bureau shall be confined to carrying out the provisions of NRS 426.540 to 426.620 inclusive. The bureau is authorized by NRS 426.560, subject to the approval of the department, to make administrative rules and regulations to enforce these provisions. NRS 426.580 specifies that the bureau shall provide intensive programs of case finding, education, training, job findings and placement, physical restoration, and such other services and equipment as may assist in rendering blind persons more self-supporting. Subsection 3 of NRS 426.550 provides that the bureau shall not be made a part of any other division or subdivision of the department and that the chief of the bureau shall be directly responsible to the Director of the department.

The purpose of the recommendation of the National Foundation of the Blind for the enactment of these provisions was to take services for the vocational rehabilitation of the blind away from the other vocational rehabilitation services and establish them as a separate and virtually independent agency having specific duties restricted to the provision of vocational rehabilitation service for the blind only, with preference to be given to blind persons in the selection of agency personnel.

Another and entirely different recommendation of the National Foundation of the Blind was the establishment of a position of field worker for the blind in the Welfare Department. This was accomplished by the enactment of NRS 426.530, which reads as follows:

1. There is hereby created within the department a position of field worker for the blind. The field worker shall assist blind persons in achieving physical and psychological orientation, inform blind persons of available services, stimulate and assist the blind in achieving social and economic independence, and do all things which will ameliorate the condition of the blind.

2. Preference shall be given to qualified blind persons in filling the position of field worker for the blind.

These specific and extensive social services to be performed by a particular classification of worker were apparently designed to supplement the services of public welfare workers handling aid to the blind assistance cases. Such duties go beyond the purposes stated in NRS 426.540

and are specifically excluded from the duties of the Bureau of Services to the Blind.

The field workers appointed by the Welfare Department, however, are assigned to the bureau and their activities are supervised by the chief of the bureau. The addition of such services and duties to the rehabilitation duties of the bureau is not only contrary to the specific statement of duties in NRS 426.550 but is also a source of confusion to recipients of aid to the blind.

Administrative organization and procedures should be in strict accord with the legal provisions, particularly when legislative policy is stated in clear and precise terms in the wording of the provisions of NRS 426.540 to 426.620 inclusive. Desired changes in governmental services and duties should be made by the legislative process rather than administrative fiat.

The provision in NRS 426.550 (2) for the bureau of services to the blind to be headed by a chief do not set forth desired qualifications for this position except that he be "experienced in work for the blind" and that preference shall be given to "qualified blind persons" in filling the position of chief of the bureau. When the bureau was established with a chief and a field worker, the chief was responsible for vocational rehabilitation activities and the field worker performed the duties specified by NRS 426.530.

The bureau now has three field workers. The title of this position has been changed to "Field Worker-Counselor for the Blind." Each worker-counselor is assigned to a specific geographic area: one to Washoe, Storey and Ormsby counties; one to Clark and Lincoln counties; and the third to the rest of the counties. The workers, according to the chief, spend about half time in performing vocational rehabilitation services and the other half performing the social services for which the position was created. The third worker-counselor has been assigned the duty of locating public property for the installation of vending stands as business enterprises to be operated by qualified blind persons.

Bureau reports show that some eighteen blind persons have been rehabilitated during the biennium ended June 30, 1960. As of October 1960, the bureau had 31 active vocational rehabilitation cases and 15 referrals. Social service contacts totalled 268, with 116 in the southern part of the state and 152 in the northern area. The costs of bureau operations were not maintained separately from those of the department prior to July 1, 1960. Selected expenditures for the 1959-60 fiscal year totalled \$59,946 for that year. Salaries for the chief, two workers, and clerical personnel amounted to \$27,448. Selected operating expenses for which data were available amounted to \$8,333.

Case service expenditures, amounting to a total of \$29,757 in 1959-60, have been budgeted for a total of \$50,494 for the 1960-61 fiscal year. These services for the 1959-60 year were as follows:

Vocational Rehabilitation	\$18,151
Eye examinations	621
Eye treatments	4,971
Social services	6,014
	<u>\$29,757</u>

## Vending Stands

Federal laws provide for the operation of vending stands by properly licensed blind persons. Two such stands are located in Nevada. One is in the post office in Reno and the other in the post office in Las Vegas. The operators of such stands are licensed by the states in which such stands are located. NRS 426.590 provides that the bureau of services for the blind shall be the licensing agency for such purposes. Prior to 1957, the division of vocational rehabilitation in the State Department of Education was the licensing agency. This division, as noted above, provided the necessary vocational training for the operators of the stands in Reno and Las Vegas.

Nevada is one of a number of states with provisions for the operation of vending stands by properly licensed blind persons in or on any public buildings or properties suitable for such operations. Provision for such vending stand operations are made by NRS 426.630 to 426.730 inclusive, added by Chapter 170, Statutes of Nevada 1959. NRS 426.630 provides that "vending stand" means:

(a) Such shelters, counters, shelving, display and wall cases, refrigerating apparatus and other appropriate auxiliary equipment as are necessary or customarily used for the vending of such articles as may be approved by the state welfare department and the department or agency having care, custody and control of the building or property in or on which the vending stand is located.

(b) Manual or coin-operated vending machines or similar devices for vending such articles; or

(c) Cafeteria or snack bar facilities for the dispensing of foodstuffs and beverages.

NRS 426.670 provides that the bureau of services to the blind shall make surveys of buildings or properties to determine their suitability as locations for vending stands and shall establish vending stands in suitable locations, and may enter into leases or licensing agreements therefor. The bureau is also directed to train, license and install qualified blind persons as managers of such vending stands.

The survey of suitable vending stand locations was included as a part of the business enterprise program of the bureau of services to the blind. The bureau determined that federally owned property at Hoover Dam would be a suitable location and federal approval was obtained for the establishment of a Hoover Dam vending stand.

Private contributions provided funds for the design and preparation of plans for the Hoover Dam vending stand. These plans included a "shelter" for the stand, which turned out to be a building. Ownership and operation of a vending stand by the welfare department as provided by NRS 426.670 is not the same as ownership and operation of state buildings which are provided for by other statutory provisions.



Design and construction of state buildings are functions of the State Planning Board. The plans for this "vending stand" were not prepared under the supervision of the planning board, but were submitted to the board for approval in December 1959 by the bureau with the understanding that the "stand" would be financed by private funds. The board approval was granted for this project in March 1960.

In the meantime, the civic organization that had promised to finance this project decided that such activities were beyond the scope of their established purposes and programs. The cost of the project was estimated to be \$10,000. The Legislature was then requested to and did appropriate this amount for the construction of the vending stand. The legislative Counsel reports, however, that this appropriation was for a vending stand in a public building and that the Legislature did not understand that a building was to be constructed.

The next event was the call for bids for the construction of a vending stand by the Bureau of Services to the Blind. When the bids were opened, the bureau discovered that all bids were higher than the amount available from the legislative appropriation and requested the Board of Examiners to grant additional amounts from the state emergency fund. Although the Legislature usually responds favorably to requests for aid to blind persons, legislative intent in appropriating funds for emergency purposes, in general, does not contemplate that the need for additional funds for the construction of a vending stand to be operated by blind persons constitutes an emergency.

State law provides that the State Planning Board shall call for bids, let contracts, and build all state buildings for which there is a legislative appropriation. The Legislative Counsel states that it is a violation of law for any other agency to perform these functions, and he requested an explanation of the circumstances. The board members explained that they did not know that a vending stand was a building until after the contract had been let by the bureau.

State law also provides that all state buildings belong to the State of Nevada and shall be supervised and managed by the Department of Buildings and Grounds. This strange sequence of events ends, at this point, with one state agency in control of a building which is a vending stand under the control and supervision of another state agency.

#### Security--Opportunity--Hope

Security by means of assistance in provision for budgetary needs of blind individuals--Opportunity for self-improvement and self-support through the use of special services--Hope for useful and normal living experience, in spite of serious impairment or loss of vision, are the objectives of the Nevada welfare programs and services for blind persons. The means of accomplishing these objectives are the laws establishing these programs and services as governmental functions; the organizational structure established by law or under authorization granted by law for the administration of these functions; and the administrative procedures and activities for performance of these functions. Such means should be examined periodically to determine the extent of accomplishment and the need for changes due to changing circumstances.

One of the current circumstantial developments which has important effects on the assistance and service programs for the blind is the liberalization of provisions for aid to the blind made by the 1960 amendments to the Social Security Act. The new provisions for the disregard of the first \$85 per month of earned income plus half of the earned income per month in excess of \$85 in the determination of the amount to be paid to recipients of aid to the blind may be expected to result in increased program costs under existing provisions of state law, and an increase in the demand for services to enable blind individuals to become more self-supporting.

The effect of the change in the method of computing aid to the blind which became effective October 1, 1960, pursuant to the provisions of NRS 426.430 may be illustrated by using an example of an applicant for aid to the blind having a net earned income of \$200 per month. Prior to October 1, 1960, the welfare department would compute the actual budget needs of the applicant, disregard the first \$50 of earned income, and apply the balance as an offset against needs. In this case, the balance of \$150 would exceed the presumed need and would not be eligible for assistance unless the actual needs were more than \$150.

Beginning October 1, 1960, an applicant having earned income of \$200 per month with an actual or presumed need of \$100 would be eligible for aid to the blind assistance. The amount now required by law to be disregarded would be \$140 instead of the previous \$50. This amount is determined by application of the formula for exemption of the first \$85 plus  $\frac{1}{2}$  of the \$115 in excess of \$85, which is \$55. Deducting the exempt income of \$140 from the total earned income of \$200 leaves a balance of \$60 to meet the budgeted needs of \$100. Such an applicant, therefore, would be eligible for an aid to the blind payment of \$40 per month.

Eligibility for assistance payments, therefore, has been extended to include individuals with earnings of approximately \$150 or more per month. Recipients with earned income in excess of \$50 per month receive an increase in the amount of the assistance payment. The amount of the increased program costs depends upon the number of recipients with net earned income of more than \$50 per month and the amount of income.

The new exemption for higher amounts of income to be retained by an aid recipient may be expected to increase the demand for rehabilitation services for qualified blind persons to increase their earning capacity. Such services in the past have enabled blind individuals to be self-supporting and independent of the need for public assistance. The increased exemption for earned income is an incentive for aid recipients to use available services to enlarge their opportunities for self-support, but increased earning capacity will not necessarily result in ineligibility for or reduction in the amount of assistance payments.

The prospect of increased demands for vocational rehabilitation services focuses attention on the existence of two vocational rehabilitation programs in the State of Nevada. Vocational rehabilitation services for the blind were and can be performed by the vocational rehabilitation division of the education department along with their assigned duties of providing such services for other types of physical impairment

based on the established principle that most physically impaired persons can work efficiently if they are adequately prepared for jobs that are suited to their physical condition, aptitudes, and interests. The services provided by this agency include: (1) vocational counseling to enable the applicant to determine a suitable employment objective, (2) supervised vocational training, (3) job placement, and (4) financial assistance, if required, to meet the costs of remedial treatment and special job training requirements.

The duplication of these services for blind persons as a separate group is based on the philosophy that blind persons have special needs and problems. This philosophy is reflected in the legislative provisions authorizing administrative rules and regulations to be made by the bureau of services to the blind in NRS 426.550, which provides that: "Such rules and regulations shall recognize that the needs and problems of blind persons are special to them and may differ materially from the needs and problems of other persons."

This philosophy is contrary to the contention epitomized by the consensus of blind persons that blindness means impairment or loss of sight, not loss of ability--they have the same ability to respond to rehabilitation training as any other person. Blind persons, however, want and deserve the best vocational rehabilitation services available.

The existence of two vocational rehabilitation services in the State of Nevada appears to be an unnecessary luxury, especially when one is equipped and experienced in administering such services, including vocational rehabilitation services for the blind. The transfer of the vocational rehabilitation services back to the education department would provide an opportunity to improve the organizational and administrative responsibility of the welfare department for both the aid and service programs for the blind. Such programs should be coordinated under one administrative unit.

The establishment of a separate bureau of services to the blind by statutory provisions impairs and to some extent nullifies the provision in NRS 422.210 for the administrative responsibility of the director to establish, consolidate and abolish divisions within the department and to organize the department for efficient performance of its assigned functions. This authorization for organization or reorganization, however, should be subject to the approval of the Governor since organization plans should be reviewed by the central budget staff.



## CHAPTER VIII

### AID TO DEPENDENT CHILDREN

The Nevada Aid to Dependent Children (ADC) program, enacted in 1955, was preceded by legislation enacted in 1915 to provide a "mother's pension." This legislation provided for a pension for a mother and children under the age of 15 years ranging from \$25 to \$55 per month, depending upon the number of children. Changes adopted in 1921 raised the age of eligible children to 16 and increased the maximum monthly payment to \$75.

Assistance for dependent children under the mother's pension system was supplemented by child welfare services pursuant to the provisions of Title V of the Social Security Act in 1936, prior to the creation of the State Welfare Department in 1937. Child welfare programs differ from assistance programs in that such programs primarily are oriented to welfare services rather than financial assistance. Such programs, including services to children in their own homes, foster home care, adoption services, and services to unmarried mothers and their children are discussed in other parts of this report.

Chapter 425 NRS, Aid to Dependent Children, was added by Chapter 409, Statutes of Nevada 1955, based upon findings and recommendations of the Governor's Study Committee on Aid to Dependent Children. This study committee, composed of representatives of 25 state-wide organizations and public agencies, estimated that 1425 Nevada children were potentially eligible to receive assistance from an ADC program. Approximately two-thirds of those potentially eligible were receiving some type of public assistance averaging \$13 per month per child.

The minimum amounts to be paid under the ADC program as provided by NRS 425.100 are \$30 per month for the adult caretaker, \$30 for the first dependent child, and \$21 per month for each additional child. This amounts to an average of \$27 per month for a family consisting of one adult and two children. The data in Table 8 show that the minimum average payment has also been the maximum with slight exceptions since the ADC program was inaugurated in 1955.

Table 8

Average Number of Aid to Dependent Children  
Recipients, Total Payments, and Average Monthly  
Payment: Fiscal Years 1955-56 to 1959-60  
Inclusive

Year ending June 30	Persons* (Yr. Av.)	Assistance Payments	
		Total	Average per Month
1956	1130	\$ 336,987	\$24.86
1957	1964	625,773	26.80
1958	2523	814,284	27.17
1959	3182	1,028,435	27.16
1960	3607	1,164,001	26.88

Source: Nevada State Welfare Department.

\*Number of children and adult caretakers.

ADC, the most recently adopted state public assistance program, shows a rapid increase since its start in 1955. The average number of persons per year receiving ADC assistance has increased more than threefold and the assistance payments for this program have increased from 13 percent of the total state assistance for the OAA, AB, and ADC programs for the 1955-56 fiscal year to 34 percent of the total for the 1959-60 fiscal year.

The average payment of approximately \$27 per month per person, however, has not increased and meets approximately 60 percent of the budgeted needs of the recipients. The average payment of \$64.14 per month per OAA recipients and \$91.80 per month per AB recipient meet most or, as in AB cases, all of the actual needs of such needy persons. In addition, the OAA and AB programs provide additional amounts for medical and remedial care which are not provided for in the ADC program.

### ADC Objectives and Purposes

The objectives and purposes of the provisions of Chapter 425 NRS continue to be the same as provided in the Aid to Dependent Children Act of 1955 except for slight changes made in the definition of a dependent child in 1957 and 1960. NRS 425.020 provides that the objectives and purposes of the provisions of Chapter 425 NRS are to provide assistance for dependent children and to keep children in their own homes wherever possible. A dependent child is defined in NRS 425.030 (5) as amended:

"Dependent child" means a needy child under the age of 16 years, or under the age of 18 years if found by the department to be regularly attending school, and obtaining a passing grade in his studies, who has been deprived of parental support or care by reason of the death, continued absence from the home or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew or niece, in a place of residence maintained by one or more such relatives as his or their own home.

In other words, ADC assistance is available to an eligible needy child under 16 or 18 who has been deprived of parental support or care by reason of (1) death, (2) continued absence from home, or (3) physical or mental incapacity of a parent provided such needy child is living with a parent or relative. Since ADC assistance is designed to enable needy children to live in their own homes, such assistance is not available to needy children residing in foster homes or group care facilities. Assistance, as defined in NRS 425.030 (2) means money payments with respect to a dependent child, parent or relative caring for such dependent child.

Data compiled by the State Welfare Department indicate reasons for opening 323 new ADC cases during the first six months show that 43, or 14 percent of the total new cases, were due to the death, incapacity or imprisonment of a parent; 85, or 26 percent of the total, were due to desertion; and 195, or 60 percent of the total, were due to unemployment or depleted resources of the parent or adult caretaker. The characteristics of needs of ADC families due to the status of the father as of December 1958 are shown in Table 9.

Table 9  
Characteristics of ADC Families by Status  
of Father: December 1958

<u>Status of Father</u>	<u>No. of Children</u>	<u>Percent of Total</u>
TOTAL	<u>2,450</u>	<u>100.0</u>
Death	210	8.6
Incapacitated	217	8.9
Other	13	.5
Absence from home (total)	<u>2,010</u>	<u>82.0</u>
Divorced or legally separated	491	20.0
Voluntary separation	382	15.6
Desertion	482	19.7
Not married to mother	533	21.8
Imprisoned	77	3.1
Other absence	45	1.8

Source: Nevada State Welfare Department: from data cited in Report on Nevada State Welfare Programs, Nevada Taxpayers Association, December 1959, p. 55.

These data show that the largest number of children in this classification of ADC family characteristics are those with unwed mothers. Divorced and deserted mothers are approximately equal causes of ADC need. Other characteristics of ADC families surveyed in December 1958 show geographic distribution and race of a total of 953 families. Two-thirds of the total reside in Clark, Elko and Washoe counties, with 40 percent of the total in Clark, 9 percent in Elko, and 18 percent in Washoe. The data for racial characteristics show that 38 percent of the total are white, 32 percent negro, and 29 percent Indian. These percentages of the total, however, are not the same for all counties. In Clark County, more than two-thirds of the ADC families are negro, and 29 percent Indian. In Elko County, three-fourths of the ADC families were Indian and a little over one-fifth white. In Washoe County, one-half were white and approximately one-third Indian.

Nevada experience in the administration of the ADC program during the past five years has indentified specific problems related to the family characteristics discussed above. These problems are primarily related to behavior of certain ADC clients or to the failure of parents to support and care for their children. Unacceptable behavior includes illegitimacy and failure to use assistance payments on behalf of the children.

There are no complete answers to these problems. The answers which show most promise are related to stronger program administration rather than legislation other than program support by means of adequate appropriations. Attempts to legislate against unacceptable behavior frequently have created more problems than they have solved. Some methods of good program administration which provide partial solutions to these problems are discussed in the following sections.

## Illegitimacy

The problem of illegitimacy is not unique to Nevada, nor is it confined to public assistance clients. Recent studies of ADC families in California (ANC) show that 61,000 of 210,000 ANC children are illegitimate. National studies indicate that the growth in illegitimacy is general and not confined to individuals receiving aid from welfare programs. Nevertheless, it is not surprising to find that illegitimacy is a serious ADC problem, considering conditions of poor home environment, lack of education, economic deprivation, and other factors that lead to dependency.

Certain ethnic and racial groups present special problems because of cultural and moral standards that differ from those commonly accepted in the usual American community. Constructive dealing with individual problems requires intimate knowledge of the background of the groups. Many leaders of such groups are concerned with finding solutions. The assistance of qualified leaders should be solicited and their services utilized in the development of plans by the welfare department to meet the needs of individual members of these special groups.

In some cases, the mothers are mentally ill or emotionally disturbed and require remedial care of special treatment facilities. Other cases present serious mental deficiency conditions which require protective custody of the mother, child or children, or both.

Illegitimacy is a matter of concern to the community and requires the attention of welfare agencies, religious groups, schools and other community agencies. Casework activities of the ADC program can identify problems and behavior conditions that affect the interests of the children and are susceptible of correction through counseling, social services, mental care programs, and other community resources. Welfare agencies also have a responsibility to act to protect the well-being of children when adult behavior is such as to threaten the moral environment of the home. Stockpiling of ADC families may be expected to continue if the best casework service available is not used to assist families to develop their potentiality for self-support and surmount the barriers of illegitimacy which confront them.

