

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

LCB File No. R021-20

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

AUTHORITY: § 1, NRS 62B.615.

A REGULATION relating to juvenile justice; requiring certain facilities and departments to use evidence-based practices when providing services to children; requiring certain facilities and departments to annually submit certain information to the Division of Child and Family Services of the Department of Health and Human Services concerning programs or services offered; authorizing the Division to withhold state money from a facility or department that the Division determines is not in compliance with the requirement concerning evidence-based practices; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides generally for a system of juvenile justice in this State. (Title 5 of NRS) Existing law requires the Juvenile Justice Oversight Commission to develop a 5-year strategic plan that establishes policies and procedures for the Division of Child and Family Services of the Department of Health and Human Services relating to the use of evidence-based practices when providing services to children subject to the jurisdiction of the juvenile court. (NRS 62B.615) This regulation requires a local facility for the detention of children, a regional facility for the treatment and rehabilitation of children, a state facility for the detention of children and each department of juvenile services to: (1) use evidence-based practices in providing services to children that comply with the evidence-based standards included in the 5-year strategic plan developed by the Commission; (2) annually submit to the Division a written report concerning any programs or services offered by the facility or department that are funded using state money for the immediately preceding fiscal year; and (3) provide any additional information relating to programs or services offered by the facility or department upon request of the Division. This regulation provides that the Division will annually evaluate each report received from a facility or department to determine whether the facility or department is in compliance with the requirement concerning use of evidence-based practices. Finally, this regulation authorizes the Division to withhold state money from a facility or department that the Division determines is not in compliance with the requirement concerning use of evidence-based practices. Before withholding money, this regulation provides that the Division will: (1) notify the facility or department of the specific program or service which is not in compliance with the requirement concerning use of evidence-based practices; (2) require the facility or department to

submit a corrective action plan to the Division upon receipt of a notice of noncompliance; and (3) if the facility or department does not submit or adhere to a corrective action plan, notify the facility or department that money will be withheld and specify the amount of money that will be withheld.

Section 1. Chapter 62B of NAC is hereby amended by adding thereto a new section to read as follows:

1. A local facility for the detention of children, a regional facility for the treatment and rehabilitation of children, a state facility for the detention of children and each department of juvenile services shall use evidence-based practices in providing services to children. Such practices must comply with the evidence-based standards developed by the Commission pursuant to NRS 62B.615.

2. On or before December 15 of each year, a local facility for the detention of children, a regional facility for the treatment and rehabilitation of children, a state facility for the detention of children and each department of juvenile services shall submit to the Division a written report concerning any programs or services offered by the facility or department that are funded using state money for the immediately preceding fiscal year. Such a report must include, without limitation, the name of each such program or service and a description of the manner in which the program or service complies with the evidence-based standards developed by the Commission pursuant to NRS 62B.615.

3. The Division will annually evaluate each report received pursuant to subsection 2 to determine whether the facility or department is in compliance with the requirement set forth in subsection 1.

4. The Division may require a facility or department to submit additional information to the Division relating to any programs or services offered by the facility or department included in the report received pursuant to subsection 2.

5. If the Division determines that a facility or department is not in compliance with the requirement set forth in subsection 1, the Division may withhold state money from the facility or department. Before any money is withheld, the Division will:

(a) Notify the facility or department of the specific program or service which is not in compliance with subsection 1;

(b) Require the facility or department to submit a corrective action plan to the Division within 60 days after receiving such a notice of noncompliance; and

(c) If the facility or department does not submit or adhere to a corrective action plan, notify the facility or department that money will be withheld and specify the amount thereof.

6. As used in this section, “state money” means money received from the State, except money received from the State Plan for Medicaid as a benefit for a child subject to the jurisdiction of a juvenile court.