

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

**LCB FILE NO. R021-201**

**The following document is the initial draft regulation proposed  
by the agency submitted on 02/11/2020**

## NAC 62B

### GENERAL PROVISIONS

**NAC 62B.010 Definitions.** (NRS 62B.250) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 62B.020 to 62B.060, inclusive, have the meanings ascribed to them in those sections. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.020 “Agency” defined.** (NRS 62B.250) “Agency” means any public or private agency, organization or institution detaining or otherwise having custody or control of a child pursuant to title 5 of NRS. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.030 “Child” defined.** (NRS 62B.250) “Child” has the meaning ascribed to it in NRS 62A.030. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.040 “Division” defined.** (NRS 62B.250) “Division” means the Division of Child and Family Services of the Department of Health and Human Services. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.050 “Institution” defined.** (NRS 62B.250) “Institution” means a facility where a child is held before or after adjudication to be in need of supervision or a delinquent child pursuant to title 5 of NRS. The term does not include a group home in which a child may be held pursuant to title 5 of NRS. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.060 “Office” defined.** (NRS 62B.250) “Office” means the Juvenile Justice Programs Office of the Division. (Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

*NAC 62B.XXX “Risk and needs assessment” defined. (NRS 62B.610) “Risk and needs assessment” means a validated tool that uses a currently accepted standard of assessment to assist the juvenile court, the Division of Child and Family Services and departments of juvenile services in determining the appropriate actions to take for each child subject to the jurisdiction of the juvenile court.*

*NAC 62B.XXX “Individualized case plan” defined. (NRS 62E.507). “Individualized case plan” means a plan for each child placed under supervision of a juvenile court or services officer or committed to a regional facility for treatment and rehabilitation of children that meets the requirements of NRS 62E.507.*

*NAC 62B.XXX “Mental health screening” defined. (NRS 62B.610) “Mental health screening” means a validated screening tool that screens a child for mental health interventions or the need for assessment.*

*NAC 62B.XXX “State money” defined. “State money” means money received from the state, except money received from the State Plan for Medicaid for the benefit of a child subject to the jurisdiction of a juvenile court, as outlined in NRS 62B.630.1. This includes but is not limited to the Community Corrections Partnership Block Grant and state general funding for Spring Mountain Youth Camp and China Spring/Aurora Pines Youth Camp.*

*NAC 62B.XXX “JJOC” defined. “JJOC” means the Juvenile Justice Oversight Commission as defined in NRS 62B.600.*

### TRAINING FOR CERTAIN EMPLOYEES

**NAC 62B.100 Training of employees who have direct contact with children or have supervisory duties over other employees.** (NRS 62B.250)

1. An agency that operates an institution shall ensure that each employee who comes into direct contact with children who are in custody receives training in accordance with NRS 62B.250. The training must consist of instruction concerning:

- (a) The topics listed in subsection 1 of NRS 62B.250;
- (b) Proper reporting of suspected child abuse or neglect;
- (c) Proper reporting and investigation of sexual harassment or sexual misconduct consistent with the requirements set forth in the federal Prison Rape Elimination Act of 2003, 42 U.S.C. §§ 15601 et seq., and 28 C.F.R. §§ 115.5 et seq.;
- (d) The conditions and limitations of the use of corrective room restriction set forth in NRS 62B.215;
- (e) The plan for care of children in the institution during disasters developed pursuant to NRS 62B.220;
- (f) Trauma-informed care of children; and
- (g) Data collection.

2. In addition to the instruction required by subsection 1, an agency that operates an institution shall ensure that the training required by subsection 1 and NRS 62B.250 for an employee who has supervisory duties over other employees includes instruction concerning:

- (a) The provisions of the “Juvenile Detention Facility Standards” adopted by the Juvenile Justice Commission; and
- (b) The disproportionate contact of children belonging to a racial or ethnic minority group with the juvenile justice system.

3. As used in this section, “trauma-informed care” means an approach to the delivery of care to a child that takes into account the impact of trauma on the child and emphasizes physical, psychological and emotional safety for both providers and children.

(Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.110 Maintenance of records relating to employee training; annual reports. (NRS 62B.250)**

1. An agency that operates an institution shall keep records related to the training of new and existing employees required pursuant to NRS 62B.250 and NAC 62B.100. Such records must include, without limitation, the date, topic and name of each employee who attended each training session.

2. Not later than February 15 of each year, an agency that operates an institution shall submit to the Office on a form developed and provided by the Office a report concerning the training required by NRS 62B.250 and NAC 62B.100. The report must include, without limitation, the date and topic of each training session and the total number of employees who attended each training session.

3. Based on the information provided to the Office pursuant to this section, the Office will produce an annual report summarizing training provided pursuant to NRS 62B.250 and NAC 62B.100.

(Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**NAC 62B.120 Effect of failure of agency to submit annual report. (NRS 62B.250)** If an agency fails to comply with the requirement to submit an annual training report pursuant to NAC 62B.110, the Office shall notify the governing body of the agency and may take any other action deemed lawful until the agency complies with such reporting requirement.

(Added to NAC by Div. of Child & Fam. Services by R107-16, eff. 12-21-2016)

**Requirement of Evidence Based Programs and Services**

**Section I: NAC 62B.XXX**

- 1. Pursuant to NRS 62B.615, an agency shall utilize evidence-based programs and practices within the juvenile justice system that meet the evidence-based programs and services requirements as adopted by the JJOC.
- 2. An agency shall identify the program (s) or practice (s) state money is utilized for.
- 3. Program and practices, provided by internal staff, within an agency shall be evaluated annually by the submission of programs and practices directly to the Division.
  - a. An agency shall provide the name of the program and information on how the program meets evidence-based requirements.