## Mis-use of Funds

Some adult payees in ADC families do not use the assistance payments on behalf of the children in a constructive manner which benefits the children for which the assistance is provided. In various instances, the adult recipient may spend these funds in a manner detrimental to the welfare of the children. Others bring criticism on the ADC program because they fail to pay their debts. (The reverse of this situation was found in one case where a good credit record and prompt payment of bills indicated undisclosed resources and resulted in termination until eligibility could be established.)

The problems behind money mismanagement vary with the individuals involved. Each case requires its own analysis and action to find solutions as no pat answers are available that apply across the board. Mis-use of funds can sometimes be traced to conditions of low mentality, lack of education, severe emotional problems or mental illness, or excessive use of alcohol. Such conditions are often present in various combinations.



The welfare department has a responsibility to assess how each ADC family uses its funds. Such assessment is a necessary part of services to prevent hardship and protect the children in ADC families. One of the questions asked when a member of the welfare study staff visited the district welfare offices was: "What do you do when you receive a report that a family receiving ADC assistance is not using the payments in the best interest of the children?" A number of workers said there wasn't anything they could do in view of the federal requirement for cash payments without restriction as to how families should use the money. One worker stated that such reports were considered to be rumors and were disregarded. Another worker replied that the stock answer to such reports was: "What do you want me to do--play detective?"

Although the federal requirements for cash payments without restriction as to how the money is used are quite strict, corrective measures can be employed to assure the use of the payments on behalf of the children, which is the object and purpose of such assistance. Some individuals will respond to such casework services as counseling and guidance. Community resources such as home economists and nutritionists may be used for individual or group instruction and training. In some instances, the solution may be to make assistance payments on a weekly or by-weekly basis. Even so, some situations present conditions where such services and persuasion alone will not be adequate. Direct action must then be taken to protect the children.

The State Welfare Department should explore methods of controlling payments, when necessary, on a selective case basis which, of course, must conform to federal requirements. Determination of the proper procedure to be used is not an easy process. The easiest way to solve these and other difficult problems, of course, is to terminate the ADC program and place such needy persons on direct relief, although such relief would not have the benefit of federal grants-in-aid and would not provide needed family services.

In exploring methods of controlling the mis-use of assistance payments, the State Welfare Department will have the benefit of the experience of other states. California, for example, has had a provision in its aid to needy children laws for the payment in aid in kind, wholly or in part, in cases where it is determined that there is mismanagement of aid payments in cash by the recipient since 1951. Such aid is granted under rules and regulations of the California State Board of Social Welfare and is paid without federal participation in the cost when such participation is prohibited by law or regulation.

A study of ANC operations made by the California State Department of Social Welfare showed that there were more families who were unable to manage assistance payments and other income properly than was reflected by the number of families for whom controlled payments were being made. This study shows that controlled payments are indicated for seven times the number for which controlled payments are made and that several hundred other families need other kinds of help in money management. One of the results of this study was the adoption of rules and regulations, effective July 1, 1960, to provide for more and improved use of the controlled payment laws; and to integrate the administrative procedures

for the operation of this program with the federal requirements which the board and the department found to be a difficult but not unsurmountable process.

### Parental Responsibility

The Nevada Aid to Dependent Children Act is relatively silent on the subject of parental responsibility for the care and support of dependent children. NRS 425.150 provides that the welfare department shall immediately notify the district attorney of the county (Indian Agency when appropriate) whenever assistance has been granted to a dependent child who has been deserted or abandoned by a parent. The relative responsibilities of the welfare department and the district attorney to secure support payments from the absent parent, however, are not specified.

Welfare agencies have a responsibility for keeping those not in need off the assistance rolls and also have a responsibility for initiating action against persons who fail to support their families or who engage in activities that result in payment of unwarranted assistance. Some additional legislation is required to assist the welfare department in the performance of these responsibilities.

One criticism of the Nevada ADC program is that it fails to require support from financially able stepfathers for the care of his stepchildren receiving ADC assistance. Some of the other states do have legal provisions for such support. California for example provides that a stepfather is bound to support, if able to do so, his wife's children if the lack of such support results in eligibility for assistance. Such liability for support, however, is limited to the amount of the wife's community property interest in his income.

Other situations related to eligibility requirements require investigation. Such investigation is necessary for a variety of reasons such as:

- Failure to disclose real or personal property assets;
- Failure to report earnings from employment or other income;
- Failure of fathers to support children or to comply with court orders or agreements providing for child support;
- Failure of ADC mothers to report changes affecting eligibility such as a child leaving home or return of an absent father; or
- Establishment of common law relationships involving contributions for support which are not reported.

The public welfare worker assigned to the case can identify some of these situations or have reason to suspect that such situations exist. Further detailed investigation may be required to verify what appear to be discrepancies or confirm suspicions. If legal action is indicated, conclusive evidence must be obtained to warrant prosecution.

Locating absent fathers is a particularly pertinent problem which requires skilled investigative procedures as well as some legal knowledge. Such investigation may be made by qualified investigators employed by either the welfare agency or the district attorney. Public welfare workers do not have either the time or skills to make special investigations which

may be required. Judged by the experience of other jurisdictions, the Nevada welfare program is of sufficient value to justify special investigation services.

### Self-support

Emphasis upon technical eligibility requirements and payment of aid ignores the great potential for helping individuals regain self-support and self-respect. Many ADC families need to rely on this program only as temporary help and are able to work out their own problems and become entirely self-supporting. Others are motivated toward self-support but require expert help to achieve this objective.

The purpose of the Nevada ADC program to keep dependent children in their own homes does not necessarily mean that mothers should not work but remain at home to care for and supervise their children. In fact, the amounts appropriated for this program do not always meet the minimum requirements and leave large amounts of unmet needs which force the mother to work out other child-care arrangements and to work whether they want to or not. Many mothers can and should work even if assistance payments were increased, since self-support or partial self-support has positive values for the whole family.

Although many ADC families need long-term aid because of the severity of their problems, ADC should be regarded as a temporary means of helping families until they can use or develop resources to help themselves. The best welfare program is the one that tries to get itself out of business by helping solve the problems for which it was created.

Opportunity for employment has a direct relationship with the size of the ADC caseload. The study of the California needy children program by the California State Department of Social Welfare shows that availability of employment is the most important single factor affecting the size of the caseload. This study shows that there is sufficient opportunity for mothers to obtain employment and work for unskilled fathers to enable them to contribute to the support of their children when the level of unemployment is less than 4 percent of the working force. When the level of unemployment is above 4 percent, the caseload increases.

Skilled services are required to enable unskilled adults and older children to obtain self-sufficiency and independence. This process starts with the public welfare worker who can assess the possibilities toward self-support of each member of the family and use the available resources of the community to achieve the desired objectives. Such resources include the Vocational Rehabilitation Division of the state education department and the state employment service.

The State Welfare Department reached a working agreement with these agencies June 1, 1958, to coordinate the services given by these agencies to welfare clients. This agreement stressed the "team approach" and the use of a variety of skilled services to enlarge the opportunity for self-supporting employment.

Some specialized units have been organized in welfare departments to assist individuals with employment and self-support problems. Such units do not need to duplicate services of other public and private agencies but can fill in the gaps and provide some services that other agencies are unable to perform. Such special services related to employment and self-support, in some respects, are similar to the special services provided by the field-worker counselor to "ameliorate the condition of the blind."

Placement in full-time work results in substantial savings in public assistance costs. The values of rehabilitating people so they may contribute to the economy and maintain their self-respect and place in the community are equally or perhaps more important than the reduction in program costs.

## CHAPTER IX

### PUBLIC ASSISTANCE AND FAMILY SERVICE

The stimulation of federal aid for specific classifications of needy persons results in a tendency to regard programs established under the provisions of the Social Security Act as separate and complete welfare programs. This tendency leads to an unfortunate segregation of activity and separation of programs and services which should have common aims and objectives. This is most noticeable in welfare programs for children.

The ADC program, discussed in the preceding chapter, concerns itself with assistance for children in their own homes who are deprived of parental support by reason of death, desertion, imprisonment or incapacity. A needy family is not considered eligible for ADC assistance until specific circumstances of deprivation are determined. County general relief, currently, must meet the immediate needs. The time for the most constructive work for helping resolve the problems that make these families dependent, however, is apt to be at the time of the first contact.

Dependency is also frequently no less if the father is in the home and able-bodied but temporarily unable to provide for his family because of unemployment or other reason. In fact, the requirement that he be absent in order for the family to qualify for ADC assistance may contribute to family break-up by encouraging him to desert so that the family will not go hungry.

If the children must be removed from the home, the family is no longer eligible for ADC and a different source of funds, state and county, is used to pay the cost of other child care facilities. The return of children to their home may reopen the ADC case. When children are removed from the home and ADC is terminated, the welfare department responsibility under the ADC program is also terminated and no one appears to be working with these parents so that home conditions can be improved and the children returned as soon as possible.

Provision for housekeeper services might avoid the necessity for removal from their homes. Such services require additional funds but would save both state and county funds to the extent that such services avoid the more expensive and less desirable use of foster home or institutional care.

Additional funds should also be provided to meet unusual and special needs of particular families that cannot be financed out of the basic ADC grant. Provision for meeting these needs is desirable to alleviate distress, strengthen the family unit, or avoid family breakdown. Occasionally, funds for such purposes may be obtained from other agencies. This, however, involves duplication in administration and casework and may not be feasible because of different standards for eligibility, including residence.

## Coordination

A coordinated program for children and their families is possible only by centering total responsibility for family services in the State Welfare Department. Since ADC is the basic program for families and children, the purpose of this program as stated in NRS 425.030 should be broadened to make this a family service program. A re-statement of objects and purposes of this program to add emphasis on services to help families and to protect children from adverse conditions should be made along the following lines:

1. To meet the social and economic needs of dependent children and to provide them with a reasonable opportunity to grow and develop in a secure and healthful environment in order that they may become, upon reaching adulthood, responsible and contributing members of society;
2. That the employment and self-maintenance of parents of needy children be encouraged to the maximum extent and that the program shall be administered in such a way that needy children and their parents will be encouraged to assist in their own maintenance; and
3. Parents are expected to provide a home environment which is conducive to the proper physical and emotional development of their children, and the welfare department has the responsibility for evaluating home conditions and for taking appropriate corrective or protective measures in behalf of the children.

Additional statutory provisions could be enacted by the Legislature to implement such suggested purposes. The current emphasis on financial assistance, for example, could be supplemented by provisions clarifying legislative intent with respect to parental responsibility such as the proposed legislation in California which would add new statutory provisions under the title "Parental Responsibility and its Enforcement." The purpose of this proposed legislation is set forth in the first section of the preliminary draft which states, in part, that:

The financial assistance provided by this chapter is to supplement the income and resources of families and children qualified to receive aid under this chapter. Funds provided are not intended to be a complete and permanent substitute for parental responsibility.

Parents are expected to use the resources of the program, including the financial assistance and services deemed to be appropriate, as support to a basic plan designed to achieve their maximum potential as parents. They are expected to undertake, upon their own initiative and jointly with the . . . welfare department, any reasonable and feasible activities which will increase their ability to meet the social and economic needs of the family independently.

The Legislature should also supplement the administrative functions enumerated in NRS 425.040 by direct provision for factors relating to the general content of the program such as:

1. The department shall make every effort to keep children in the homes and under the responsible care of parents or other related adults whenever possible and provide the best possible out-of-home care for those children for whom care with parents is not feasible, practical or constructive;
2. The department shall make available to all families who require them, professional, corrective, and preventive services and assistance which will increase the ability of the family as a whole and the individual members to handle their problems independently;
3. Emphasis of the department shall be given to activities designed to prevent dependency and to rehabilitate and restore the capacity of the individual to provide for himself and his family; and
4. The department shall move to secure appropriate court action to protect children if, after a reasonable period of time, improvement in the home environment is not achieved because of the failure of the parents or relatives to show the ability or desire to make the necessary improvements.

The expansion and re-focus suggested above cannot be accomplished without adequate support to enable the welfare department to employ sufficient numbers of qualified staff to perform these functions. ADC programs can be administered with a minimum of staff if the objectives are limited to determining eligibility and payment of aid. This is short-sighted and expensive administration.

The major costs of an ADC program are in the assistance payments. As discussed in Chapter IV of this report, adequate casework services reduce the overall costs of the program, whereas administrative activities limited to eligibility determination result in higher expenditures for assistance.

Broadening the scope of services to children and families cannot be achieved overnight. Such a program places a premium on good administration. The services that it entails are difficult and complex; but such services are what the community expects. This program demands not only good organization but the kind of administration that has initiative and imagination.





## CHAPTER X

### CARE OF NEGLECTED CHILDREN

The discussion in the preceding chapter suggested that the ADC program should be enlarged to provide family services, including concern for placement of children outside their own homes if necessary. Placement of neglected and dependent children should be closely integrated with the ADC program since one objective of that program is to provide services within the home that will prevent or make placement outside the home unnecessary. Where placement is necessary, strong efforts should continue through services to the family to enable children to return home as soon as possible.

A comprehensive child welfare service program requires clarification of function and responsibility of administrative and judicial agencies. Legislation should be enacted which clearly defines child welfare services and centers administrative services for dependent and neglected children in the welfare department.

Some states, such as Nevada, which are in the process of developing public child welfare services have provisions whereby the district or juvenile courts provide some direct child welfare services in addition to their judicial function and their probation and detention responsibility. Several national organizations, including the United States Children's Bureau, the American Public Welfare Association, the National Probation and Parole Association, and the National Association of Judges of Juvenile Courts, have devoted years of effort working toward sound public policy on how the job of the courts and welfare departments differ.

The report of the Child Welfare League of America, Inc., to the Nevada State Welfare Board, April 1959, Part II, "Some Essentials for Public Child Welfare Services," reports that the findings of these organizations are in essential agreement on the following:

- (1) Direct care services, such as casework services and child placing, should be administered by public welfare departments, with the exception of probation, parole and detention services, which should be administered either by the court, or by the public welfare department, depending upon which one is authorized by law and best equipped to administer them in any given state or community.
- (2) The court alone should abridge or terminate parental rights, give legal custody or guardianship of a child to a designated individual or agency, appoint either a guardian of the person, or guardian of the property of a child, whether this guardian be an individual, a voluntary agency, or a public agency. Termination of parental rights, so that a child may be free for adoptive placement, should take place in a court rather than by voluntary surrender to either a private agency or a public agency. The termination of parental rights is such a desperate measure, affecting the child, his

natural parents, and the security of his adoptive parents, that it should be a separate proceeding, and should never come as the consequence of an earlier court order, because of the parents' failure to support or visit. When parental rights have been terminated, so that adoption of the child may be made, the court should not hold the guardianship of the child itself, but should give guardianship to a voluntary agency also authorized to accept guardianship and make adoptive placements.

- (3) Public departments, as administrative agencies, should be able to provide service on voluntary agreements with parents, without court commitment, as well as to accept children committed to them by the courts. In simple dependency situations, there is no advantage, indeed there is disadvantage, in parents and children going through the courts. On the other hand, when a situation is such that the administrative agency needs the authority of the court in order to protect a child from abuse or neglect, to remove a child from a mentally ill parent who wants and loves the child but is incapable of caring for him, then the court's authority and support are indispensable to good child care. There is no more reason why a child in need of the care of a state institution for dependent children should be committed by court action to this institution than in any other simple dependency situation. The determination of the kind of service which will meet a child's needs should be made by a casework agency in the local community, and on this basis the child should enter either a family boarding home or a state institution, according to his needs, but not on the basis of a commitment.

Removal of a child from his own home is a judicial function properly reserved to the courts. Such action is often necessary due to neglect or other conditions that make a home unfit for a child. Children who must be placed outside their own homes due to dependency or neglect, however, should have the services of a welfare agency because of the nature of the problems inherent in the need for action to remove them. NRS 62.310 provides that the juvenile court, in carrying out the provisions of the Juvenile Court Act, may utilize the services and facilities of the state welfare department relative to the care of dependent and neglected children who are under the jurisdiction of the court.

Chapter 432 NRS was added by Chapter 173, Statutes of Nevada 1960, to authorize the welfare department to provide maintenance and special services for dependent and neglected children. Counties are authorized to pay one-third of the maintenance costs of children placed in the custody of the department by court order and placed by the department in foster homes or group care facilities. NRS 432.020 (1) authorizes and empowers the department to provide maintenance and special services to: (a) unmarried mothers and children awaiting adoptive placement; (b) handicapped children who are receiving specialized care, training

or education; and (c) children who are placed by court order in the custody of the department, and who are placed in foster homes or group care facilities.

The welfare department is also empowered and directed by the provisions of NRS 422.270 to administer all state welfare programs including child services, provide services and care to children, and receive any child for placement and provide for their care directly or through agents. The department, therefore, may and does have custody of children for placement in foster homes under voluntary agreement with the child's parents or guardians in addition to custody conferred by court order.

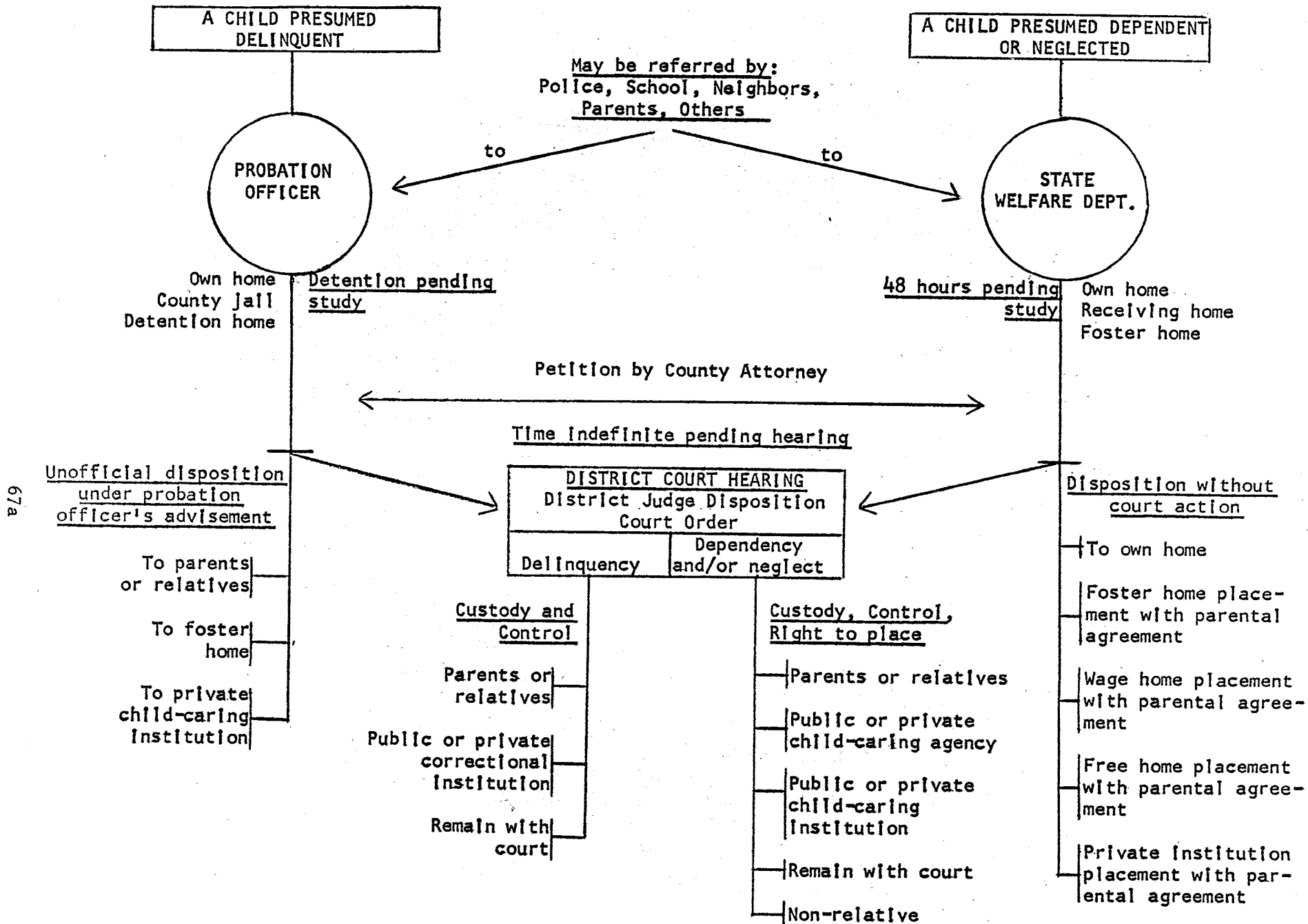
Chapter 432 NRS, Public Child Welfare and Youth Services, started out as a bill to clarify the responsibility of the welfare department for the administration of various types of child welfare services and ended up as a much shorter version of the more comprehensive original proposal. This raised a question as to whether or not the specific provisions of NRS 432.020 (1) limited the services and care of children otherwise in the custody of the department. The Attorney General's Opinion No. 153, dated April 15, 1960, said in effect that the provisions of Chapter 432 do not prohibit the continuation of other child care activities performed by the welfare department. These and other questions as to the responsibility of the department for providing child care services, however, are of sufficient importance to warrant amendments to Chapter 432 NRS and other statutory provisions to clarify departmental responsibility.

