

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

LCB File No. R120-12

September 17, 2012

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

AUTHORITY: §1, NRS 432.410.

A REGULATION relating to agencies which provide child welfare services; prescribing the requirements for a disaster plan for the care of certain children of an agency which provides child welfare services; and providing other matters properly relating thereto.

Section 1. Chapter 432 of NAC is hereby amended by adding thereto a new section to read as follows:

1. An agency which provides child welfare services shall include in its plan for the care of children in its custody during a disaster the procedures for:

(a) Providing temporary shelter to the children, including, without limitation, an identification of appropriate shelters to which the children may be placed during the disaster.

(b) Evacuating the children from each foster home or facility for the detention or commitment of children in which the children are placed, including, without limitation:

(1) An identification of potential routes for evacuation;

(2) A plan for the transportation of the children;

(3) The procedures for communicating with emergency personnel;

(4) The procedures for evacuating children with disabilities or who have special medical needs; and

(5) The procedures for communicating with each employee of the agency which provides child welfare services who has any of the children included as a client in the caseload of the employee, the director of each foster home and the superintendent of each facility for the detention or commitment of children in which the children are placed.

(c) Caring for children with disabilities or who have special medical needs which must include, without limitation:

(1) Ensuring that the agency which provides child welfare services has access to the most recent plan of care for any such child;

(2) Ensuring that the agency which provides child welfare services has access to a list of all prescription and nonprescription medication prescribed or recommended for any such child by the provider of health care of the child;

(3) An identification of how the director of a foster home or the superintendent of a facility for the detention or commitment of children can obtain a supply of the prescription and nonprescription medications, special dietary foods or supplies for any such child in his or her custody during a disaster;

(4) The procedure for obtaining emergency electrical power for any medical equipment that any such child uses which requires electricity; and

(5) An identification of shelters which are able to accommodate any such child and, if applicable, his or her family.

(d) Communicating with each person or entity who has physical custody of the children before, during and after a disaster, which must include, without limitation:

(1) The most recent contact information for the employees, director or superintendent, as appropriate, of each foster home or facility for the detention or commitment of children in which the children are placed;

(2) The name, address and telephone number of the parent or legal guardian of any such child or any other appropriate person; and

(3) The name, address and telephone number of any provider of health care who is treating any such child.

(e) Coordinating with emergency management entities and juvenile courts during a disaster, which must include, without limitation, a review of the disaster plans of the emergency management entities and juvenile courts to ensure the plan developed pursuant to this section by the agency which provides child welfare services is consistent with those disaster plans.

(f) Providing services to the children to address the emotional impact of the disaster, which must include, without limitation, the procedure by which the children will have access to mental health services.

2. Each agency which provides child welfare services shall:

(a) Provide its plan for the care of children in its custody during a disaster to the director of each foster home and the superintendent of each facility for the detention or commitment of children in which the children are placed.

(b) Review and update its plan for the care of children in its custody during a disaster annually and any time that the contact information required pursuant to paragraph (d) of subsection 1 is changed. In reviewing and updating the plan, the agency which provides child welfare services shall consider:

- (1) The results of any drills or exercises conducted in preparation for a disaster;*
- (2) The response of the agency which provides child welfare services to a past disaster;*
- (3) Any changes to federal, state and local laws and regulations governing disasters and disaster response;*
- (4) The best practices governing disasters and disaster response used by other state and local agencies; and*
- (5) Any other new information relevant to disasters and disaster response.*