

DIVISION OF CHILD & FAMILY SERVICES
CHILDREN'S MENTAL HEALTH SERVICES
LCB File No. R122-18

Informational Statement per NRS 233B.066

1. A clear and concise explanation of the need for the adopted regulation;

The regulation changes needed to comply with Assembly Bill No. 99 for the following:

- Children's Mental Health Services 433B in LCB File No. R-122-18: Clearly establish factors for a court to consider before committing a child to certain facilities; requiring certain facilities to adopt a policy to ensure that each child committed to the facility by a court order is treated in accordance with the gender identity or expression of the child; and providing other matters properly relating thereto.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary;

A Public Workshop was conducted Monday, November 27, 2017, via videoconference, in Carson City at the Legislative Counsel Bureau, 401 S. Carson St., Carson City, NV 89701 and in Las Vegas at the Grant Sawyer Building, 555 E. Washington Ave, #5100, Las Vegas NV 89101. The comments focused on the importance of the legislation and reinforcing the juvenile bill of rights and minor changes to verbiage in a specific section. There were no specific comments for Children's Mental Health.

An additional Public Workshop was conducted for proposed regulation to Chapter 62B and 63 and Chapter 433B of the Nevada Administrative Code was conducted on March 23, 2018 at the Division of Public and Behavioral Health, 4150 Technology Way, Room 303, Carson City, NV 89706 and Grant Sawyer State Office Building, 555 E. Washington Ave., #5100, Governor's Conference Room, 5th floor, Las Vegas NV 89101

Pursuant to Chapter 433B information was solicited via telephone from Willow Springs Treatment Center, Northern Nevada Teen Challenge, Seven Hills Behavioral Heal Hospital, Spring Mountain Treatment Center, Las Vegas Recovery Center, WestCare Nevada, Desert Parkway Behavioral Healthcare Hospital, Montevista Hospital Center, Center for Hope of the Sierras, Never Give Up Youth Healing Center, and Sierra Sage. A small business impact questionnaire along with proposed regulations were sent to the providers. There were no responses received from the facilities notified as the proposed regulation changes reflected internal policy changes. There was no adverse or beneficial financial impact to the small businesses either directly or indirectly, short or long-term.

Other interested parties can find proposed regulations and the small business impact statement on our website at: <http://dcfs.nv.gov> and may request a copy of the summary from Tracey Bowles, 2655 Enterprise Road, Reno, Nevada 89512.

3. A statement indicating the number of persons who attended each meeting or workshop, testified at each hearing, and submitted written statements regarding the proposed regulation. This statement should include for each person identified pursuant to this section that testified at each hearing and/or submitted written statements regarding the proposed regulation, the following information, if provided to the agency conducting the hearing or workshop:
 - (a) Name

- (b) Telephone Number
- (c) Business Address
- (d) Business telephone number
- (e) Electronic mail address; and
- (f) Name of entity or organization represented

There were no written statements, but there were public comments from three members of the public for the workshop held on Monday, November 27, 2017 with 22 attendees' (see attachment G) for full contact information. The comments focused on the importance of the legislation, training and education for courts and agencies in best practice.

There were public comments provided by two attendees' but no written statements for public workshop held March 23, 2018 for Juvenile Justice 62B in LCB File No. R095-18 and Children's Mental Health Services 433B in LCB File No. R-122-18

- (a) Christine Eckles – Division Director Washoe County Juvenile Services
- (b) Ryan Felix – Detention Manager of Carson City Juvenile Services

The comments focused on the importance of the legislation and reinforcing the juvenile bill of rights and minor changes to verbiage in a specific section. There were no specific comments for Children's Mental Health.

4. A description of how comment was solicited (i.e., notices) from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

A copy of the public notice and agenda was faxed to the following locations for posting including all county libraries:

- (a) Division of Public and Behavioral Health, 4150 Technology Way, First Floor Lobby, Carson City
- (b) Nevada State Library and Archives, 100 Stewart Street, Carson City
- (c) Children's Behavioral Services, 2655 Enterprise Road, Reno
- (d) Nevada State Division of Public and Behavioral Health, Office of Vital Records web page: http://dpbh.nv.gov/Programs/BirthDeath/Birth_and_Death_Vital_Records_-_Home/
- (e) Nevada Public Notice Website: <http://notice.nv.gov>

As the regulation affects some privately-owned treatment facilities, the agency did reach out to Willow Springs Treatment Center, Northern Nevada Teen Challenge, Seven Hills Behavioral Health Hospital, Spring Mountain Treatment Center, Las Vegas Recovery Center, WestCare Nevada, Desert Parkway Behavioral Healthcare Hospital, Montevista Hospital, Center for Hope of the Sierra's, Never Give Up Youth Healing Center and Sierra Sage. DCFS contacted each facility by phone and sent a Small Business Impact Questionnaire to determine adverse or benefits that may be derived from the proposed regulation. There were no responses received from the facilities notified as the proposed regulation changes reflected internal policy changes. There was no adverse or beneficial financial impact to the small businesses either directly or indirectly, short or long-term.

A copy of the summary may be requested from Tracey Bowles, 2655 Enterprise Road, Reno, Nevada 89512.

5. If, after consideration of public comment, the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The statement should also explain the reasons for making any changes to the regulation as proposed.

The regulations were approved at the public hearing with no changes proposed.

6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:
 - (a) Both adverse and beneficial effects; and
 - (b) Both immediate and long term effects.

There was no known economic impact, immediate or long-term effects to the public or on the businesses which it is to regulate. There was no known adverse or beneficial impacts for business or to the public.