It is apparent, therefore, that the child care services provided by the welfare department result from custody pursuant to court order, other referrals by appropriate law enforcement officials, or voluntary agreements entered into by the department and other persons or agencies. This procedure is outlined in chart form as shown in the diagram on the following page.

Adequate child welfare services require the initial referral of cases involving child care to be made to the welfare department. The principal objective of such procedure is to keep the children and parents together until it is quite clear, through a sound diagnostic study, that children should be removed from their homes, either temporarily or permanently. Any determination that a child should be removed from his home prior to such diagnostic analysis and casework services may be a disservice to the child, the family, and the community. It is very important, however, that when the court is involved and has ordered a child referred to the department for diagnosis and care, that the court be kept informed of the child's progress at points where the court order, as originally issued, should be modified.

The addition of NRS 62.310 to the provisions of the Juvenile Court Act supplements the services available to the court by probation departments. Probation services for the care of dependent and neglected children are not uniform throughout the state. Clark and Mineral counties are the only ones with detention homes although the new Washoe County facility is expected to be in operation by January, 1961.

The Clark County detention home was the only facility available for the emergency care of dependent and neglected children until the enactment of Chapter 432 NRS authorizing to law enforcement officers to refer emergency



care cases to the State Welfare Department and to provide for county participation in the maintenance costs of children placed in foster homes or group care facilities. The county and the state now have an agreement whereby the State Welfare Department provides such services pursuant to the provision of Chapter 432 NRS. The department plans to extend such services to other counties who wish to participate in this program.

Since Washoe County had no detention facilities, arrangements were made with the county welfare department for emergency care cases. This department provides for such care in subsidized foster homes.

#### Recommendations Relating to Chapter 62, NRS

##### 1. Add NRS 62.131

The State Welfare Director may file a petition directly with the Juvenile Court requesting that a child be made a ward of the court whenever it appears to the Director that a child comes within the provisions of subparagraph (a) (1) of Section 62.040.

Explanation: This will specifically authorize the Director to file petitions with the Juvenile Court. This authority is limited to cases of dependency and neglect. This is intended to permit direct petition to the court without clearance through the probation department as now required by 62.130 - 2(a). We are then placing on equal status the State Welfare Department with the Probation Department. But Welfare will not duplicate Probation because their function is limited to dependent and neglected children, while Probation should deal with delinquent children.

##### 2. Add NRS 62.170.1

In any case in which the Juvenile Court has jurisdiction over a child because he comes within the provisions of subparagraph (a) (1) of NRS 62.040, the court, if it concludes that a disposition of the case in the best interest of the child requires observation and diagnosis, may order that such child be placed temporarily with the State Welfare Director to be placed in a suitable home for a period not to exceed 90 days with the further provision in such order that the Director report to the court his diagnosis and recommendation concerning the child within the 90 day period. The Director shall, within 90 days, cause the minor to be observed and examined and shall forward to the court his diagnosis and recommendation concerning such minor's future care, supervision, and treatment.

##### NRS 62.170.2

In any case in which the Juvenile Court has jurisdiction over a child because he comes within the provisions of subparagraph (a) (1) of NRS 62.040, the court may direct the State Welfare Director to make social studies, reports, and recommendations on such child and his home environment.

Explanation: These two sections are intended to make available child welfare specialists to the Juvenile Court to assist the court in determining the best disposition of neglect and dependent cases.

3. Add to NRS 62.200.1

(d) Place the child with the State Welfare Director who shall place the child in a suitable foster family home, licensed to receive and care for children, or in a group care facility. When the court makes such an order, the State Welfare Director shall have direct access to the court in all matters pertaining to the welfare of the child so placed and shall make reports to the court in such matters as the court may require.

(e) Place the child in his own home and direct the State Welfare Director to provide protective supervision for the child.

Explanation: This adds two additional dispositions the court may make of cases. Item (d) is already authorized indirectly by NRS 432.020.1 (c). Item (e) authorizes child welfare services to be extended. This makes it clear that a child may be placed with the State Department. The Department makes the decision on the suitable home. It is assumed that NRS 62.200 - 1(b) authorizes commitment to a facility such as the Nevada School of Industry. Placement by Welfare will be only for dependent and neglected children.

4. Amend NRS 62.230, paragraph 3

3. When the court shall order the parent or parents of a child to pay for the support of a child, as herein provided, the same shall be paid to the superintendent or fiscal officer of the institution to which the child is committed or to the State Welfare Department when the child is placed with the State Director of Welfare.

Explanation: NRS 432.040 authorized funds to be appropriated to the State Department of Welfare with county and federal sharing for care and services. Therefore provision is otherwise made by law for support when children are placed with the Department, and the county does not bear full cost.

Recommendations Relating to Chapter 432, NRS

1. Add NRS 432.021

The Department shall investigate complaints of neglect, abuse, or abandonment of children by parents, guardians or custodians in relation to the problem, or bring the situation to the attention of a law-enforcement agency, an appropriate court or another community agency.

**Explanation:** This is a directive to the Department to provide child welfare services to families, regardless of whether they are on public assistance. The service is provided upon complaint. Note that NRS 432.030 will prohibit the Department from providing anything more than casework services.

2. Add NRS 432.022

With respect to children who are in receipt of aid to dependent children, the Department is responsible for the prompt initiation of action to protect the welfare and interests of these children whenever any of the following circumstances is reported or suspected:

- (a) Neglect of a child or the lack of guidance or supervision.
- (b) Diversion of family income to uses inconsistent with or unrelated to appropriate care of the children.
- (c) Exposure or subjection of children to damaging moral or emotional conditions.
- (d) Other instances of parental irresponsibility toward children or their welfare.

**Explanation:** This is a suggestion now being considered in California. It requires action by the Department and authorizes greater supervision of families on ADC. Note (b) which refers to mismanagement of aid funds and (c) unsuitable homes for ADC children.





## CHAPTER XI

### FOSTER HOME AND GROUP CARE

The State of Nevada has always shown concern for its homeless children. Beginning in 1866, appropriations were made for the use of the "Orphan Asylum" conducted by the Catholic Sisters of Charity at Virginia City, where care was available for orphans from all counties in the state. Legislation enacted in 1869 "to provide for the care and maintenance of the indigent orphans of the state" provided for the establishment of the Nevada State Orphan's Home in Carson City.

The intent of the Legislature to establish an institution for orphans was changed in 1873 to include half-orphans. The Legislature defined "dependent children" in 1911 and the services of the Children's Home were extended to include any children legally declared to be dependent or neglected.

Other provisions for the care of dependent and neglected children outside their own homes are of comparatively recent origin. Foster homes have been established as temporary residences for children who do not thrive in group care facilities although group care is needed for children who are not adjusted to foster family situations. Both foster home and group care facilities are treatment resources to be used to meet individual needs and requirements.

The report of the Child Welfare League of America, Inc., to the State Welfare Board in 1959, Part II, lists the following developments which have reduced institutional care for children:

(1) Medical advances since the turn of the century have caused parents to live longer, particularly mothers for whom the maternal death rate has been greatly reduced. The full orphan has virtually disappeared from society and there are not many half-orphans.

(2) A generally better wage and income level exists for all parents who can work. For children whose parents are deceased, or unable to work, there is an economic floor, through Social Security, Veteran's Benefit, ADC, and general assistance. Poverty is no longer a major reason for child placement.

(3) A better understanding of the child's need of family ties, a need as real as the need for food, is resulting in more emphasis upon social service measures to strengthen the family. Among these are marriage counseling, adult and child guidance clinics, and casework services, particularly protective services to strengthen family life and prevent placement.

(4) The development by children's agencies of foster family homes as an alternative to institutional care. In 1933, there were 140,000 children in institutions, but in 1950 only 95,000. During the same interval of time, the children in foster

family homes increased by 60,000. At the present time, about 180,000 children are in foster-family boarding homes.

#### State Children's Home

The Nevada State Children's Home (originally, the Nevada State Orphan's Home) was first housed in a two-story frame structure built in 1870. This building was completely destroyed by fire in 1902 and replaced by the existing stone structure built by prison labor after the fire. The main building is grossly inadequate as well as structurally deficient. This building has been condemned and plans are under way to abandon the building and use cottage type facilities which are now in the first stages of construction.

The affairs of the Children's Home were originally directed by an ex officio board composed of the state treasurer, superintendent of public instruction, and the surveyor general. In 1943, the Legislature placed the administration of the "Orphans' Home" under the control of the State Board of Relief, Work Planning and Pension Control, which was the administrative agency of the State Welfare Department established in 1937.

When the welfare department was reorganized in 1949, the Children's Home was placed in the department. Legislation was enacted two years later which removed the Home from the department but placed it under the control of the State Welfare Board, which is also the policy board for the welfare department.

The provisions of Chapter 423 NRS govern the operations of the Children's Home. NRS 423.030, added in 1951, provides as follows:

1. It is the intent of the legislature that (a) The Nevada state children's home shall become an agency of the state welfare board and shall be on an equal basis and footing with the old-age assistance and child welfare divisions. (b) The superintendent of the Nevada state children's home and the state welfare director shall serve on an equal footing and shall coordinate the work of their departments through the state welfare board.

2. The legislature further expresses its desire that the cooperative efforts of these agencies, by and through the superintendent and the director, shall work to the benefit of the public welfare of the State of Nevada.

NRS 423.040 provides that the State Welfare Board shall be the policy making board of the home and shall meet not less than four times a year with the superintendent to discuss operational problems of the home. The board is directed by NRS 423.050 to select a superintendent and matron. Admission to the Children's Home is by commitment by a district court.

The provisions of NRS 423.030, showing legislative intent to establish on an equal footing with the old-age assistance and child welfare divisions of the welfare department were enacted prior to the enactment of the ADC program and before any serious attempts were made by the welfare board and the department to develop a comprehensive child welfare program. At that time, the Children's Home was practically the only facility available for

the care of dependent children, or as a matter of fact, practically the only child welfare program in the state other than the assistance furnished under the mother's pension system.

As discussed in the preceding chapters, a comprehensive child welfare program should center the responsibility for child care services in the welfare department. Such centralization of responsibility would not be complete without placing the Children's Home operations in the welfare department.

Several studies of the Children's Home have been made. The first was made for the State Board of Relief, Work Planning, and Pension Control by Hazel A. Fredericksen in 1946. One of the recommendations of the report of this study--that a case worker be employed on the staff--has been carried out. A cottage plan, also recommended, is now being put into effect. This report further recommended that the place and function of this institution should be determined as a part of a total child care program for the State of Nevada.

The pendulum began to swing from one extreme to another when foster homes were used to meet the needs of some children to better advantage than group care. There was even a strong tendency to assume that foster homes could entirely replace group care facilities. This point of view was reflected in the adoption of Assembly Resolution No. 19 in 1958, which requested the Legislative Commission to direct the Legislative Counsel to investigate, study, and report on the feasibility and advisability of abolishing the Nevada State Children's Home, and causing the children who would otherwise be committed there to be cared for in foster homes.

The Legislative Commission appointed Senator Charles D. Gallagher to conduct the study requested by Assembly Resolution No. 19 with the assistance of the staff of the Legislative Counsel Bureau. Practices of various states were reviewed and information obtained from various sources. A short report was made which states in part that:

There was a general feeling that both the Children's Home and a foster home program would be necessary to properly care for the growing population of this state, and that the two programs should supplement each other.

Witnesses were heard, and all points of this study discussed in detail during a meeting of the Legislative Commission held on November 24, 1958, at which time the members of the Commission were unanimous in their recommendation that the State Children's Home should be continued.

The recent study of the Children's Home by the Child Welfare League of America, Inc., was motivated in part by the November 1958 hearing of the Legislative Commission. The State Welfare Board adopted a policy recommended by the League that group care of infants and preschool children is undesirable and that foster family care best suits their needs. The Board made further study of the operations of the Children's Home and decided that a population study should be made. Arrangements were

made for this study to be made by the Child Welfare League. The report of this study was submitted in two parts. Part I--Report of Population Study--made several recommendations concerning admissions and other operations and recommended that efforts be made to resolve the problems of legal provisions which divide responsibility for children among the Court, Home, and State Welfare Department. Part II--Some Essentials for Public Child Welfare Services--presents a blueprint for a comprehensive state child welfare program.

The findings and recommendations of the current study of state and county welfare administration concur with those of the previous studies. The Nevada State Children's Home has an enviable record of care and training of the children committed to this institution. The people of Carson City are proud to have the Home in the community and welcome the children in the schools and other community activities. Many people of the community are unaware that the State appropriates funds to the school district for the education of the children in the Home. In other words, the Children's Home is regarded as a community facility which they admire and wish to keep.

The findings of this study are that both group and foster home care are compatible treatment resources and that individual needs should be considered in prescribing the proper treatment and care. Responsibility for such decisions should be centralized in the State Welfare Department and the Children's Home operations should be a part of the administrative functions of the department. As the cottage type plan of operation gets underway, consideration should be given to the need for cottages for children with special needs. Expansion of the cottage plan might well include decentralized operations in other parts of the State.

#### Foster Home Care

Foster home care is a child welfare service which provides substitute parents and homes for a specified period of time for children who, for one reason or another, must be temporarily or permanently separated from their natural parents or guardians. Chapter 424 NRS, Foster Homes for Children, provides that the state welfare department shall license foster homes and, in cooperation with the state board of health, shall establish reasonable minimum standards for foster homes and prescribe rules for the regulation of foster homes.

NRS 424.010 provides that: "Any family home in which one or more children under 16 years of age not related by blood, adoption or marriage to the person or persons maintaining the home are received, cared for, and maintained for compensation or otherwise shall be deemed to be a foster home for children." The provisions of Chapter 424 NRS, however, do not apply to homes in which children are placed by their own parents or legal guardians and where the total cost of care is provided by the parents or guardians (NRS 424.090).

The purpose of licensing homes for the care of children is to assure that appropriate standards of care will be available to meet their physical and emotional needs. This is protective service for children who must be placed outside their own homes to safeguard them from exploitation and further harm.

The foster home is not only a place for physical care but a treatment resource in that prescribed standards take into consideration the help that foster parents can provide children placed with them. Foster parents must be selected with care to assure they can provide the security and affection that will help these children as well as proper physical care. The foster parent is to be considered, in a sense, as an extension of the welfare department itself with the foster parents providing services that could not be provided by the staff of the department.

Day care homes are child care facilities available for care of children on a less than twenty-four hour basis, primarily to meet the need for adequate care and supervision of working parents. Day care homes fall within the definition of a foster home in NRS 424.010 if they are conducted in a family home. They are generally exempt from the provisions of Chapter 424 NRS inasmuch as arrangements and costs of service are usually handled by a parent.

There is no justification for exempting from licensing those homes where the parent pays the full cost of care, except of course homes of close relatives. Many parents need to temporarily place their children due to problems that make it impossible for them to continue to provide care. Some may want to "dump" their children to be relieved of responsibility. In either case they, and particularly the children, should be assured that the foster home is adequate both physically and environmentally for the care of the children.

Neither can there be justification for imposing business licenses on foster homes such as is done by some local ordinances. Foster homes are not businesses in the usual sense. They are social institutions for the care of children. Normally the payment for care is just enough, if that, to cover the actual costs involved. Good foster parents are not such because they feel they can make a profit. They are foster parents because they want to help children who need their help.

It is recommended that legislation be enacted to place full responsibility in the State Welfare Department for licensing all homes providing care for children, except those of close relatives, and that no agency or person be authorized to place children in any home that is not licensed, except in the homes of close relatives. Such legislation should authorize the State Welfare Department to approve voluntary social welfare agencies for licensing foster homes for their own use subject to standards established by the State Welfare Department.

Since certain foster homes and day care homes are exempt from the licensing and regulatory provisions of Chapter 424 NRS, some local units of government have found it necessary to adopt licensing ordinances either as business licenses or regulatory measures to fill the gaps in the state law. The cities of Las Vegas, Reno, and Sparks, as well as Washoe County, have adopted such ordinances. Centralization of the licensing function in the State Welfare Department would avoid duplication and provide uniform statewide standards.

Foster homes approved and licensed by the State Welfare Department are exempt from application of any regulatory ordinance enacted by a

county or city according to the Attorney General's Opinion No. 172, dated August 3, 1960. The City of Las Vegas was considering a revision of its ordinances relative to the licensing and regulation of child care facilities and the City Attorney requested the advice of the Attorney General on the question: "Is a 'foster home,' approved and licensed under the provisions of Chapter 424, Nevada Revised Statutes, exempt from licensing and regulatory ordinances enacted by a county or city?" The Attorney General's Opinion answered this question in the affirmative and stated that: "A 'foster home' approved and licensed by the State Welfare Department under the provisions of Chapter 424 Nevada Revised Statutes, is and should be exempt from licensing and regulatory ordinances enacted by a county or municipality, although it may be subjected to payment of an occupational or business license for revenue purposes only, if reasonable, and similarly upon other or like activities."

## CHAPTER XII

### MEDICAL ASSISTANCE AND REMEDIAL CARE

The problems of medical assistance and remedial care associated with public welfare programs are complex and require special study beyond the scope of this report. The discussion of such subjects in this chapter, therefore, aims at pointing up some of the problems as they have appeared at various points of this analysis of state and county welfare administration in Nevada.

Adequate public assistance programs include provision for medical and remedial care for needy persons. As discussed earlier in this report, some of the county and state assistance programs have adequate provisions for such care in some instances and are woefully deficient in others. Part of this problem is due to overlapping of services and responsibility in the administration of the various assistance programs.

#### Emergency Hospital Care

The provision of state law for provisions to be made by the boards of county commissioners for anyone in need of emergency medical and remedial care are specific mandates. The budget requirements for the performance of these functions are unpredictable and may cause a heavy drain on county funds at any given time. Since a number of interstate highways run through Nevada, highway accidents are a particular cause of hospital costs that may have to be paid and are paid from county funds.

This problem has had some consideration by the Legislature and proposals have been made to provide state assistance to the counties, county hospitals, and others in meeting the costs of highway accidents which are not paid by the individuals involved in such accident. Senate Bill No. 194, introduced March 1, 1955, for example, proposed to appropriate \$25,000 for the ensuing biennium from the general appropriation to a "motor vehicle accident fund" to be administered by the state board of health. The purposes of this proposal are indicated in the summary-- "Provide for payment of medical expenses for indigents who have suffered a motor vehicle injury." The provisions of the bill are indicated by the title:

AN ACT providing for the payment of hospitals, doctors, nurses, pharmacists and ambulance operators who supply care to indigent patients who have suffered a motor vehicle injury and who file claims for charges therefor pursuant to this act; defining terms in relation thereto; appropriating funds for a special fund to be known as the motor vehicle accident fund; setting limitations on initial and additional care; requiring registration of participating hospitals and reports of changes in items of registration; providing for the methods of filing claims and requiring monthly reports by hospitals; relating to the auditing and validity of claims; setting forth appeal procedure in cases of rejected claims; providing for the assignment and reassignment of claims in certain instances;

requiring claimant to recover claim in certain instances;  
requiring attorney general to collect from claimants in certain instances; and other matters properly relating thereto.

