

Amendment No. 134

Senate Amendment to Senate Bill No. 380	(BDR S-991)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 380—SENATOR NGUYEN

MARCH 27, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to the Extended Young Adult Support Services Program. (BDR S-991)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to child welfare; revising the date on which an agency which provides child welfare services is required to participate in the Extended Young Adult Support Services Program; authorizing an agency which provides child welfare services to request to participate in the Program before that date; **requiring reporting concerning efforts to allow certain young adults to remain in foster care;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a child whom a court places with a person or entity other than a parent and who reaches 18 years of age to request the court to retain jurisdiction over the child until the child reaches 21 years of age. If a court retains jurisdiction over a child in such circumstances, the child is required to enter into an agreement with the agency which provides child welfare services. Such an agreement is required to provide that the child is entitled to: (1) continue receiving services from the agency which provides child welfare services; and (2) receive monetary payments directly or to have such payments provided to another entity in an amount not to exceed the rate of payment for foster care. (NRS 432B.594) Existing law additionally requires the agency which provides child welfare services to develop a written plan to assist the child in transitioning into independent living. (NRS 432B.595)

Senate Bill No. 397 of the 2021 Legislative Session revises those provisions, effective on January 1, 2024, to require the Division of Child and Family Services of the Department of Health and Human Services to establish the Extended Young Adult Support Services Program to provide extended youth support services to young adults who would have been eligible previously to receive services upon electing to remain under the jurisdiction of the court. (Section 25 of chapter 419, Statutes of Nevada 2021, at page 2728) Senate Bill No. 397 authorizes a young adult to decide to participate in the Program any time before his or her 21st birthday, notwithstanding any previous decision not to participate or to terminate participation. (Section 32 of chapter 419, Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires a participant in the Program to: (1) enter into a written agreement with the agency which provides child welfare services; and (2) be employed or enrolled in certain educational programs or programs to promote employment if the participant is capable of doing so. (Section 33 of chapter 419, Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires: (1) the agency which provides child welfare services to develop a written extended youth support services plan to assist a participant in the Program in transitioning to self-sufficiency; and (2) the participant to make a good faith effort to achieve the goals set

forth in the plan. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734) Senate Bill No. 397 requires a court that has jurisdiction over a participant to hold an annual hearing to: (1) review the plan developed for the participant; and (2) determine whether the agency which provides child welfare services has made reasonable efforts to assist the participant in meeting the goals prescribed by the plan. (Section 26 of chapter 419, Statutes of Nevada 2021, at page 2729) Senate Bill No. 397 additionally provides that a participant in the Program is entitled to continue to: (1) receive services from the agency which provides child welfare services; and (2) receive monetary payments from that agency or have those payments provided to another entity. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734)

Section 1 of this bill revises the date on which an agency which provides child welfare services is required to participate in the Program from January 1, 2024, to July 1, 2025. However, **section 2** of this bill authorizes an agency which provides child welfare services ~~in a county whose population is 100,000 or more (currently Clark and Washoe Counties)~~ to submit a request to the Division to begin participating in the Program before that date. If **sufficient money is available and** the Division approves that request, **section 2** requires the Division to notify the Governor and the Director of the Legislative Counsel Bureau. **Section 2** ~~prohibits an agency which provides child welfare services in a county whose population is less than 100,000 (currently all counties other than Clark and Washoe counties) from participating in the Program until July 1, 2025.~~ **requires the Division to begin reporting on December 31, 2023, and every 6 months thereafter until July 1, 2025, to the Interim Finance Committee and the Legislature on: (1) the status of the implementation of the Program and any requests to participate in the Program before July 1, 2025; (2) the progress of efforts to allow young adults to remain in foster care; (3) recommendations for additional programs to allow young adults to remain in foster care; and (4) the progress of efforts to secure federal funding for the Program.**

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 37 of chapter 419, Statutes of Nevada 2021, at page 2736, is hereby amended to read as follows:

Sec. 37. 1. This section and sections 34.5 and 36 of this act become effective upon passage and approval.

2. Sections 1 to 34, inclusive, and 35 of this act become effective on ~~January 1, 2024.~~ *the earlier of July 1, 2025, or the date on which the Division of Child and Family Services of the Department of Health and Human Services notifies the Governor and the Director of the Legislative Counsel Bureau that **there is sufficient money available to carry out the provisions of those sections and an agency which provides child welfare services, as defined in NRS 422B.030, in at least one county whose population is 100,000 or more** is prepared to participate in the Extended Young Adult Support Services Program established pursuant to section 25 of this act (codified as NRS 432B.5919).*

Sec. 2. 1. An agency which provides child welfare services ~~in a county whose population is 100,000 or more~~ may submit a request to the Division to begin participating in the Program before July 1, 2025.

2. If the Division determines that an agency which provides child welfare services that submits a request pursuant to subsection 1 is prepared to begin participating in the Program before July 1, 2025, **and there is sufficient money available to carry out such a request**, the Division shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact.

3. ~~Notwithstanding the amendatory provisions of section 1 of this act:~~

~~(a) An agency which provides child welfare services in a county whose population is 100,000 or more may not participate in the Program until July 1, 2025, unless the Division approves a request from the agency to participate in the Program before that date pursuant to subsection 2.~~

~~(b) An agency which provides child welfare services in a county whose population is less than 100,000 may not participate in the Program until July 1, 2025.~~ On or before December 31, 2023, and every 6 months thereafter until July 1, 2025, the Division shall submit a report to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee. The report must include, without limitation:

(a) The status of the implementation of the Program and any request made pursuant to subsection 1;

(b) The progress of efforts to allow young adults to remain in foster care;

(c) Recommendations concerning additional programs to allow young adults to remain in foster care, which may include, without limitation, authorizing assistance for young adults under the Kinship Guardianship Assistance Program or providing subsidies for the adoption of young adults;

(d) Any other recommendations to allow young adults to remain in foster care; and

(e) The progress of efforts to secure federal funding for the Program, including, without limitation, the status of any federal approval necessary to receive such funding.

4. As used in this section:

(a) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030.

(b) "Division" means the Division of Child and Family Services of the Department of Health and Human Services.

(c) "Kinship Guardianship Assistance Program" means the Kinship Guardianship Assistance Program established and administered by the Department of Health and Human Services pursuant to NRS 432B.622.

(d) "Program" means the Extended Young Adult Support Services Program established pursuant to section 25 of chapter 419, Statutes of Nevada 2021, at page 2728 (codified as NRS 432B.5919).

(e) "Young adult" means a person who is at least 18 years of age but less than 21 years of age and whose plan for permanent placement adopted pursuant to NRS 432B.553 was, on his or her 18th birthday, a permanent living arrangement other than reunification with his or her parents.

Sec. 3. This act becomes effective upon passage and approval.