7. The estimated cost to the agency for enforcement of the proposed regulation.

There are no anticipated costs to the agency for enforcement of the regulations.

8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency.

The proposed regulations do not overlap or duplicate other state or government agencies.

9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions; and

The proposed regulations are not more stringent than federal regulations.

10. If the regulation establishes a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

There are no fees in the proposed regulation.

NOTE: The Informational statement is essential. If this statement is not included with the final regulations or is incomplete or inaccurate, LCB will return the regulation to the agency. Unless a statement is supplied, the LCB will not submit the regulation to the Legislative Commission, and the regulation never becomes effective (NRS 233B.0665).

Attendees for LCB #'s: R051-18, R095-18 and R122-18 Public Workshops & Public Hearing

Public Workshop LCB #'s: R051-18, R095-18 & R122-18 – November 27, 2017

Attendees

Carson City	<p>Dorothy Pomin DCFS Social Services Programs Specialist III 4126 Technology Way, 3rd Floor Carson City, NV 89706 (775) 684- 4434 Email: dpomin@dcsf.nv.gov</p> <p>Sherrie Scaffid T.A.G. (775) 721-8135 Email: sherriePS@yahoo.com</p> <p>Laura Blavenstein University of Reno (775) 762- 2204 Email: lblavenston@sbcglobal.net</p> <p>Lea Custunght (775) 835- 2570 Email: lc@jkelz.com</p> <p>Cynthia Carstairs Children's Cabinet (775) 443-4509 Email: ccarstairs@childrenscabinet.org</p> <p>Brooke Maylath President</p>
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	<p>Lisa Roberts State of Nevada Child Care Licensing (775) 684-4421 Email: lroberts@health.nv.gov</p>
<p>Las Vegas</p>	<p>Jodie E. Gerson DCFS, CPM (702) 486-9722 Email: jgerson@dcsf.nv.gov</p> <p>Tristan Torres (702) 541-3244 Email: Tristen_@live.com</p> <p>Denise Tanata ED (702) 228-1869 Email: Denise.tanata@caanv.org</p> <p>Tara Phebus ED (702) 895-1040 Email: tara.phebus@unlv.edu</p> <p>Daisy Diaz Assessment Specialist (702) 417-7883 Email: daisy-diaz@olivecrest.org</p> <p>Amity Dorman Chief Deputy DA (702) 455-6148 Email: dormana@clarkcountynv.gov</p> <p>Caleb Orton CCDFS Family Services Specialist (702) 455-1953 Email: caleb.orton@clarkcountynv.gov</p> <p>Dianne Fakkas ED (702) 419-2853 Email: dianneff@hotmail.com</p> <p>Andre Wade ED (702) 733-9800 Email: awade@thecenterlv.org</p>

	<p>Madison Sandoval- Lynn (702) 686-3233 Email: madison@fosterlumnivoices.com</p> <p>Shannon Richards DCFS AGO (702) 486-3127 Email: srichards@dcfs.nv.gov</p> <p>Susie Miller DCFS CPM II (702) 486- 5016 Email: smiller@dcfs.nv.gov</p> <p>Amy Honodel</p>
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Public Workshop LCB #'s: R095-18 & R122-18 – March 23, 2018

Attendees

Carson City	<p>Cara Paoli DCFS Reno</p> <p>Tracey Bowles DCFS Reno</p> <p>Ryan Felix CCJJ Reno</p> <p>Christine Eckles Washoe County Juvenile Services</p>
Las Vegas	<p>Tiffany Ontiveros DCFS, CMH</p> <p>John Munoz DCFS, Juvenile Justice Email: jmunoz@dcfs.nv.gov</p> <p>Jodie Gerson DCFS, NYPB Email: jgerson@dcfs.nv.gov</p> <p>Dean Steiner DJJS, Detective Email: steinedh@clarkcountynv.gov</p>

	Susan Miller DCFS
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Public Hearing, LCB #'s: R051-18, R095-18 & R122-18 – September 17, 2018

Attendees

Carson City	<p>Reesha Powell DCFS Deputy Administrator 4126 Technology Way, 3rd Floor Carson City, NV 89706 (775) 684-7956 Email: rpowell@dcfs.nv.gov</p> <p>Testify - NO</p>
	<p>Jeonette Balz NV Psychiatric Association 10580 N. McCarran Blvd., #115-222 Reno, NV 89503 (775) 329-0119 Email: jb@jkbalz.com</p> <p>Testify – NO</p>
	<p>Dorothy Pomin DCFS Social Services Programs Specialist III 4126 Technology Way, 3rd Floor Carson City, NV 89706 (775) 684-4434 Email: dpomin@dcfs.nv.gov</p> <p>Testify – NO</p>
	<p>Jared Busker Children’s Advocacy Alliance 5258 S. Eastern Ave. (702) 637-0927 Email: jaredBusker@cmanv.org</p> <p>Testify - NO</p>

Las Vegas

Denise Tanata
Children's Advocacy Alliance
5258 S. Eastern Ave., #151
Las Vegas, NV 89119
(702) 228-1869
Email: denise.tanata@coanv.org

Testify – YES

John Lum, Quality Assurance Specialist 3
DCFS, Juvenile Justice
(702) 486-8207
Email: jlum@dcfs.nv.gov

Testify – NO

Tiffany Ontiveros
DCFS, Clinical Program Planner 1
6171 W. Charleston Blvd., Bldg. 8
Las Vegas, NV
(702) 486-5004
Email: tontiveros@dcfs.nv.gov

Testify – NO