This proposal is one method of providing indirect relief to the counties for some of the costs of indigent hospital care inasmuch as costs of vendors services paid by the state would not be a charge against county funds. The provisions for vendor payments, however, appear to be unduly cumbersome. This proposal also has somewhat vague provisions for the determination of indigency. Section 3 of the bill provides that:

A person injured by the movement of a motor vehicle is deemed unable to pay the charges for care if it appears that upon due and diligent search and inquiry he, or any other person chargeable by law with his support, cannot be found for service of summons, or that, should an action be brought and judgment secured against him, or against any person chargeable by law with his care of support, for the amount of the charges, execution thereon would be unavailing.

The phrase "if it appears that upon due and diligent search and inquiry" leaves much to be desired. Who is to make such determination? The provisions of NRS 428.090 for medical assistance to be provided by the boards of county commissioners are much more specific. Eligibility for medical assistance provided pursuant to these provisions is determined by the county commissioners.

If the objective of such proposals is to relieve the counties of such costs, a more simplified approach would be appropriations to counties as grants-in-aid or refunds for expenses incurred by the counties. Administrative rules and regulations could then specify the procedures to be followed, including safeguards for the expenditure of state funds for the purposes intended. Since this would be a public assistance program, the logical administrative agency would appear to be the State Welfare Department.

#### Aid to Permanently and Totally Disabled

Another assistance program which has not been adopted by the State of Nevada is aid to the permanently and totally disabled, for which federal grants are available pursuant to the provisions of the 1950 amendments to the Social Security Act. There is not much reliable information readily available at this time to indicate the costs or benefits which might accrue from the adoption of this assistance program.

In January 1953, the State Welfare Board estimated that if a program for Aid to Permanently and Totally Disabled were established that there would be 136 individuals immediately eligible and that within a two-year period there would be 180 individuals aided under the program.

Any estimate of caseload depends upon the definition to be used for disability for eligibility purposes. In general, it would be found that persons who could qualify under this aid category would also be eligible for aid under either General Relief, county hospitalization, or in some instances another Federal-State assistance category. Generally where this program has been established, it has been built up from transfers from general relief or county hospital facilities.

If such a program were established it would enable transfer of some costs of caring for these persons to the federal government. However, no



estimate of this is possible since it cannot be determined what level assistance is provided for such persons who may be receiving county general relief or hospital care.

Inauguration of such a program would involve additional State costs, both for aid and administration, each of which would be shared with the federal government. Administrative costs per case would be found to be relatively high because of the problems of establishing permanency and totality of disability.

Since the adoption of the 1950 amendments to the Social Security Act, the federal government has shifted its emphasis from disability assistance to disability insurance benefits under the Old-Age, Survivors, and Disability Insurance (OASDI) program. The 1960 amendments to the Social Security Act have increased the benefits that accrue from this program. The removal of the age 50 eligibility requirement, for example, will enable an estimated 250,000 people--insured workers and their dependents--to qualify for benefits. The new law will also increase the benefits payable to children in certain cases and would provide benefits for certain wives, widowers, and children of insured workers who are not now eligible for benefits.

Consideration as to whether or not the aid to permanently and totally disabled should be adopted in Nevada, therefore, should take into account the operation of the OASDI program in this state and the effect of the new law. The effect of the OASDI amendments on such state assistance programs as ADC should also be considered.

#### Maternal and Child Welfare

The 1960 social security amendments increased funds available for the maternal and child welfare programs administered by the Children's Bureau. The new law provides that the authorization for the maternal and child health services be increased from \$21.5 million to \$25 million; the crippled children's services from \$20 million to \$25 million; and the child welfare program from \$17 million to \$25 million. There is also a new authorization for research and demonstration projects in the child welfare services program which permits grants to public and other non-profit institutions and agencies for this purpose.

The maternal and child health services and the crippled children service programs in Nevada are administered by the State Department of Health. The child welfare services program is administered by the State Welfare Department. The effect of the increase in federal appropriations which will provide more funds for these services should be considered in connection with a program for medical and remedial care for welfare clients.

#### Public Assistance Medical Care

The 1956 amendments to the Social Security Act authorized additional federal funds to the states to pay for medical and remedial care for the needy aged and blind on a matching basis. The Legislature amended the OAA and AB laws to provide for these added services. Prior

to this time, no provision existed in the AB program for medical or remedial care. Such assistance, if any, was provided by the county general relief program. The OAA budget allowances included provision for such services if necessary. The amount available, however, was minor since the OAA payment was based on a \$70 maximum plus one-half of the unmet needs.

The State Welfare Department entered into an agreement with the state medical association to pay \$6 a month on behalf of each OAA and AB recipient in return for the administration of this program by the association and payment by it of all drugs and services of participating physicians and surgeons provided outside of hospitals. The amount and type of services depends upon the amount of money set aside for this purpose and the requests for services made by the OAA and AB recipients.

Doctors of Medicine and Osteopathy were included as practitioners of the healing arts eligible to receive payment for services to the OAA and AB recipients. Some dental and other services were also included. The welfare department was unable to reach an agreement with the chiropractors, and two chiropractors filed suit to test the legality of this arrangement. This case was heard in the First Judicial District Court, and a decision has been pending since February 1960.

The agreement with the State Medical Association expired and has been continued from month to month. The renewal of this agreement or another agreement has not been made pending the outcome of the court action.

The 1960 amendments to the Social Security Act make three basic changes in the old-age assistance provision to encourage the states to improve and extend medical services to the aged: (1) increased federal funds are available to the states for medical services for OAA recipients; (2) provides for federal grants to the states for payment of all or part of the cost of medical services for aged persons who, at one time or another, may need assistance to pay their medical expenses; and (3) instructs the Secretary of Health, Education, and Welfare to develop guides or recommended standards for the use of the states in evaluating and improving their programs of medical services for the aged.

The increase in the federal grants for medical services for OAA recipients makes it possible for the Nevada State Welfare Department to extend the medical services now provided in the agreement with the State Medical Association. Some states can increase their OAA medical services and also revise the state plan to include medical services for needy persons who are not OAA recipients. Nevada, however, cannot extend such services without additional legislation, since one of the federal requirements is that no residence requirement will be approved for the new program for the needy aged. Nevada, therefore, has the option of amending the OAA laws to meet the federal conditions or adopting new provisions for this new assistance program.

Most of the controversy over the amendment providing medical services for the aged during the course of the debates, and still continuing in the political forums, centers on the methods of paying for these additional governmental costs. Oster L. Peterson, M.D., an authority on government-supported health services, suggests in an article, "How Good is Government

Medical Care," The Atlantic, September 1960, that:

There is a peculiar assumption in the intense focus of the health bill debate on the question of how to pay for medical care. The assumption is that the only question in the minds of our sick old people, their families, and the doctors who will care for them is where and how to find the money. This attitude is dangerous because it obscures the crucial fact that we are struggling not with a fiscal problem but with a human problem; in fact, with a whole range of very human needs and problems. We had better make our plans accordingly. . .

It is clear that paying for medical care for old people involves much more than paying a few bills. The legislation (now under consideration) touches on only part of the problem and is only a beginning. Major changes are ahead, and rational answers will not come from hastily considered legislation in an election year, though that is the way the process usually begins. If the liberal is a man who dislikes change but recognizes its necessity, then he and his legislators will need the time to plan what must be changed, the courage to leave some things unchanged, and the wisdom to tell the difference.

#### ADC Needs

One of the serious gaps in the Nevada public assistance is the absence of provision for medical services and remedial care in the ADC program. Such services, if provided, are a responsibility of the county general relief programs. The practices of the counties in supplementing ADC payments by providing such services vary throughout the state. Some counties have rules for clinical services that often prevent the use of such services for ADC recipients. Some counties are also reluctant to supplement ADC grants on the grounds that such assistance is a state function. The differences in residence and other eligibility requirements and standards are also bars to providing such cases to the ADC clients.

The State Welfare Department has proposed legislation to amend the ADC provisions to provide for medical services to be included in the program in the belief that such amendments are necessary before such services can be included. The definition in NRS 425.030 that "assistance" means money payments with respect to a dependent child or children, however, appears to be adequate authorization for payment of the costs of medical assistance. A greater need is the need for additional appropriations to pay for more of the unmet needs of recipients of this type of assistance, including the needs for medical services.

#### Mental Care

Mental care services are provided by the Nevada State Hospital and the mental health program of the State Department of Health. A study of mental health problems and services in the State of Nevada was conducted by the U. S. Public Health Service and a report submitted in

October 1958. This report states that Nevadans are distressed by ten serious mental health problems as follows:

1. Family difficulties.
2. Disturbed, neglected, or dependent children.
3. Alcoholism.
4. Severe mental illness.
5. Inadequate recreation for children.
6. Lack of facilities for the aged and chronically ill.
7. Insufficient foster homes or day-care centers.
8. Plight of non-residents, transients and migrants.
9. Schooling for mentally retarded, emotionally disturbed, and physically handicapped children.
10. Inadequate medical resources in rural areas.

The State Department of Health inaugurated a mental health program in 1954 restricted to work of an educational nature to work with children and their parents. The staff consists of three clinical psychologists, the psychiatric social workers and required clerical personnel. The budget for the 1960-61 fiscal year includes provision for a clinical psychologist to work part-time with the State Children's Home and part-time with the State Prison. Offices are maintained in Reno, Las Vegas and Elko.

The report of the U. S. Public Health Service points out the procedures for admission and discharge of patients from the State Hospital are not adequately stated, are ambiguous, or are not carried out to the satisfaction of all concerned. Another acute mental health problem is that there is no follow-up service for patients released from the hospital. In fact, there is no publicly supported program for mental care for adults other than that provided by the State Hospital.

Although the report states the belief of the survey team that the mental health program should continue as an activity of the State Department of Health, great stress is laid on the need to create an interdepartmental committee to avoid duplication of effort and for joint action to deal with mental health issues. An alternative to this proposal would be to concentrate mental care services in the department which has the greatest use for such services, which is the State Welfare Department.

## CHAPTER XIII

### CENTRALIZATION OF ADMINISTRATIVE RESPONSIBILITY

The lack of clarity of responsibility or indefinite lines of administrative procedures concerning some welfare functions has resulted in duplication of services and conflict between state and county administrative agencies in some instances. In others, this lack of clarity of responsibility has resulted in gaps in the welfare program in many portions of the state where the counties have assumed little responsibility.

Since there is substantial reliance on federal funds both for aid and administrative costs, requirements of the federal government that there be a "single state agency" responsible to it for administration of programs using federal funds is a vital consideration.

The federal government does not specify whether administration be directly by a state agency or by counties supervised by the state. However, it does demand that the programs in which it has an interest be uniformly conducted in all political subdivisions. There must be a single state agency to either administer the plan or to supervise its administration.

For the bulk of the welfare program, this leaves the alternative of either direct administration through a state agency or local operations under state supervision.

Geography and population distribution of Nevada definitely limit the alternatives. Only a few counties could justify the costs of a state supervisory structure imposed upon county administrative agencies.

Theoretically, it would be possible for the state to directly administer the program in counties with sparse population and supervise local administration in the few larger counties. This, however, would appear to present substantial problems inherent in dual administration as well as in the relationships between the state and the two or three counties that might be in a position to establish the machinery for administering a full welfare program. It seems obvious that this type of system would add unnecessary administrative costs.

There appears to be no practical arrangement other than state administration of the program in all parts of the state. This has already been recognized to a substantial degree by the Legislature.

Effective administration requires clear delegation of authority and responsibility with maintenance of accountability commensurate with this delegation. This principle is recognized in industry and is equally valid in government.

Only through clear delegation of authority to accomplish a complete job can the Legislature fully assess effectiveness of performance and maintain accountability to it for the discharge of the functions involved.

So long as responsibility for the total welfare program is not fixed, the Legislature will continue having difficulty in assessing effectiveness of operations. So long as responsibility is split between the state and counties, there will be conflict, uncertainty, and deficiencies in planning and informing the Legislature as to accomplishments and needs of the welfare program in Nevada.

While responsibility may appear to be fixed for the categories of aid in which the federal government has a financial interest, there is not a complete welfare program centered at the state level for the individuals covered by these categories. Frequently both state and county governments are involved in the same cases. For services to children, particularly those outside their own homes, there is no clear delegation of authority or responsibility to specific agencies.

In the care of dependent and neglected children, responsibility is split between the State Welfare Department, county welfare agencies, the courts, probation officers, and the Children's Home.

In other instances, such as provision of temporary aid, payment of costs of boarding home and nursing care, and in certain forms of medical care, responsibility is split between the state and counties with resulting duplication of work, cumbersome procedures, and confusion in services to the individuals intended to be helped.

In view of geographical and population factors, and to clarify responsibility and authority, all public welfare functions should be assigned to the State Welfare Department. Counties should be relieved of administrative responsibility for these functions. Consideration should be given to financing these services entirely from state sources.

Centralized responsibility for administration would enable the Legislature and the citizens to clearly assess accountability for proper performance of the total program. It would strengthen welfare administration by bringing together all of the pieces needed to accomplish a complete program under one responsible administrative agency. It would eliminate the confusion and duplication that arise from split responsibility and release time and energy now dissipated in resolution of jurisdictional conflicts to providing constructive services for the benefit of all of the people of Nevada.

Similarly, the unusual administration arrangement of a children's home subject to policy control of the State Welfare Board but independent of administrative control of the State Welfare Department should be resolved by making the home a part of the Welfare Department. The home provides a part, but only a part, of the overall program for children. It serves an important and necessary function in the care and treatment of dependent and neglected children. But in the interests of more effective and more economical services to these children, the parts need to be brought together into a single program under a unified administration.

The Legislature should be able to look to one administrative agency for effective and efficient administration of the public welfare program and for guidance as to how the program can be improved and modified to meet changing conditions and needs. Only through clear and full delegation of responsibility can it hold anyone fully accountable for effectively carrying out the total program.

## Extended Community Services

Local participation in public welfare programs is essential if such programs are to meet community needs. The transfer of responsibility for the general assistance to the state will require uniform standards for the administration of this program.

Some counties may wish to have welfare services in their communities which are not provided on a uniform basis. It is recommended, therefore, that legislation be enacted providing for the appointment of a Community Welfare Services Advisory Board by the board of county commissioners. Suggested provisions of such legislation are as follows:

### Chapter \_\_\_\_\_. Extended Community Welfare Services

Section 1. This chapter is intended to provide a means by which the counties may extend needed community welfare services above the level provided throughout the state by the State Welfare Department. It is further designed to prevent the duplication of welfare agencies by providing that extended community welfare services shall be administered by the State Welfare Department.

Section 2. Extended community welfare services are additional services and programs to children, families or adults or an expanded level of service or assistance beyond that provided by the State Welfare Department and deemed necessary by a board of county commissioners to meet the welfare needs and special social problems of the county. Such services and programs may include persons receiving aid or service from the state as well as persons not eligible for such services and programs.

Section 3. Any board of county commissioners, by resolution, may establish a Community Welfare Services Advisory Board. Such a board shall be established in counties having a population over \_\_\_\_\_ as determined by the most recent federal census.

Section 4. The advisory board shall consist of five members appointed by the board of county commissioners. The term of each member of the board shall be for three years. The members shall be appointed with staggered terms so that at all times, other than the time of the first appointments, there are at least three members with no less than one year's experience on the board.

Section 5. The advisory board shall:

(a) Review and evaluate the community welfare needs, services and special problems.

(b) Advise the board of county commissioners as to the need for extended community welfare services in the county.

Section 6. The advisory board shall meet jointly with the board of county commissioners at least twice a year in the months of April and October to review the findings and recommendations of the advisory board. Representatives of the State Welfare Department shall attend the joint meetings and upon request shall attend other meetings of the advisory board.

Section 7. After consultation with the advisory board, the board of county commissioners, by resolution, may determine that there is a need to provide in the county extended community welfare services. Such extended community welfare services shall be provided only through the State Welfare Department. The board shall have power to contract with the State Welfare Department for such services.

Section 8. The State Welfare Department is authorized to contract with a board of county commissioners to provide extended community welfare services to the county. The contract shall provide for reimbursement to the state by the county sufficient to cover the cost of the extended community welfare services. The county shall notify the state at least sixty days prior to the end of the fiscal year if it intends to cancel the contract.

Many aged persons because of infirmity, illness, or general deterioration of age are unable to live alone or properly care for themselves or become too great a burden for home care by their families.

With increased longevity both the numbers of aged in population and those requiring special care facilities are becoming greater. With expansion of federal social insurance and private pension plans, less of the newly aged need rely upon public assistance, but those receiving public assistance represent an increasingly older group.

Aged persons no longer able to live alone and care for themselves must be provided with boarding home or nursing home care unless acutely ill and requiring hospital care.

Since these persons are unable to fully protect themselves, public programs for licensing have been instituted as protective measures. Through licensing of boarding and nursing homes, standards are established and maintained to assure adequate facilities and services and to safeguard the aged against abuse and mistreatment.

Nursing homes are licensed by the State Department of Health, which maintains standards for such care. Those boarding homes caring for four or more persons are licensed by the State Welfare Department under standards established by it. The State Welfare Department, as a condition to placement and payment of boarding care for aged recipients, can exercise some control over standards of services in some of the smaller homes providing care for less than four persons.



There seems to be no logical basis for distinctions as to standards of care on the basis of the number of persons receiving care in a boarding home. The individual needing such care and securing it in a home providing for two or three persons has as much need of protection as the one in a larger boarding home.

The Legislature, recognizing the protective services function of boarding home licensing, should provide that all individuals boarding aged persons other than those related to them by blood or close affinity, be licensed to assure that they provide adequate standards of care.

Licensing of boarding homes requires some special knowledge and skills. Both the physical conditions and the personal qualifications of operators must be evaluated. Specific knowledge is needed of local ordinances, and working relationships must be maintained with health and fire agencies which play an important role in licensing.

The volume of homes and their geographical distribution is such that licensing cannot be conducted through the Welfare Department with as much economy as desirable or with the specialized staff that would provide for the best quality of licensing and supervision.

There is great similarity in many of the processes involved in licensing nursing and boarding homes. The Department of Health, which has responsibility for maintaining nursing home standards, is also directly involved in inspections necessary to licensing boarding homes. Its field staff maintains direct working relationships with local authorities concerned with the same licensing processes in both nursing and boarding homes.

Since the licensing and supervisory processes are sufficiently similar, it would be more economical and effective to combine this service under the State Department of Health. Legislation to provide for centralizing licensing of both boarding and nursing homes in the Health Department should specify that those standards that involve the adequacy of social factors in boarding homes be developed cooperatively with the State Welfare Department.

It is recommended:

(1) that all persons providing boarding homes to care for aged persons other than those related by blood or affinity within the second degree be licensed;

(2) that the State Department of Health be charged with responsibility for licensing all boarding homes for aged persons and that it consult with the State Welfare Department in establishing standards of care for such persons.

In making this recommendation, it is recognized that the function of licensing nursing homes is a responsibility of the Division of Hospital Services of the State Department of Health, which consists of the Director of the Division and clerical personnel. The Director is

responsible for the administration of a program of hospital and medical facility survey, planning, construction and licensing. This includes, but is not limited to, the administration of the federal Hill-Burton Act and the Nevada Public Hospital Construction Assistance Act as well as the legislation providing for the licensing of nursing homes. It is obvious, therefore, that the transfer of the rest home licensing functions to this division should be accompanied by provisions for adequate personnel to perform the duties of this agency.

#### Departmental Responsibility

The State Welfare Department, as organized by legislation enacted in 1949, is vested with the administration of the provisions of Chapter 422 NRS, State Welfare Department. NRS 422.060 (2) provides that the department shall consist of : (a) the State Welfare Board, (b) the State Welfare Director, and (c) such officers and employees as the director, with the approval of the board, may appoint.

The powers and duties of the State Welfare Board are specified in NRS 422.140 as follows:

#### 422.140 Powers and duties in general

1. The board shall have only such powers and duties as may be authorized by law.

2. The board is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction under this chapter unless otherwise expressly provided for.

3. The board shall:

(a) Prescribe rules and regulations for its own management and government.

(b) Formulate policies and establish rules and regulations for administration of the programs for which the department is responsible.

(c) Advise and make recommendations to the governor or the legislature relative to the public welfare policy of the state.

One of the mandated functions of the board which is not adequately performed is the establishment of rules and regulations for administration of the programs for which the department is responsible. The board, however, does formulate policies for such administration. Policy proposals, in general, are submitted to the board by the welfare director. The board may approve or reject the policy proposal. If approved, the policy statement is included in the department's operations manual. Chapter 423 NRS authorizes the Superintendent of the Children's Home to establish rules and regulations in conformity with policies set by the State Welfare Board.

Rules and regulations in conformity with legal provisions have the force and effect of law whereas policy statements have little, if any, legal significance. The importance of this distinction is illustrated by a recent incident involving a district court order which the board stated was not in accordance with its policy. The judge replied that he was not bound by board policy, since such policy was not the law. If the board policy had been embodied in a rule or regulation, such rule or regulation would have the judicial cognizance of the court.

The principle of centralization of administrative responsibility centers such responsibility in the administrator. This includes responsibility for establishment of administrative procedures which may be set in part by the rules and regulations. The State Welfare Director, as the executive officer of the State Welfare Department, therefore, should be responsible for promulgating the departmental rules and regulations.

This would require changing the duties of the State Welfare Board. The recommended functions of the board are advisory and appellate rather than policy formulation as now provided. An advisory board can have almost as much, if not as much, effect on administrative policies as a policy-making board, inasmuch as only a high-handed administrator would act contrary to the advice of a properly constituted advisory board.

This proposed change in board functions would free the board from unnecessary time spent on administration, which is inherent in the activities of a policy board. The board's appellate functions would also be strengthened since it would be free of responsibility for administration. A policy board should not sit in judgment in matters relating to its own policies.



## CHAPTER XIV

### DEPARTMENTAL REORGANIZATION

The 1960 Session of the Legislature made two changes in the organization of the State Welfare Department affecting the composition of the State Welfare Board and the status of the State Welfare Director. Prior to 1960, the State Welfare Board consisted of three members appointed by the Governor and four county commissioners selected by an electoral group composed of one member from each board of county commissioners.

The four county commissioners represented the counties in an advisory and liaison capacity in formulating policy. The Legislature decided that such representation was no longer required inasmuch as the counties were relieved of financial participation in the costs of the OAA and ADC programs beginning July 1, 1960. The composition of the State Welfare Board, therefore, was changed to seven members appointed by the Governor.

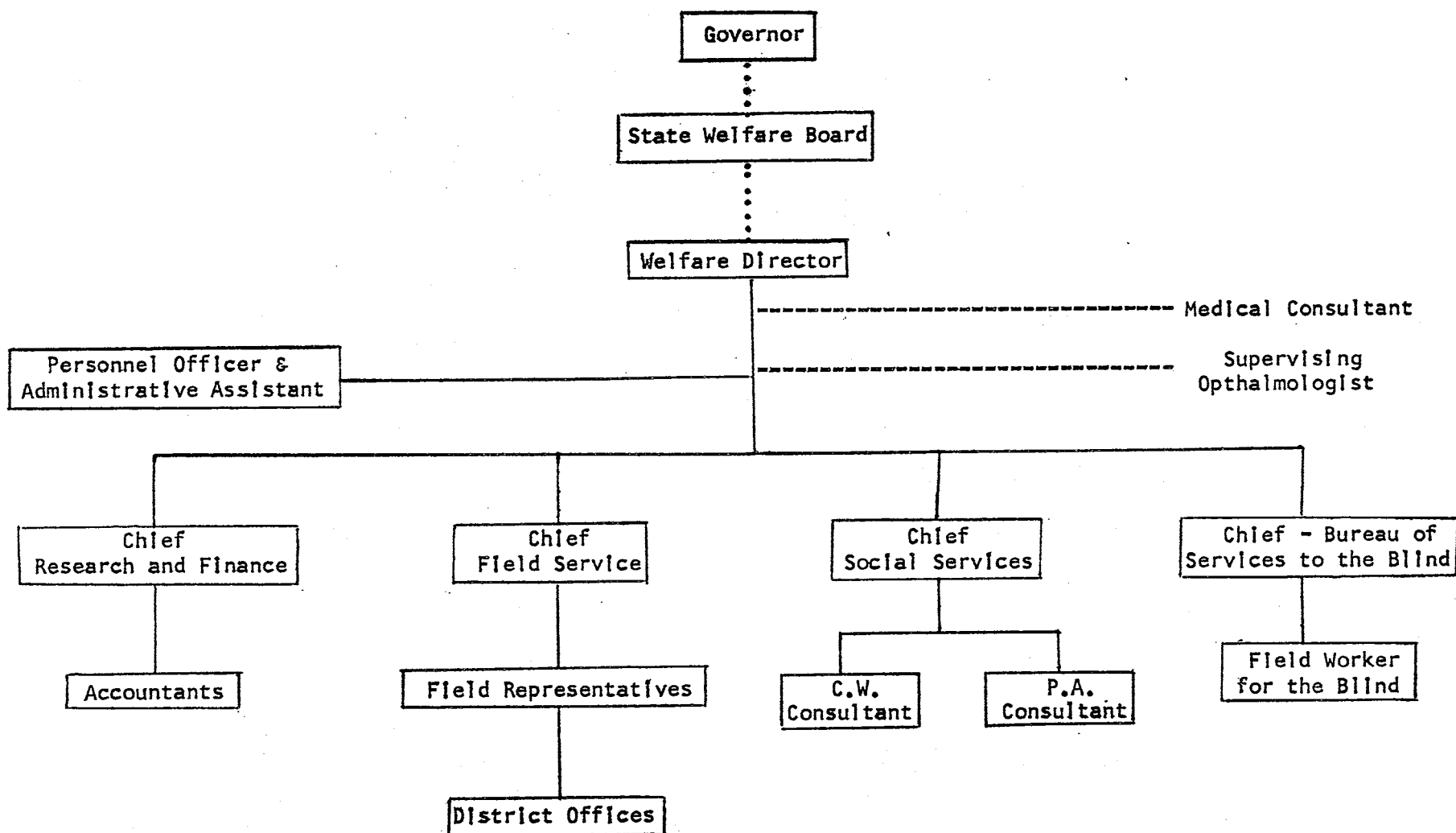
Prior to 1960, the position of Welfare Director was in the classified service with appointment made by the Board with the approval of the Governor. The 1960 legislation provided for the same method of appointment with the position in the classified service, adding the words "excepting for purposes of removal." The Welfare Director now serves at the pleasure of the Board.

The Welfare Director is authorized by NRS 422.210 to establish, consolidate, and abolish divisions within the department. As noted earlier in this report, this authorization is modified by NRS 426.550 (3), which states that the bureau of services to the blind shall not be made a part of any other division or subdivision of the department and that the chief shall be directly responsible to the Director. The organization of the department as of June 30, 1960, is shown in chart form on the following page.

#### Departmental Reorganization

Suggested reorganizations discussed in preceding chapters suggested that the rehabilitation services of the department be transferred to the Division of Vocational Rehabilitation in the State Department of Education, and that the functions of the Welfare Board be changed from policy making to advisory and appellate functions. The transfer of the rehabilitation services for the blind to the State Department of Education would require the repeal of NRS 426.520 to 426.730, inclusive. The provisions of NRS 426.530 relating to position of fieldworker for the blind in the Welfare Department, however, should be retained.

NRS 422.060 and 422.140 should be amended to change the functions and name of the State Welfare Board to the State Welfare Advisory and Appeals Board. The change in functions of the State Welfare Board would also require amendment of NRS 422.150 to provide for other means of appointment of the State Welfare Director, the recommended changes to provide for such appointment by the Governor. This recommendation would still provide for the position of Welfare Director to be in the classified service.



Nevada State Welfare Department

(6/30/60)

Types of Authority:

..... Appointive  
 \_\_\_\_\_ Direct Supervision  
 ----- Consultative or  
 Advisory

The qualifications of the Welfare Director, whether appointed by the Welfare Board with the approval of the Governor, as now provided by law, or appointment by the Governor as recommended, should meet the provisions of NRS 422.160. This section reads as follows:

422.160 Qualifications. The state welfare director shall:

1. Be selected on the basis of his training, experience, capacity and interest in public welfare services.
2. Be a graduate in public or business administration from an accredited college or university.
3. Have had not less than 3 years demonstrated successful experience in public welfare administration, with responsibility for general direction and determination of a policy of a general assistance and social service program, or any equivalent combination of training and experience.
4. Possess qualities of leadership in the field of human welfare and health.

The State Welfare Director should have power, subject to approval by the Governor, to establish, consolidate and abolish divisions within the department. The proposed reorganization shown on the page following is therefore suggested to reflect changes that might be made in the organization of the department if legislation is adopted to centralize the administration of all public welfare programs in the department, together with the suggested reorganization changes discussed above.

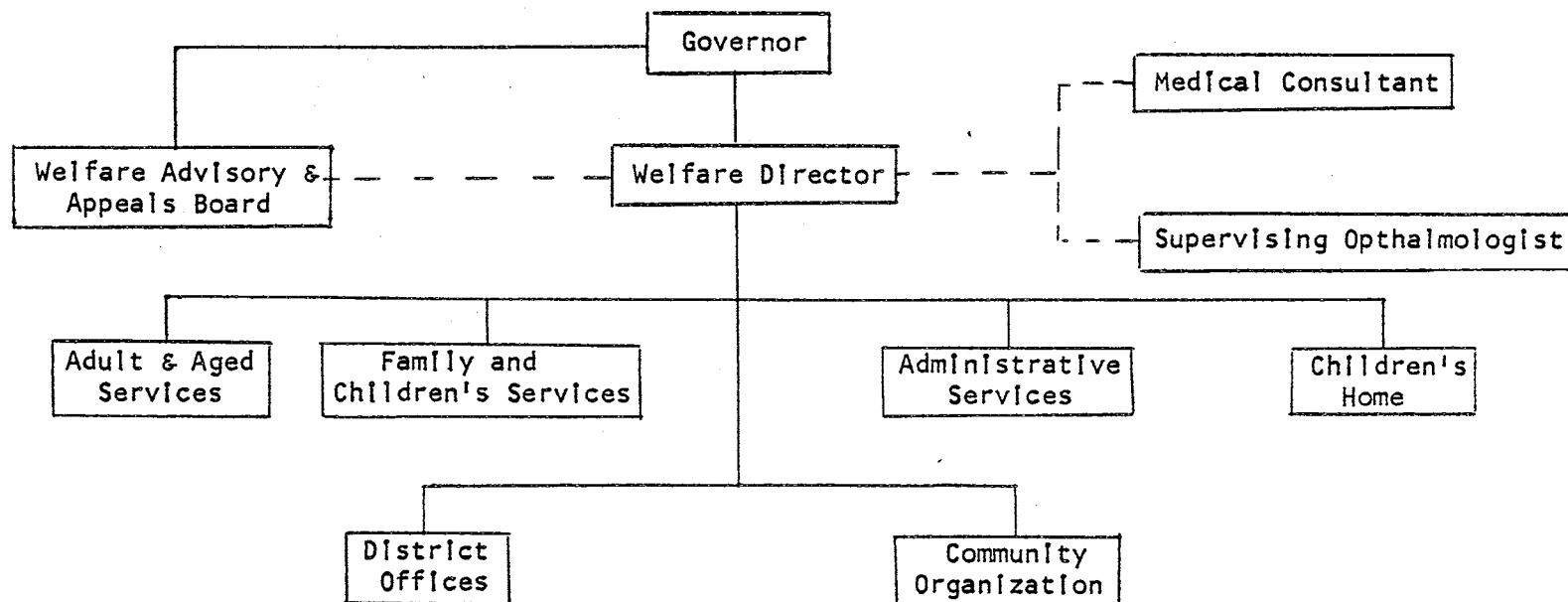
The addition of a program of general assistance to be administered by the State Welfare Department suggests the desirability of central office organization for staff services directed toward two principal combinations of activities: (1) adult and aged services, and (2) family and children's services. Other staff divisions could be administrative services, community organization, and the children's home.

#### Proposed Department of Social Services

Assembly Resolution No. 14 specifies four principal objectives for the study of state and county welfare programs in Nevada: (1) correction of overlapping and duplication of functions, (2) additions to programs to overcome deficiencies, (3) improvement of welfare services to people of Nevada, and (4) planning for future development.

The recommendations included in this report are primarily aimed toward accomplishing the first two objectives. Expanded programs can accomplish the other two objectives. Such expanded programs might well include mental care and extended services for children and youth.

A Division of Mental Care could include the State Hospital Clinics and the Alcoholism Agency. The report of the U. S. Public Health Service recommended changes in the administrative policies of the State Hospital. Another deficiency is the lack of follow-up for persons dismissed from the Hospital. The inclusion of the Hospital in a division of mental care would



SUGGESTED REORGANIZATION  
OF  
STATE WELFARE DEPARTMENT



permit follow-up services and extension of mental clinical services to adults where necessary. Since the mental health clinics are used for children's services, they should be included in the agency which has the most use for such service.

Chapter 163, Statutes of Nevada 1960, created the State Alcoholism Agency to: (1) promote and operate programs for the rehabilitation of alcoholics, and (2) promote, through privately established rehabilitation centers, a system for rehabilitation for the employment of arrested alcoholics. The agency, in performing such duties may:

1. Promote and conduct educational training, preventive programs and research necessary to effect the purpose of this legislation;
2. Promote or establish cooperative relations with courts, hospitals, clinics, medical and social agencies, public health authorities, law enforcement agencies, educational research organizations, and other related groups;
3. Promote the establishment and operation of public clinics and other public alcoholism facilities in local communities of Nevada;
4. Provide consultation services to public and private agencies and groups;
5. Assist organizations directly associated with the group commonly known as Alcoholics Anonymous or with the National Council on Alcoholism, Incorporated, by providing such organizations with essential materials for furthering programs for prevention of alcoholism and rehabilitation of alcoholics;
6. Cooperate with and assist political subdivisions of the state, educational institutions, religious organizations and other organized groups dealing with problems associated with alcoholism.

The permissive program of the alcoholism agency is thus extremely broad in scope. The inclusion of this agency as a part of a mental care division enlarges the facilities for accomplishing these purposes. Association with other services, such as research, statistical reporting, and community organization services in a department of social services also provides additional services and facilities to assist the Alcoholism Agency to accomplish its duties and purposes.

Many people believe that a welfare program for children and youth should provide services for all children and youth who can benefit from such services. Welfare programs should also serve other agencies such as the courts in related problems. It is recommended, therefore, that the Nevada School of Industry be included in a department of social services so that all welfare programs for children and youth may be closely coordinated.

The suggested organization for the proposed Department of Social Services could be accomplished with little or no additional expense since these functions are now performed by existing agencies. Centralization of administration could be expected to effect economies in some centralized house-keeping functions such as accounting, reporting, and budget preparation and control.



SUPPLEMENTAL REPORT

TO

BULLETIN NO. 46

STATE AND COUNTY WELFARE ADMINISTRATION

IN NEVADA

SUBMITTED BY

THE WASHOE COUNTY CITIZENS ADVISORY COMMITTEE

THE CLARK COUNTY CITIZENS ADVISORY COMMITTEE

THE FIFTEEN COUNTY CITIZENS ADVISORY COMMITTEE

NEVADA LEGISLATIVE

COUNSEL BUREAU

FEBRUARY 1961



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WELFARE STUDY STAFF

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Newton R. Holcomb, Consultant, Welfare Administration  
William M. Siegel, Consultant, County-State Welfare Problems  
Joseph H. Roe, Consultant, Child Welfare



## PREFACE

During the 1960 Session of the Nevada Legislature, the Assembly adopted Assembly Resolution No. 14 which memorialized the Legislative Counsel Bureau to study the state and county welfare programs in order to provide a basis for "legislative, administrative or other action that might improve the welfare service to the people of the State of Nevada."

The Legislative Counsel Bureau retained the services of Mr. S. James Barrick of Sacramento, California to prepare the aforementioned study.

The members of the Legislative Commission were of the opinion that Mr. Barrick should consult extensively with the citizens in all of Nevada's 17 counties, and they appointed three Citizens Advisory Committees, composed of 7 members each. These Advisory Committees were represented by citizens from (1) Clark County, (2) Washoe County and (3) the fifteen small Counties.

These Advisory Committees met individually, and each Committee prepared its own report. Unfortunately, these reports were not received in sufficient time for inclusion in the report prepared by Mr. Barrick and his staff of consultants. However, it was the consensus that the viewpoints of the members of the Committees were sufficiently important to be printed in this supplemental report.

Respectfully submitted,

J. E. SPRINGMEYER  
Legislative Counsel





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REPORT OF THE WASHOE COUNTY CITIZENS ADVISORY COMMITTEE

December 20, 1960

Mr. J. E. Springmeyer, Legislative Counsel  
Nevada State Legislative Counsel Bureau  
Capitol Building  
Carson City, Nevada

Dear Mr. Springmeyer:

The Washoe County Citizens Advisory Committee want to commend Mr. Barrick and his assistants for the fine study on welfare programs in Nevada.

After study and consideration, we agree with the findings and recommendations except the last one. We feel that centralizing all welfare functions of other state agencies calls for greater study. One of our group did not agree with the first recommendation and felt that general assistance should be on a county level in Washoe County.

It was a privilege to be a part of this study and we hope that a better welfare program can be accomplished in Nevada.

Judge Grant Bowen  
Mrs. Dorothy Drew  
Mrs. Laura Lunn  
Mrs. Walter Wilson  
Mr. William J. Nord  
Assemblyman Robert Schouweiler  
Father Charles Shallow

LL/der



JUDGE'S CHAMBERS  
EIGHTH JUDICIAL DISTRICT COURT  
LAS VEGAS, NEVADA

John C. Mowbray  
District Judge  
Dept. No. 3

January 19, 1961

Hon. J. E. Springmeyer  
Legislative Counsel Bureau  
Carson City, Nevada

Dear Mr. Springmeyer:

Enclosed please find The Clark County Citizens  
Advisory Committee Report concerning State and County  
welfare.

My warmest personal regards to you.

Very truly yours,

/s/ John C. Mowbray

JOHN C. MOWBRAY

JCM:vb



## CLARK COUNTY ADVISORY COMMITTEE REPORT

Members of the Clark County Advisory Committee consisting of Very Rev. Msgr. Donald Carmody, Mr. Leonard Fayle, Mrs. Terrill Evans, Mrs. Jo H. McBeath, Mrs. Robert Fenlon, Mrs. Hank Greenspun and District Judge John Mowbray, commenced their study in early October, 1960 and met weekly thereafter through November 29, 1960. Mr. James S. Barrick, Project Director for the Study; Mr. Charles Cheatham, District Director for the Nevada Child Welfare Department; Mr. Jack Staggs, Superintendent of the Southern Nevada Memorial Hospital; Mr. Alfred Becker, Child Welfare Supervisor of the City of Las Vegas; Mrs. Stella Fleming, Relief Director of Clark County, Nevada, and others appeared before the Committee and were most cooperative in presenting information regarding their respective departments which was pertinent to this study.

Time alone prevented the Committee from completing any exhaustive study of all the numerous subjects suggested by the Legislative Counsel so that appropriate findings and recommendations could be made in each of the fields mentioned. However, we have considered the data received from the various agencies, including Mr. Barrick's preliminary report of the State and County Welfare Administration in Nevada prepared for the Nevada State Legislative Counsel Bureau as Bulletin No. 46, hereinafter referred to as Bulletin 46.

We considered it important, at the outset, that the aims in providing welfare and assistance should be defined and codified in our Statutes for the information and guidance of all concerned. Too often, for various reasons, we may have forgotten these aims and guides in considering our welfare programs. We sincerely feel that more emphasis in helping those in need to help themselves will, in many cases, be of benefit not only to the individual, but to the State. Although personal responsibility and initiative have been our national characteristics, explaining in large measure our country's progress, yet pressures are growing for a constantly greater reliance on collectivity rather than the individual. Our worthy national goals have been achieved not as a result of environment but by men who made their environment. Many States have clearly set down in their Statutes this public responsibility and the aims in providing assistance and services to those in need. For instance, Illinois has done so in the first section of the first article of the Public Assistance Code of Illinois, which we quote:

### ARTICLE I--GENERAL PROVISIONS--DEFINITIONS

#### 101. Sec. 1-1 Public Responsibility--Aims in Providing Assistance and Services.)

Assistance and services for persons who are unable to provide themselves with a minimum standard of living compatible with decency and health are hereby declared to be special matters of public concern and a necessity in promoting the public health and welfare. The principal aim in providing assistance and services shall be to aid those persons who can be so helped, to become self-supporting or to attain self-care. To achieve this aim, the Commission shall establish such standards of assistance and service that applicants and recipients may maintain a decent and healthful standard of living and will be encouraged and aided in developing their self-reliance and realizing their capacities for self-care, self-support, and responsible citizenship.

The maintenance of the family unit shall be a principal consideration in the administration of this Code, and all public assistance policies shall be formulated and administered with the purpose of strengthening the family unit.

We believe this declaration by the Illinois Legislators aptly defines those aims and objects with which we should be concerned and never lose sight. Of particular interest is the statement that the maintenance of the family unit is a principal consideration in the administration of the Welfare Code.

We have read, studied and considered Bulletin No. 46. In general we agree with the Washoe County Citizens Advisory Committee in their commendation of Mr. Barrick's report, except that we feel it is imperative that supervision, at least, be maintained on the county level. We agree with the general proposition that the administration of the various welfare agencies under one head may be the most feasible, economical and desirable organization. Nevertheless, because of the very nature of the services being offered and the responsibility involved, it is necessary that the various welfare programs be held answerable to the proper county authorities. Mr. Barrick's report, Bulletin 46, states that county administration and state supervision as provided for in other states is not practical for our State. This may well be true, but we urge that serious consideration should be given to the establishment of an appropriate board on the county level with sufficient authority and power to consider and assure at all times that the local needs are being met in the most efficient, economical manner possible. Particularly, we urge that where foster homes and child care facilities are concerned, adequate supervision be retained by the county authorities where a part of such supervision may feasibly be provided by volunteers. While we feel that the proposed county advisory board as described in Chapter XIII of Bulletin 46 is a step in this direction, we do not conclude that the provisions as set down therein are sufficiently far-reaching to effect the desired results.

We agree with Mr. Barrick in his preliminary report, Bulletin 46, that there appears to be a lack of understanding or failure to utilize the various welfare programs by those in positions of authority.

We learned from our conferences that there is available from the State to aged convalescent persons up to \$130.00 per month for their care and maintenance; that through the local District Director of the Nevada State Welfare Department arrangements were then existing to care for such persons at the El-Gen Convalescent Center, a nursing home duly licensed by the State of Nevada. The Center had tentatively contracted with the State to accept these persons at the State rate of \$200.00 per month, the balance of the \$70.00 being contributed by the person's own resources, such as Social Security, or by the County.

Nevertheless, we found that there were not less than twenty-five such persons being cared for at the Southern Nevada Memorial Hospital at an approximate average per patient cost in excess of \$1000.00 per month. We were advised by the Superintendent of the Hospital that a program had been under consideration to transfer a substantial number of these patients to the El-Gen Convalescent Center and we have been informed that certain transfers have been recently effected. A hasty calculation will indicate the saving to the County that could



have resulted by participating in this program which would appear satisfactory to the convalescent and all concerned.

We have also been advised that a section of the Southern Nevada Memorial Hospital has been approved and licensed by the State of Nevada as a nursing home. We understand that upon proper application to the State, the hospital could receive \$130.00 per month per welfare patient, but this has never been done. We have been informed that the procedure has been followed at the Washoe County Medical Center. This would also appear to be a saving for Clark County, rather than to have this County bear the entire cost of the maintenance of such persons at the hospital.

#### ADOPTION

While the adoption procedures were not specifically indicated in our assigned survey, we considered this matter of such vital importance to demand our consideration.

Under our present law there are two types of placements for adoption purposes: (a) agency, (b) independent. Agency adoptions are processed through the Nevada State Welfare Department and other authorized and approved child placement agencies, such as the Nevada Catholic Welfare. Independent adoptions are often handled through attorneys and physicians.

We recommend that appropriate action be taken to eliminate the independent adoptions, except in cases of step-children or close relatives and that all adoptions be effected through the approved child placement agencies.

We appreciate that many successful adoptions have been effected through independent placements by persons acting in the best of good faith. However, we point out that the system is so fraught with the possibility of abuse by those attempting to engage in the so-called adoption racket as to demand its elimination as a child placement procedure. Particularly, is this possible when the child is placed with adopting parents without the State. It makes possible trafficking in babies and the new born infant becomes for the purposes of the transaction a mere chattel. It encourages these persons from other states who cannot adopt a child there to look here for some distraught mother who, under the circumstances, is willing to release her child to persons who may or may not be qualified in the least to have the child and it further generates such commercial advertisements in our newspapers as the following:

#### PERSONALS

Happily Married Couple very desirous  
of adopting baby or young child. Will  
provide lovely, stable home. All ex-  
penses paid. Write Box ---

Such ads should be prohibited directly or indirectly by the legislature.

The investigation conducted by the State Welfare Department of the adopting parents should be done before the child is placed in the home rather than under the present procedure where it is done sometime after the adoption

petition is filed, which petition cannot be filed under our present law until the child has been in the home of the adopting parents for at least six months.

#### MENTAL HEALTH

We agree with Mr. Barrick's statements in Bulletin 46, that the procedures for admission and discharge of patients from the State Hospital are not adequately stated, are ambiguous, and are not carried out to the satisfaction of all concerned. The fact that there is no follow-up service for patients released from the State Hospital presents a very acute problem which deserves the attention of the law makers.

We have attached hereto a report of a committee from Clark County appointed to study certain juvenile matters, including probation and staffing and the detention home. The Committee did complete a thorough study of these problems and some of the findings and recommendations, particularly regarding the location of the Girls Industrial Home at Caliente, Nevada, may be of interest to the legislators.

As stated at the outset, time alone prevented the Committee from completing a study of all facets of county and state welfare in order to prepare and submit adequate findings and recommendations in this report. If so directed, the Committee would be willing to do so at a later date.

DATED: JANUARY 16, 1961.

Respectfully submitted,

/s/ Very Rev. Donald Carmody  
Very Rev. Donald Carmody

/s/ Leonard Fayle  
Mr. Leonard Fayle

/s/ Mrs. Terrell Evans  
Mrs. Terrell Evans

/s/ Mrs. Jo H. McBeath  
Mrs. Jo. H. McBeath

/s/ Mrs. Robert Fenlon  
Mrs. Robert Fenlon

/s/ Mrs. Hank Greenspun  
Mrs. Hank Greenspun

/s/ John Mowbray  
Judge John Mowbray

## REPORT OF JUVENILE SURVEY COMMITTEE

All of your committee has appreciated the privilege of assisting the Court in its appraisal of the handling and processing of cases involving juveniles in Clark County. None of the committee feels that he or she is an expert in the field of juvenile services, their standards and requirements, but we do believe that the exhaustive exploration into all phases of this problem which we have conducted involving some thirty-seven sessions, consuming more than 1215 cumulative hours, entitles us to make the observations hereinafter set forth.

We have purposely avoided any reference to individuals, and have attempted to make an honest, fair, impartial and objective report of both conditions as they exist and recommendations for improvement where needed.

If anyone be offended by what is contained herein, we are sorry, but were we to report otherwise, we would not be fulfilling our obligation either to the Court or to ourselves.

### APPREHENSION

#### LAW ENFORCEMENT IN CLARK COUNTY

(Relating to Handling of Juvenile Cases)

The committee found every law enforcement department in Clark County understaffed so far as handling juvenile cases is concerned. Recognizing budgetary limitations in all branches of local government, we urge that when funds permit the hiring of additional personnel, that first consideration be given to additional staff assigned to juvenile matters.

We recommend:

1. That the City of Las Vegas provide for a policewoman on each of the three shifts in a 24-hour period.

2. That a female deputy be added to the Clark County Sheriff's staff immediately to aid the juvenile division, because of the risks involved to the male officer, and because of the general benefits to be obtained in having a female officer available to handle girls who come within the jurisdiction of the department, either during investigations or in cases where such suspects must be held in the county jail and/or transported to a detention facility.

3. That a female employee be on duty around the clock in every law enforcement agency. We commend the practice in North Las Vegas of having female dispatchers, who are available in emergencies for handling female juveniles. We recommend that other small departments adopt a similar policy.

4. That as the Henderson Police Department appears to be understaffed in comparison with other city police departments in Clark County, based on personnel and population, we recommend that when new staff is being considered for hiring, that first consideration be given to juvenile officers.

5. That as we commend the "Las Vegas Police Department Juvenile Procedure" bulletin, prepared by the LVPD as a guide to officers in the handling of juvenile cases, we recommend that every law enforcement agency in Clark County immediately prepare a similar brochure to be used until the handbook hereinafter recommended is printed. A copy of the code of the Las Vegas Police Department is attached.

6. That a new policy be adopted providing a category of juvenile offenses for which peace officers in Clark County shall be empowered to issue a "ticket" calling for the juvenile and his parents to report to the Probation Officer at the Juvenile Home two days after the issuance of the ticket (which shall be similar to issuance of a traffic citation). That the category of offenses calling for "ticketing" be set forth in writing and distributed to every law enforcement agency in Clark County, so a uniform policy can be put into effect. That whatever legal steps are necessary for the adoption of this procedure be undertaken by the appropriate agency immediately.

That the procedure in such "ticketing" cases should be for the arresting officer to accompany the juvenile to his family home, make out the ticket and leave it with the parent, leaving the child in the parental custody until the time designated for both to appear before the Probation Officer. The reason for having the child accompanied home by the police officer (rather than being taken to the Juvenile Home) is to cut the number of admissions to the juvenile home for minor offenses; to avoid the necessity of a medical examination at the Southern Nevada Memorial Hospital, which is the first step in the admission to the Juvenile Home; to put responsibility on the parent to appear with the juvenile; to show the parent the child's behavior which caused police action; and to put detention at the Juvenile Home in a category of real gravity.

That this committee recognizes that there are instances in which the parents may ignore a "ticket," and therefore provision should be made for the Probation Officer to petition the court for issuance of a bench warrant.

That in case neither parent is at home, then the officer should leave the usual "red tag" and take the juvenile to the Juvenile Home for admission.

That in cases where a juvenile was driving an automobile and the vehicle was not a part of evidence or the juvenile was not found to be incapable of driving, the officer should allow the juvenile to drive home, with the officer following and escorting in a police car.

That the reason for a two-day lapse between the "ticketing" and the date set for the parent and child to report to the Probation Officer is to allow time for the arresting officer to compile all information on the incident and deliver it to the Probation Officer in advance of the time set for the appearance of the parent and child.

7. That the Clark County Probation Department prepare and have printed in booklet form for distribution to every law enforcement agency in Clark County a guide for handling all types of juvenile offenses. Included in the handbook should be categories for which law enforcement officers would give a verbal warning to the juvenile; for which the officers would take the juvenile home and write out a "ticket" requiring the appearance of parent and child before the Probation Officer at the Juvenile Home; for which the officer would take the juvenile to the Juvenile

Home for booking; and, finally, for which the officers would take the juvenile to jail. That in those cases where the juvenile offense is considered to be so minor that no "ticket" was issued, the arresting officer shall prepare a report to be sent to the Probation Officer so a record of the incident can be placed on file.

8. That it is recognized that fingerprinting of juveniles booked in the Clark County jail is a necessary procedure and is approved by the committee so long as the present practice of making only one copy and not sending a copy out to other law enforcement agencies continues.

9. That because of the almost universal criticism by law enforcement personnel of the procedure of taking all juveniles to the Southern Nevada Memorial Hospital for examination prior to admission to the Juvenile Home, a definite set of rules should be written, binding the Hospital authorities as well as the law enforcement agencies involved, or re-examination should be made by the Probation Department of the need for such procedure.

10. That telephone operators on all shifts at the Las Vegas Police Department be instructed to refer telephone calls regarding the detention of juveniles to the Juvenile Home and give the telephone number there.

11. That in the next Southern Nevada Telephone Company directory, an additional listing be made simply "Juvenile Home" with the number, in addition to the present listing, because of difficulty in locating the number by those unfamiliar with the present designation.

12. That there should be strict enforcement of the recently inaugurated system of copies of records being provided by the Juvenile Home to the law enforcement agency which arrested a juvenile, with particular emphasis on the disposition of such cases in order that records of all departments concerned be complete.

13. That in the case of the arrest of a juvenile and contact with parents cannot be made by telephone, the current system of leaving a "red tag" on the door of the family home should be continued.

14. That the "red tag" shall carry the telephone number of the Juvenile Home.

15. That in relation to "Detention," the face sheet in law enforcement agencies shall have a space designated for the time and method of notification of parents on the whereabouts of their children.

16. That it should be the duty of the arresting officer, immediately upon booking a juvenile into the Juvenile Home, to attempt to telephone to the parents of the child and to note the time of such call on the face sheet. If telephone contact is impossible, then the time of deposit of the "red tag" left on the door of the child's home shall be noted on the report, to become a permanent part of the record.

17. That when a juvenile is taken into custody and deprived of the privilege of returning his or his family's car to his home, the law enforcement agency

should notify the parents immediately of the whereabouts of the vehicle and how it can be reclaimed. A space on the "face sheet" should be provided for notation of information regarding location, the name of the towing company if one is called, and the time when parents were notified about the automobile.

18. That the practice of the Boulder City Police Department in removing the handles of the back doors to provide a "lockup" for police cars when transporting prisoners be adopted by all understaffed police forces in Clark County.

19. That whenever a juvenile is taken to the Juvenile Home for booking and is released by the Probation Officer, either for a later hearing or is placed on probation, that a triplicate card be made out by the Probation Officer, one copy of which is for the Probation Officer to file; one for the parent to keep; and the third to be delivered by the juvenile to the law enforcement agency office which made the arrest. (This recommendation is made in order to provide information to the arresting officers, who complained to the committee that frequently the juveniles they delivered to the Juvenile Home "would beat us back downtown" without their knowing what future action was planned in the cases.)

20. That in the case of the arrest of a female juvenile, the arresting officer radio a call for a woman officer, matron, or dispatcher to accompany the officer and suspect in the police car to the jail or juvenile home, for the protection of the reputation of the arresting officer.

21. That the female juveniles detained in the Clark County jail be separated from the adult female prisoners.

22. That an in-service training program, carefully planned, be required of all law enforcement officers in all related departments in Clark County where juvenile matters are concerned.

## II. DETENTION

### CLARK COUNTY JUVENILE HOME

(Relating to Detention Facilities for Delinquents)

The committee found there is need for additional qualified and trained personnel in the Clark County Juvenile Home.

Although worthwhile contributions should be accepted by the Juvenile Home, it should not be dependent upon donations for furniture, uniforms and recreation equipment. These items should be budgeted from Clark County funds.

The committee is cognizant that the residents of southern Nevada are justifiably proud of the progressive programs of development in Clark County during the past several years. This progress is apparent in buildings, facilities and services made available to the public, such as the new County Courthouse, the Convention Hall, and additions to McCarran Field and the Southern Nevada Memorial Hospital. It is alarming that there has been such a long delay in focusing attention to the need for improved facilities and resources for youths heading toward delinquency or deprived of opportunities and sometimes the very necessities of life because of the neglect, indifference, or incapacity of their parents.

The committee, therefore, commends the Judges of the Eighth Judicial District for their foresight and interest in requesting the survey which this committee has conducted so laboriously during the past several months. In view of our findings, we feel justified not only in making recommendations but in urging action for immediate remedy of the conditions which we criticize and for adoption of the plans which we propose.

This committee not only has studied the present facilities, but has investigated the financial condition of Clark County, and feels that whatever money will be required to carry out its proposals can be obtained either from funds already available in the surplus building fund or through a bond issue if required.

#### JUVENILE HOME BUILDING

The general appearance of the Juvenile Home is shabby. The walls need painting; there are holes in the walls; there are exposed wires and pipes; lighting is poor; maintenance is neglected, as evidenced by leaky showers and faucets; furniture upholstery is soiled, ripped and unsightly; there are no toilet facilities in the sleeping rooms for juveniles who are locked in at night and use of old-fashioned chamber pots is the practice employed, making for unsanitary conditions belonging to the "dark ages;" the kitchen is antiquated; and there are practically no recreational facilities either indoors or outdoors.

The present Juvenile Home building was not designed for utilization as a detention home for delinquents in the manner presently required. It is inadequate and unsuited in all respects.

This committee therefore recommends:

1. That the responsible officials of Clark County undertake immediately a program of planning and financing for remodeling of the original Juvenile Home building to provide additional office space for the Clark County Probation staff and to set up a modified in-take or reception center for all juvenile cases coming under its jurisdiction.
2. That an addition be constructed on the present building for the specific purpose of providing detention facilities for juveniles.
3. That the addition should include a completely new and modern kitchen and indoor recreation area.
4. That the addition be designed so that future expansion can be undertaken at minimum expense.
5. That any plans and specifications prepared by an architect for the remodeling of the existing building and the construction of the detention wing should be submitted to the National Probation and Parole Association, whose offices are located at 1790 Broadway, New York City, N. Y., through whose architects valuable suggestions can be supplied at no expense to the County of Clark; and that approval of such plans and specifications be delayed until this expert advice is obtained.

6. That immediate plans be made to provide all-weather courts for outdoor recreation for both boys and girls.

#### JUVENILE HOME PERSONNEL

It is imperative to effect an immediate upgrading of the entire staff of matrons, attendants and others connected with the custodial care of children in the Clark County Juvenile Home. This may necessitate an increase in the pay scale in order to attract individuals suited to this type of work.

This committee therefore recommends:

1. That the foregoing enumerated custodial employees, including the cook, should pass a physical examination to determine that they have no physical disabilities or communicable diseases which would prevent their carrying out their assigned duties or would endanger either the children in the Home or themselves.

2. That the present practice of background investigations of every attendant, matron and others on the custodial staff is essential.

3. That a program should be established for in-service training for every staff member.

4. That no new staff member shall be permitted to assume responsibility for a shift before a probationary period during which he receives instruction in his duties under supervision of a qualified member of the staff.

5. That the chief employee in the Juvenile Home detention facility shall be designated as Home Supervisor, and shall be qualified by education and experience to fulfill his duties, which should include:

- A. To serve as liaison between the juveniles detained in the Home and the Probation staff regarding behavior problems and information obtained while the children are in custody, which may assist the Probation staff in deciding upon recommendations for ultimate disposition of the juvenile cases.
- B. To assume full supervision of all matrons, attendants, the cook, and maintenance personnel in their respective duties and in their relationship with the children.
- C. To make ultimate decisions in all disciplinary measures to be employed, in keeping with a basic policy laid down by the higher authority of judges, and the Probation Committee.
- D. To maintain an office in the Juvenile Home detention section and supervise and direct all activities.
- E. With the advice and assistance of the Judges and the Probation Committee, plus the Probation department staff,



he should establish policies and procedures for proper performance of duties and detail the responsibilities of all employees of the detention facility.

- F. With the advice and assistance of the Judges, the Probation Committee, and the Probation Department staff, he should establish definite rules and regulations for the maintenance, operation and control of the detention facility. This should include the handling of all after-working-hour and week-end referrals and releases of juvenile cases.
- G. He should be responsible for the permanent posting of all rules and regulations adopted, and seeing that they are understood and observed by all employees.
- H. He should interview any applicant for employment in the detention facility and be prepared to assist the Probation Committee and others of designated authority in the hiring of personnel for the Home.

RULES OF PROCEDURE, PROGRAM AND REGULATIONS  
FOR THE JUVENILE HOME DETENTION SECTION

In the pamphlet entitled "Institutions Serving Delinquent Children" published by the United States Department of Health, Education and Welfare, Children's Bureau #360, 1957, page 11, is the statement: "Detention (homes) must keep children constructively busy for a day or a week or at most, three weeks. A short period of detention calls for a program emphasizing variety and immediate interest..."

This committee has been informed that the average length of detention at the Juvenile Home is four days. It is understandable therefore that continuity for an educational program would be difficult or almost impossible in the Home. This lack of school then indicates that there should be special emphasis on recreation, exercise and supervised activities, elastic enough to serve the changing population of the Home.

This committee recommends:

1. That it should be a duty of the Home Supervisor to provide a well-planned program of indoor activities such as simple crafts requiring short periods for completion; and outdoor exercise and games.
2. That whatever funds are required to purchase equipment and materials for such a program be provided from Clark County funds.
3. That the Probation Department should continue its study of a modified in-take center to fill the needs of the Department, with a view toward establishment of such a facility at a time and under circumstances approved by the Judges and the Probation Committee. Staff for such a facility should include the following, with consideration to be given in the order of their listing:

- A. A qualified graduate social worker trained in testing, to take case histories and assign each juvenile case to the proper Probation officer and make appointments and arrangements for testing of the child by a clinical psychologist if such procedure is necessary;
- B. A registered nurse to make preliminary health examinations of juveniles being registered into the Juvenile Home or to make referral of the child to a qualified physician if necessary;
- C. A clinical psychologist for testing of children.

4. That as soon as the staff is increased, a schedule should be set up providing visiting hours for parents of juveniles in the Home for Saturdays, Sundays, and holidays, as well as week days.

#### RECORDS

This committee's investigation indicated that at a previous time there had been a lack of effective communication between the Probation Department and law enforcement agencies of Clark County relating to the handling and disposition of juvenile cases. Recently a system was inaugurated by the Probation Department for use of duplicate copies of Probation reports, which are made available to the law enforcement agencies concerned in a specific case.

This committee recommends:

That this new system should be continued, since its effectiveness seems to have been proven.

#### JUVENILE PROBATION COMMITTEE

The Clark County Juvenile Probation Committee is in a position to wield great influence in upgrading the entire Juvenile Home institution and personnel.

This committee recommends:

1. That the Probation Committee must be prepared to fulfill completely its duties declared by law since numerous suggestions have been made herein with reference to Probation Committee participation in establishment of rules and regulations and in the hiring of all personnel connected with the Juvenile Home.

2. That it should be incumbent upon any member of the Juvenile Probation Committee to make periodic inspection of the Juvenile facility and examine performance of duties by personnel assigned thereto.

### III. PROCESSING

#### PROBATION DEPARTMENT

(Relating to Handling of Delinquency Cases)

This committee recognizes that Clark County now has a population approaching 125,000, marking an increase of 158 percent in the past decade, and that any survey of current conditions must be viewed in the light of a continuing growth in population and a probable attendant increase in juvenile cases.

This committee recommends:

1. That consideration be given in the proposed reconstruction plan of the Juvenile Home for additional space to accommodate an eventual increase in staff to meet mounting problems relating to juveniles.
2. That consideration also be given to enlarging the present conference rooms in the Juvenile Home building which are too small to serve the purposes for which they are used.

#### PERSONNEL

This committee found a need for an increase in the personnel in the Clark County Probation Department, according to standards set by the National Probation and Parole Association in New York City. The case load being handled by the local Probation Department is far in excess of that recommended by the Association.

At present, there is insufficient time for any of the probation officers to give full counseling benefits to all probationers, and to the great number of other cases not on probation. This often results in only a token appearance of the juvenile before a Probation Officer.

This committee therefore recommends:

That it should be the goal of the responsible authorities of Clark County to increase the probation personnel in accord with the nationally accepted standards of the Probation and Parole Association as funds will permit.

#### RULES AND REGULATIONS

This committee has become well aware of the complexity of the juvenile problem in Clark County because of the many agencies which have duties assigned by Nevada State Statute, Clark County or municipal ordinance, and the many individuals who are vested with varying degrees of authority and responsibility where juveniles are concerned. Because of these factors, the committee emphasizes again the importance of a handbook of rules and regulations to guide all those in authority, to which reference already has been made.

The committee further recommends:

1. That in considering the case of a juvenile from a community outside of Las Vegas, the probation officer confer with the arresting officer of that jurisdiction before making a final decision on the disposition of the case. Establishment of such rapport, and utilizing the judgment and information of "home town" officers would improve inter-departmental relations.
2. That the handling of all juvenile cases be expedited, but that sufficient time be devoted to the case to develop all pertinent facts on the background of the juvenile and his environment and background.
3. That a central card system be worked out between the Clark County probation Department and the schools for reporting on juveniles who are detained by the Probation Department so the school authorities may be informed of the status of the juveniles.

#### SCHOOLS

Because of parallel problems in delinquent age groups handled by both the Clark County Probation Department and the schools of the County, it appears to this committee that many benefits could be derived from a greater exchange of information between the two agencies.

This committee therefore recommends:

1. That each school day, the Probation Department call the school administration office and list the names of students who are being detained. The office should then have the responsibility of informing the individual schools concerned so that the attendance officers would not be sent out on needless calls. The individual school should then, in most cases, call the Probation Department to get whatever information might be of assistance in counseling the youngster when he returns to school, and to volunteer whatever information which might be of value to the Probation Department in handling the case.
2. That the present system whereby the Probation Department informs the Superintendent of Schools as to the disposition of cases involving students be continued.

#### MENTAL HEALTH CLINIC

It is recommended that the Probation Department continue its utilization of the facilities and services of the Mental Health Clinic in properly evaluating recommendations to the Court of proper disposition of cases.

#### IV. DISPOSITION

##### JUVENILE CASES

This committee commends the court for adopting and putting into practice in the disposition of juvenile matters in Clark County, the premise that "The rights

of parents to care for their children and to exercise their discretion in meeting the needs of their children are basic in our society." Equally basic are the rights of children to maintain their personal liberty free from other than parental or normal community restraint, to live with their parents, and to have someone legally responsible for protecting their interests. ("Standards for Specialized Courts Dealing With Children," Children's Bureau, U.S. Department of Health, Education and Welfare.)

This committee approves of the attitude adopted by all those dealing with the problems of youth in Clark County that first consideration should be given to working out the problems of children while they remain in their own homes and in the custody of their own parents. The consideration of every possible means should continue to be explored so that the Children's Home in Carson City, the Industrial School at Elko, the Spring Mountain Youth Camp, and the detention homes for girls shall not become a "dumping ground" for problem children either in the dependency or the delinquency categories.

The committee recommends:

1. That in keeping with the policy of the various law enforcement agencies that "juvenile cases which are classified as a felony if committed by an adult," should be taken before the Juvenile Judge, rather than being given summary action by the Probation Officer; and that such a policy should be set down in writing by the Juvenile Judges for the Probation Officer.

2. That since it appears that the active Conference Committees in Clark County are making a big contribution in the handling of first offenders, and are serving as deterrent to further violations, that the Juvenile Judges pursue the policy of naming such Conference Committees in each community of Clark County; and that care be given in the selection of the members so that those appointed may be qualified and willing to give the time required for an effective program.

3. That in no way intending to usurp the function of the court making disposition of a case, this committee proposes that if the Juvenile Judge determines not to follow the recommendations of the Probation Officer in a juvenile case brought into court, the Judge confer in private with the Probation Officer concerning the underlying reasons for the recommendation.

4. That whatever legislation is required be sponsored in the Nevada State Legislature to provide court jurisdiction over the parents whose children are found guilty of law infractions.

5. That in view of the policy of confidentiality of juvenile court cases, it might be better practice to have the Juvenile Judge hear each court case privately, excluding other juveniles, their parents, and witnesses, and allowing only the presence of the parties directly involved.

6. That further protection be provided for such juveniles by having those waiting for court hearing to be held in the jury room behind the courtroom, so they are not subjected to the inquiring attention of every casual visitor in the courthouse lobby.

## V. COMMITMENT PRACTICES

### REHABILITATION

During the course of its investigations, this committee has been aware of the general attitude of concern of those in responsible positions dealing with children for a program of emphasis on rehabilitation rather than punishment for delinquent juveniles.

Every effort should be made toward providing more opportunities and facilities to achieve this purpose.

The committee recommends:

1. That even though a "court friend" is well meaning, he sometimes is ineffective and even harmful to the juvenile's rehabilitation. It is suggested that when possible, a member of the clergy might meet with greater success than others. However, the committee feels that a trained person is in a better position to counsel with probation cases than any others.

2. That the present practice of committing delinquent girls from Clark County to the Helena, Montana, Girls' School be continued. The committee found from its investigation that this correctional institution, operated by the Sisters of the Good Shepherd, a Catholic Order, is an exceptionally fine facility for the rehabilitation and education of delinquent girls. The results of its progressive program are apparent in most of the girls who have been released from there. The committee feels that Clark County is extremely fortunate to have this facility available for the care of delinquent girls.

3. That whatever measures necessary to halt the proposed construction of a girls' correctional institution at Caliente be taken immediately. We feel that the Nevada State Legislature was extremely shortsighted in passing such legislation. We believe that such an institution should be located in one of the two counties of the largest population in the State, so that medical, psychological, educational, counseling, and social service resources of larger population areas can be utilized for the benefit of the girls who will be committed there. Our investigations indicate that institutions have been abandoned because of isolation from this type of professional personnel. The committee believes that it will save money for Nevada taxpayers in the future if the present proposed site is abandoned while the plan still is on paper. The prime consideration should be the rehabilitation of girls.

4. That a study be made of the Nevada statutes relating to the Nevada School of Industry with a view to making changes:

- A. To provide that the Juvenile Judge and not the Superintendent of the School of Industry shall have the authority to determine whether a youth shall be admitted to the institution;
- B. To provide that the age limit of those committed and incarcerated at the institution shall be extended from the present maximum age of 18 to 21 years;

- C. To provide that the Superintendent, in considering the release of a juvenile, shall confer with the committing Judge regarding the advisability of such action.

5. That if there is no available space at the Nevada School of Industry for additional commitments, the Superintendent should notify all Judges in the State; and when vacancies occur, he also should notify all Judges that space is available.

6. That this committee has no first-hand information relating to the treatment program for the rehabilitation of boys sent to the Nevada State Industrial School, therefore can draw no conclusions.

#### SPRING MOUNTAIN YOUTH CAMP

This committee was privileged to visit the Spring Mountain Youth Camp early in May and again in mid-August, and has inspected the facilities and resources. The progress in camp development made in the three month interval is remarkable, and the potential for a permanent youth rehabilitation center is excellent. The sponsors of the youth camp, Judge David Zenoff, Sheriff W. E. Leypoldt, and Chief of Police Ray K. Sheffer, with their advisory committee, should be lauded for their foresight in fostering the development and for their enterprise in inspiring local contributions and in following through in the construction and planning.

The response of the citizens of Clark County to the idea of the youth camp is indicative of their recognition of the existence of an acute prior lack of facilities in the area to rehabilitate boys. The developments at the camp thus far are a dramatic demonstration of the generosity of southern Nevadans who have donated such diverse items as mattresses, furniture, refrigerators, building supplies, food, tools, a 30,000 gallon water tank, a chapel, two barracks, chickens, ducks, nails and paint, to mention only a few of the contributions which have made the present development possible.

All this indicates public recognition of an existing problem and a willingness to contribute voluntarily to meet the apparent need. It also indicates that what was started as a noble experiment toward redirecting the faltering footsteps of some of the youths of this area is proving to be an institution which must become permanent.

Believing that the development at Spring Mountain thus far, which has resulted from the generosity of the people, is a mandate from the people to the officials of Clark County to push this development, the committee recommends:

1. That the officials of Clark County undertake immediately a planned program for construction, development, maintenance, operation, and control of the Spring Mountain Youth Camp, financed by tax revenues or other legal means available.

- A. That a master plan for the entire camp development be drawn.

- B. That an appropriation be made for the construction of a completely new kitchen and mess hall.
- C. That a dwelling be financed and built for the Superintendent of the camp.
- D. That a planned recreation area be developed for the leisure time of the boys committed.

2. That while the committee has been concerned with the physical structures and the facilities available, our prime concern has been for the welfare and development of the boys who are sent to the camp for rehabilitation. Therefore, we commend the following practices or plans and urge their continuance for the maximum benefit of the boys:

- A. That a psychological evaluation should precede commitment to the Spring Mountain Youth Camp and be provided to the camp director as needed.
- B. That an adult shall sleep in each barracks with the boys.
- C. That the younger and older boys be segregated for sleeping.
- D. That a minister shall be hired to hold services in the chapel each Sunday, and that attendance at chapel shall be required of all boys assigned to the camp.

3. That the School Administration be commended for providing for a full-time male teacher to conduct academic classes for each of the youths assigned to the camp. In view of the poor school attendance record of almost every boy so far assigned to the camp, and the possibility of failure in school work being a contributing factor to their delinquency tendencies, emphasis should be placed on a remedial program, meeting the need of each youth individually.

4. That if possible, the educational program at the camp should be placed on a 12-month basis. This recommendation is made in recognition of the fact that some of the boys assigned to camp may be helped to revive an interest in education and may be able to return to their own schools with greater understanding of how to study, and why it is necessary in their lives. If it is necessary to hire a different teacher for the summer months, the required financial arrangements should be made.

#### VI. POST-COMMITMENT FOLLOW-UP

This committee has been concerned with the plans for juveniles returning to their home communities following a period of commitment to an institution. Our findings indicate that this has been a weakness in the solution of the juvenile problem in Clark County in the past, but we feel that the newly inaugurated State Parole Officer system for juveniles will be the first step in improving this condition.

The committee recommends:



1. That whatever steps necessary including legislation, be taken to require the State School of Industry at Elko and the State Parole Officers to report immediately to the City, County, Juvenile and School authorities on the release of a juvenile from that jurisdiction; the terms of release, future plans, destination, length of parole, and termination of parole.

2. That prior to the release of a boy from the State School of Industry at Elko, or a girl from an institution of correction, appropriate plans be made by the State Parole Officers for his/her being fitted back into society, setting up a study of his own home, a relative's home or a foster home; enrollment in school; or a job.

The committee has been informed that the State of Nevada now employs two male probation officers for handling boys who are released from institutions and one female probation officer for handling girls under the same circumstances and that these State officers are attempting to implement the policy outlined.

#### VII. DEPENDENCY CASES

##### NEVADA STATE WELFARE DEPARTMENT

(In relation to handling of dependency cases)

The "Interim Report" of this committee on the handling of dependent, neglected and abandoned children by the Nevada State Welfare Department was submitted to the Judges at a time when the Welfare Department planned to handle only cases of children up to six years of age, leaving those up to 18 years of age to be handled by the Clark County Probation Department.

After several conferences with State Welfare, your committee is happy to report that there has been a reversal of policy by State Welfare, and this committee now has been assured by the Director of the Welfare Department, by letter dated August 11, 1960, that the State agency will remove completely from the care of the Probation Department all dependency cases from infant to 18 years of age on the basis of Clark County's participation as set forth in Nevada law, A.B. 255, Chapter 173, Nevada Revised Statutes. A copy of said letter is appended to and made a part of this report.

Relying upon the pledge of the State Welfare Director to assume the responsibilities outlined in the bill referred to above, this committee now recommends:

1. That Clark County participate with the State Welfare Department in the financial obligation attendant to the care of dependency cases in licensed foster homes on the basis of one-third cost of foster home care to be borne by Clark County, and two-thirds by the State of Nevada as prescribed in said legislation.

## VIII. JUVENILE COURT

### JUVENILE JUDGE

(In relation to handling delinquency and dependency cases)

The recommendation of this committee, which it considers of prime importance, is that one of the four Judges of the Eighth Judicial District shall be authorized as a full-time Juvenile Judge, devoting his entire time to the planning and direction of all matters pertaining to the youth of this area. In this regard, we recommend careful study of "Standards for Specialized Courts Dealing With Children," prepared by the Children's Bureau, United States Department of Health, Education and Welfare, in cooperation with the National Probation and Parole Association and the National Council of Juvenile Court Judges--United States Government Printing Office, Washington: 1954.

This committee believes that the enabling act passed by the Nevada State Legislature, Chapters 102 and 222, Statutes of Nevada, 1957, to provide a fourth Judge in the Eighth Judicial District was in response to popular demand from the people of Clark County, who recognized the need for such a full-time Juvenile Judge, and that the intent of the Legislature in drafting the bill was to meet this community need. Chapter 222, Section 62.190, NRS, further provides that when four Judges are serving one judicial district, they may agree to assign one of their members as a full-time Juvenile Judge for a period of two years.

We recognize that there is room for judicial interpretation for the present system of rotation of the juvenile court Judge in the bill as drafted. However, we feel that the greatest step toward a strong, inflexible policy of giving the children of Clark County the help, care and treatment they need with a degree of permanency could be effected by adoption of a policy of a full-time Juvenile Judge, devoting his undivided attention to juvenile matters.

### DIRECTOR OF COURT SERVICES

Realizing that it may be impossible to put into effect immediately the recommendation of this committee to establish a full-time juvenile court because of factors which may necessitate a delay, the committee presents an alternative plan for extending the arm of the judiciary, so there can be continuity in policies, plans and functions of the juvenile court and its subsidiary agencies, even with the present practice of a six-month term for a Juvenile Judge, then rotation of the responsibilities to another Judge.

The need for a liaison officer to coordinate all agency functions in relation to juvenile problems has been apparent to this committee throughout its investigation and study.

In order to obtain the maximum results from efforts being made in the best interests of the youth of this area, this committee recommends:

1. That a new office of Director of Court Services be created and that the office should be filled by a man with a master's degree in social welfare, with administrative training and/or experience.

2. That he should serve as the "arm" of the Juvenile Court Judge to coordinate the services of all agencies and personnel dealing with the problems of children in Clark County. In this duty, he should report criticisms of city, county, and State agencies handling children so the Juvenile Judge can order correction of the procedure.

3. That in carrying out the policies set forth by the Juvenile Judge, he should be the virtual "boss" of the following departments:

- A. Probation Department.
- B. Juvenile Home.
- C. Spring Mountain Youth Camp.

4. That he should serve as a liaison officer in matters pertaining to children with the following agencies and departments: State Welfare, County Welfare, Conference Committees, Clark County Juvenile Probation Committee, Sheriff's Office, various city Police Departments, all school authorities, all public and private agencies, all justice courts, Southern Nevada Memorial Hospital, all health agencies, all service clubs, and commitment facilities for juveniles.

5. That with the advice and consent of the Judges and the Juvenile Probation Committee, he should prepare a handbook of regulations and standards covering all procedures in the handling of delinquent children's cases in Clark County, from initial pickup to eventual release. Such a handbook should be subject to annual review to keep current with problems and resources.

6. That he should set up and supervise in-service training programs for personnel of related agencies to establish a uniformity of practices where juvenile problems are involved.

7. That he should plan and conduct in-service training programs for all personnel of the Probation Department, Juvenile Home, and Spring Mountain Youth Camp.

8. That he should act as a consultant to the Juvenile Probation Committee in hiring of personnel for the Probation Department, Juvenile Home, Spring Mountain Youth Camp, with a view to hiring the best qualified people possible in filling vacancies or in filling new jobs. Emphasis should be placed upon educational background in the specialized field of youth work, the suitability of the personality of the applicant for youth work, the history free of any factors which might place the prospective employee or the juveniles in jeopardy.

9. That a conference be held between the Judges and the Dean of Nevada Southern University to explore the possibility of hiring students taking courses in sociology, psychology, or physical education for part-time duty at the Juvenile Home. This is proposed as a method of augmenting the staff under the proposed in-service training program; to give practical experience to students; and perhaps to open a career for them in probation or welfare work in their own community.

10. That if legislation be needed to establish the position of Director of Court Services, such legislation be drafted and submitted to the next session of the Legislature.

We respectfully submit this report in the hope that it may be of some assistance to the Court in appraising the juvenile services and correcting deficiencies where the same may exist. If some improvement results herefrom, our efforts will have been justified.

DATED this 18th day of August, 1960.

/s/ George Dickerson  
George Dickerson, Chairman

/s/ Sally Neumeyer  
Sally Neumeyer, Member

/s/ Dorothy G. McBeath  
Dorothy McBeath, Member

/s/ James H. Finchler  
James H. Finchler, Member

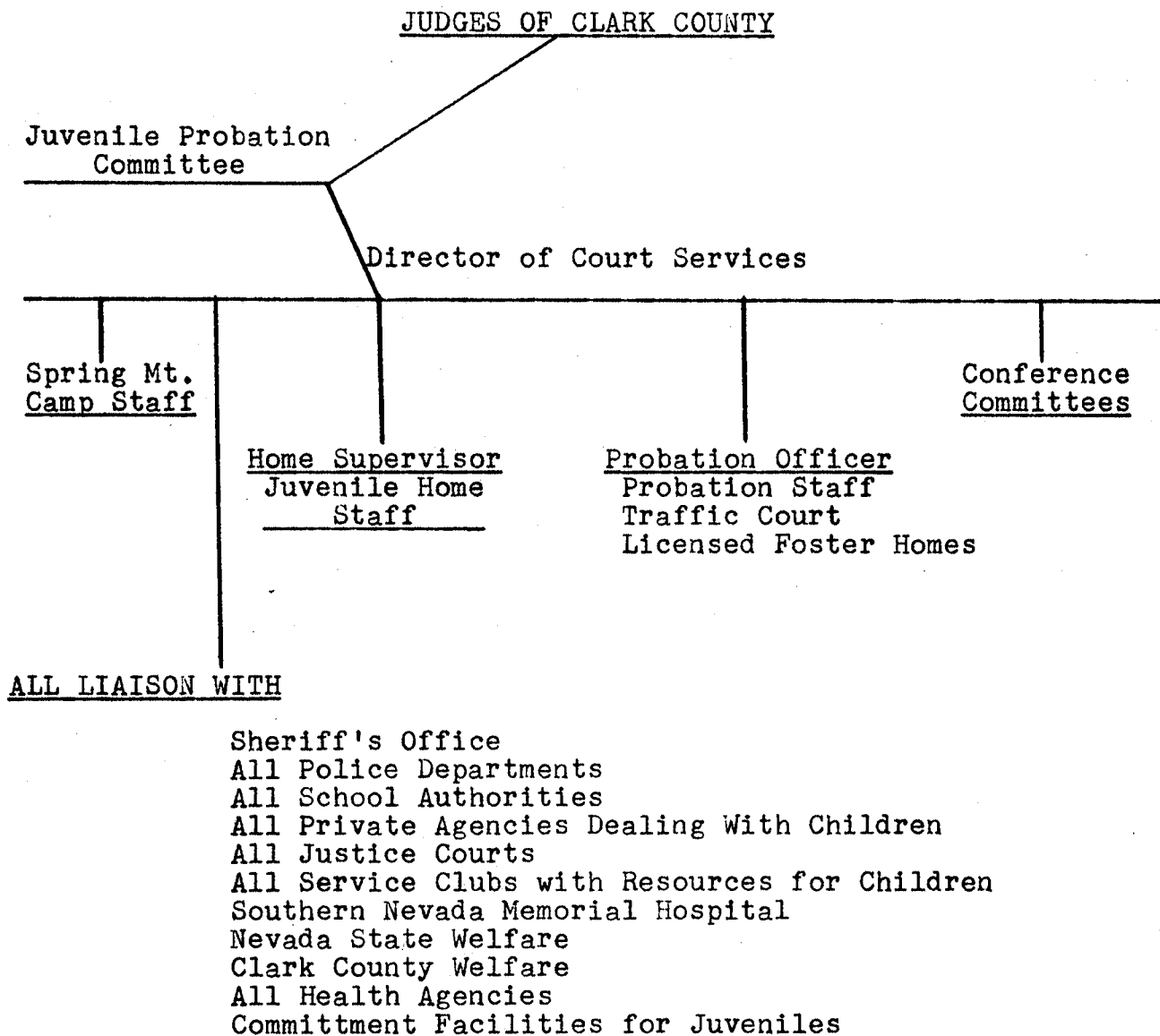
/s/ Frances Belknap  
Frances Belknap, Member

Pattea Tueller, Member

/s/ Florence Cahlan  
Florence Cahlan, Member

/s/ Barbara Greenspun  
Barbara Greenspun, Member

/s/ Marjory Phillips  
Marjory Phillips, Member





## REPORT OF FIFTEEN COUNTY CITIZENS ADVISORY COMMITTEE

### WELFARE STUDY

This committee, appointed to represent all but Clark and Washoe Counties, is composed of the following:

Mr. Robt. Maher  
P. O. Box 338  
Lovelock, Nevada

Mr. Antone Farias  
Yerington, Nevada

Mr. Harry Bishop  
Beowawe, Nevada

Judge Richard R. Hanna  
P. O. Box 648  
Carson City, Nevada

Mr. Glenn Welsh  
P. O. Box 1116  
Hawthorne, Nevada

Judge Jon Collins  
P. O. Box 276  
Ely, Nevada

Mrs. Eleanor Pounds  
Elko County General Hospital  
Elko, Nevada

The initial meeting was held in Carson City on September 24th, 1960. At this meeting Mr. J. E. Springmeyer and S. James Barrick, Director of the Welfare Study Staff, discussed the general nature and purpose of the committee. Following this discussion the committee was organized with Richard R. Hanna of Carson City, Nevada, chosen as Chairman and Mrs. Eleanor Pounds of Elko as Secretary. It was further determined that the committee should confine itself as closely as possible to the items set forth in the "Scope of Study Sheet" furnished by Mr. Springmeyer. It was also decided that the committee could best consider and report on the matters to be studied by it after the individual members through meetings with public officials, boards, civic groups and others, had more fully acquainted themselves with the problems present and the thinking of the local officials and the public. Accordingly the second meeting of the committee was set for Elko on November 5th, 1960.

At the Elko meeting of the committee the individual reports of the members were considered and general discussion was held.

The third and last meeting of the committee was held in Reno on December 3rd, 1960. At this meeting the committee concerned itself with summarizing

findings and reaching agreement insofar as possible on the recommendations to be contained in the report.

The committee's report follows:

As a general observation it became apparent to members of this committee that the problems of the more sparsely populated counties which the committee represents, differ from the problems of the more populated counties, namely, Clark and Washoe, represented by separate committees.

One of the principal differences noted is that the Clark and Washoe Counties and to some extent Elko County are large enough to have or to provide facilities for the handling of many of the welfare problems of their local citizens on a local level, whereas the more sparsely populated counties can neither provide facilities nor is the need present for handling of many welfare problems on a local or county level. This is reflected in some of the recommendations which follow and helps to explain a preference in some instances for state level administration rather than county level administration.

Turning now to the specific outline or scope of study given to the committee as a guide and followed by the committee, its report and recommendations are as follows:

#### Overlapping Services

1. Child care licensing, state law, city and county ordinances.

##### Recommendation

That this matter should be controlled by the State Welfare Department but with the counties and cities retaining licensing power for the limited purpose of revenue only.

Note: The above recommendation is not concurred in by the representative from Elko County. The recommendation of the Elko County representative, Mrs. Pounds, after extensive conversations with the county commissioners and other county officials, is that there should be no duplication.

A further recommendation is that the State Welfare Department be given more authority to investigate and report in those cases where state monies are being used and abused.

2. Care of dependent and neglected children outside own homes.

##### Recommendation

The committee recommends that there be closer cooperation between the State Welfare Department and the Director of the State Children's Home. In this regard the committee recommends that the present law remain the same with respect to the Superintendent of the Children's Home and the Director of the State Welfare Department being on an equal level under the State Welfare Board.

That Chapter 173, Statutes of Nevada 1960, be amended so that payment by the state and counties should be determined on the same formula, whether a



dependent or neglected child is sent by the court to the Children's Home or to a foster home. In this regard the flat fifty-dollar payment by the county for children in the State Children's Home should be repealed.

3. Investigation for public assistance, county hospital and general assistance (county investigation prior to receiving public assistance and supplementation of public assistance recipients in nursing homes, etc.).

Recommendation

(a) That the state pay the costs of medical and hospital care for transient indigent cases.

(b) That upon the request of the county commissioners the State Welfare personnel should assist in making the investigation, report and recommendation concerning indigent or welfare matters. The committee believes that in such cases the county commissioners should have the right to request investigation and report by a State Welfare worker.

4. Dual administration with respect to licensing of nursing homes by State Health Department and licensing of adult group care facilities by State Welfare Department.

Recommendation

None.

5. Relationship between state institutions and other community services.

(a) Children's Home under State Welfare Department.

Recommendation

There should be closer cooperation between the State Welfare Department and the Director of the Children's Home. As noted above, the present law should remain the same with the State Welfare Department Director and the Superintendent of the Children's Home holding an equal independent status under the State Welfare Board.

Future Planning

1. All programs--state or county administered?
  - a. Clients under which agency.
  - b. Immediate assistance for emergencies.

Recommendation

It is the recommendation of the committee that these matters be administered by the counties under the over-all supervision of the state in order that there be uniformity.

Priority Number Two

Financial responsibility of relatives. Assembly Bill No. 179 of the 1960 Session (Lien law vetoed by Governor Sawyer).

### Recommendation

The committee recommends that the enforcement of financial responsibility of relatives be handled at the state level through the Welfare Department rather than on a local level. The reason for such recommendation is the occasional reluctance of a local county official to enforce financial responsibility of relatives in given cases.

### Priority Number Three

#### Gaps in Service

1. Aid to permanently and totally disabled.

#### Recommendation

None.

2. Medical care of A.D.C. families who lack required residence for county aid (3 years in state, 6 months in county).

#### Recommendation

The committee recommends that the state pay the entire cost of medical care and drugs for A.D.C. patients.

3. Licensing of child placing agencies and, outside of Washoe and Clark Counties, group care facilities such as Youth Ranch, foster homes not covered by state law.

#### Recommendation

That licensing should be under the authority and control of the State Welfare Department and further, where state funds are paid under any program, there should be supervision and inspection on the state level.

4. Exclusion from licensing provisions of court placements (except in cases of private institutions which must be approved by State Welfare Department).

#### Recommendation

None.

5. Social services for follow-up on persons released from State Mental Hospital.

6. Lack of protective and other services to children in their own homes (i.e., children returned from Children's Home to own family).

#### Recommendation

That the recommendations contained in Judge Collins' report be adopted by the committee, with the further recommendation that there be authority in the

State Welfare Department to investigate and recommend action in cases where state monies are being used and abused.

Priority Number Four

Future Planning

1. Composition of State Welfare Board.

Recommendation

The committee recommends that the State Welfare Board be comprised of more county commissioners; at least four out of seven members as was the case under the old law.

Mrs. Pounds reported to the committee that the Elko County people believed that in future planning matters the program should be county-administered insofar as possible.

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There is appended to this report for additional information the report of Judge Collins, dated November 15th, 1960; the report given to the committee by Mr. Farias and the report given to the committee by Mrs. Pounds.

Respectfully submitted,

/s/ Richard R. Hanna  
RICHARD R. HANNA  
Chairman

DATED: Feb. 16, 1961.

REPORT OF JON R. COLLINS

Nov. 15, 1960

The following are recommendations reached and made as a result of a meeting between the undersigned and the members of the Board of County Commissioners of Lincoln County and other interested persons held in Pioche, Nevada, on October 17, 1960; and the Board of County Commissioners of White Pine County and other interested persons held in Ely, Nevada, on November 4, 1960.

PRIORITY NUMBER ONE

Overlapping Services:

1. Child care licensing, state law, city and county ordinances.

Recommendation:

There should be no duplication of licensing for purposes of control and regulation. The control and licensing power for purposes of regulation should be all one place or the other. Counties and cities should not be precluded from licensing, however, for revenue purposes.

2. Care of dependent and neglected children outside own homes.

Recommendation:

(a) Emergency foster home program care and expense of the same should be borne by the state and county.

(b) It is felt that more foster homes should be recruited and licensed.

(c) It is recommended that the state should license all foster homes.

(d) There should be an increase in the trade school program within the public school system in order to help children who cannot be academically educated.

(e) There should be an increase in the availability of schools for exceptional children within the public school system.

3. Investigations for public assistance, county hospital and general assistance (county investigation prior to receiving public assistance and supplementation of public assistance recipients in nursing homes, etc.).

Recommendation:

(a) It is recommended that the state pay the entire costs of medical care and drugs for nursing home patients, boarding home clients, and A.D.C. clients.

(b) Any information gained by either the state or a county welfare agency should by law be available to the other agency and to the county commissioners and the courts when they have an official interest.

(c) That the legislature appropriate some of the gas tax funds to meet the cost of medical care of non-resident indigents killed or injured on the highways of this state.

4. Dual administration with respect to licensing of nursing homes by State Health Department and licensing of adult group care facilities by State Welfare Department.

Recommendation:

No change.

5. Relationship between state institutions and other community services.

Recommendation:

There should be a correlation in the operation of the best interest of children generally.

Future Planning:

1. All programs--state or county administered?

Yes, all programs state or county administered.

(a) Clients under which agency.

(b) Immediate assistance for emergencies.

Recommendation:

Lincoln County: None.

White Pine County: To be administered by the counties but under the over-all supervision of the state for uniformity.

PRIORITY NUMBER TWO

Financial Responsibility of Relatives

Recommendation:

Create by law a special deputy attorney general within the office of the Attorney General of the State of Nevada and attach him to the State Welfare Department to make recoveries of property and to enforce financial responsibility for relatives in contributing to the cost and expense of keeping indigent persons.

PRIORITY NUMBER THREE

Gaps in Service

1. Aid to permanently and totally disabled.

Recommendation:

There should be a medical opinion required as to the degree of incapacity.

2. As to aid to permanently and totally disabled, two-thirds of expense therefor should be contributed by the state, one-third should be contributed by the county.

5. Social services follow-up on persons released from State Mental Hospital.

Recommendation:

(a) There should be a very strong follow-up on persons paroled or released from the State Mental Hospital.

(b) Notice should be given to the committing court for persons released from the State Mental Hospital for any reason.

(c) The superintendent of the State Mental Hospital should be a person educated and skilled in hospital administration rather than psychiatry.

6. Lack of protective and other services to children in their own homes (i.e., children returned from Children's Home to own family).

Recommendation:

(a) There should be a definite follow-up on these children to see that their welfare is not harmed by return to their own homes.

(b) Also there should be a follow-up on children released upon probation from the State Industrial School.

PRIORITY NUMBER FOUR

Future Planning

1. Composition of State Welfare Board.

Recommendation:

There should be more county commissioners on the State Welfare Board.

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REPORT OF A. L. FARIAS

Mr. Farias met with the Sheriff, State and County Welfare Staffs, the High School Principal, Two Assemblymen, and others. A report of their suggestions is herein contained.

Investigation for public assistance should be done by the State Welfare Worker in the counties. They are better equipped to do the job than the

Commissioners. After investigation is made, it should be turned over to the Commissioners.

In a case of immediate assistance for emergencies the counties can render the aid until the State Welfare can take over, then the state should reimburse the counties.

I feel that nursing homes and adult group care facilities should be licensed by the same agency, perhaps the State Health Department.

Financial responsibility of relatives--A very careful investigation should be made in these cases. There have been known cases where the indigent or person applying for county aid beforehand deeds the property over to the relatives. In some cases that property can be a means of a livelihood to those relatives; in other cases the relatives do not need the property. Those should be forced to take care of the parent or turn the property over to the county or state.

General relief should be provided by the counties for county residents but for non-county residents aid should be provided by the state.

Hospitalization and medical care for transient accidents should be provided by the state. Some of the small counties have been badly hurt where some of these cases run into thousands of dollars.

Nevada should have an assistance program for the permanent and totally disabled.

Counties need a uniform requirement or eligibility for indigent hospitalization.

The State Welfare Worker in the counties should be notified of dependent and neglected children; then they should be referred to the judges for placement if necessary as is being done at present.

The Children's Home should stay as is under the jurisdiction of the State Welfare Board. The State Welfare Department should be responsible for the licensing of foster homes. The State Children's Home and licensed foster homes are the proper group care facilities for dependent and neglected children.

Aid to Dependent Children should be closer investigated and supervised.

Federal aid has been provided to the states for medical assistance for aged persons not receiving old age assistance, meaning persons who have enough for their everyday expenses but not enough for some or all of their medical needs. This provision should be made.

The following is one possible solution to the present problem of licensing foster homes by both the state and the county: Charge the State Welfare Department with the responsibility for setting minimum standards for licensing of all foster homes. The county welfare department and private child-placing agency would in turn be permitted to do their own foster home investigations provided they met the standards set by the State Welfare Department. This would mean there would need to be supervision and review of the work being

done by the county welfare agencies and private child placing agency by the State Welfare Department to determine that the work was meeting the established standards. The State Welfare Department would continue to license its own foster homes as is the practice today. This plan would eliminate the need for a worker from both the state and the county going into the same home and still ensure that the same standards for foster homes were being met throughout the state.

Also, it would be suggested that the State Welfare Department be given the responsibility for licensing day nurseries, private child placing agencies, and facilities giving group care to children.

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#### REPORT OF ELEANOR S. POUNDS

Mrs. Pounds met with the County Commissioners, the State and County Welfare Workers, the Probation Officer, the District Attorney, and an Assemblyman. The report of their recommendations is herein contained.

#### Priority 1. Overlapping Services

1. Child care licensing, state law, city and county ordinances.
2. Care of dependent and neglected children outside own homes.
  - a. County Welfare, County Probation, District Judges and State Welfare.
3. Investigation for public assistance, county hospital and general assistance (county investigation prior to rec., public assistance and supplementation of public assistance recipients in nursing homes, etc.).
4. Dual administration with respect to licensing of nursing homes by State Health Department and licensing of adult group care facilities by State Welfare Department.
5. Relationship between state institutions and other community services.
  - a. Children's Home under State Welfare Department.

#### Recommendations:

1. Child care licensing in Elko County is done by state law. There are no city or county ordinances dealing with this. The group felt that this should continue, and that there should be no duplication in this instance.
2. It was felt that this should be the joint responsibility of the state and county.
3. The majority of the group felt that this should be the responsibility of the county. The problem of medical care for the transient person injured and brought to the county hospital should be subsidized by the state, funds to be



obtained from either the general fund or a special fund set up for the care of these people.

4. No city or county ordinance in Elko County. It was generally felt that the administration of these agencies should remain with the state.

5. That the State Welfare Department should work closely with the local Welfare Agency and the courts to provide the best and most suitable care for the child.

#### Future Planning

1. All programs--state or county administered?

#### Recommendations:

1. Programs county administered insofar as possible.

#### Priority 2. Financial Responsibility of Relatives

#### Recommendations:

Careful investigation is recommended and revamping of the Lien Law (Assembly Bill Number 179 of the 1960 Session). Care should be taken to eliminate any possibility of hardship on the relatives or dependent of the hospitalized patient. The general feeling of the groups was that there is no way to prevent the person applying for county aid from turning his or her property over to a relative, thus preventing the state or county from exercising a lien. A loophole in the law seems evident concerning the relatives responsibility and false statements regarding salary, etc.

#### Priority 3. Gaps in Service

1. Aid to permanently and totally disabled.
2. Medical care for A.D.C. families who lack required residence for county aid (3 years in state, 6 months in county).
3. Licensing of child placing agencies and, outside of Washoe and Clark Counties, group care facilities such as Youth Ranch, foster homes not covered by state law.
4. Exclusion from licensing provisions of court placements (except in cases of private institutions which must be approved by State Welfare Department).
5. Social services for follow-up on persons released from State Mental Hospital.
6. Lack of protective and other services to children in their own homes (i.e., children returned from Children's Home to own family).

Recommendation:

1. There should be some uniformity in the handling of permanent and partially disabled persons.

There should be some provision made for the rehabilitation of these people, in an attempt to restore them to useful and gainful employment.

2. County responsibility is to be recommended--it takes approximately two weeks for investigation and in the meantime the counties assume the responsibility.

3. There should be more group care facilities and these should be administered uniformly by one agency--preferably the state.

4. No comment.

5. A responsible person or persons should be designated to follow-up cases released from the State Mental Institutions. Notification should be made to the committing court and the doctors when a patient is released from the State Mental Hospital. There should be some plan worked out as regards the commitment of mental patients. In some areas a psychiatrist is not available at all times, the county hospitals are not adequate to care for mental patients, nor is the jail, rather than sending the patient to the mental hospital for diagnosis, it should be handled in some way before the commitment order is given.

6. It was thought that before a child is released to the custody of their own parents or guardians a complete survey should be made and a thorough attempt made to ascertain that conditions were favorable for their return and every effort made to see that the environment was suitable. A child should not be returned to a home where protection was necessary.

Priority 4. Future Planning

1. It was recommended that the State Welfare Board be comprised of more county commissioners.