

LCB File No. R168-06

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Department of Health and Human Services.

The Department of Health and Human Services will hold a public hearing at 10:00 a.m., on October 3, 2006 at 555 E. Washington Ave., Room 4412, Las Vegas, Nevada, with videoconference to 401 South Carson Street, Room 3137, Carson City, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to chapter 432 (Administration of Children's Trust Account) of the Nevada Administrative Code (NAC).

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. Chapter 432 of the Nevada Revised Statutes (NRS) was amended by Senate Bill 297 from the 2005 Legislative Session. The proposed amendment to NAC corresponds to the statutory changes.
2. The substantive changes are as follows:
 - a) References to the Committee for the Protection of Children are replaced with the Grants Management Advisory Committee.
 - b) Requests for money must include assurance of compliance with all state and federal regulations, conditions and requirements consistent with the expenditure of these funds.
 - c) Notice of decisions regarding requests will be made by the Director following review of Committee recommendations.
3. This NAC does not regulate business and will have no immediate or long-term effects on business.
4. Because this is an amendment to existing regulations, no additional costs are estimated for enforcement.
5. There are no other state, local or federal regulations that overlap with the proposed regulation.
6. The proposed regulation is not required pursuant to federal law.
7. The proposed regulation does not include any provisions which are more stringent than federal regulations.
8. The proposed regulation does not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Department of Health and Human Services may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to Department of Health and Human Services, Grants Management Unit, 505 E. King St., Room 600, Carson City, NV 89701.

Written submissions must be received by the Department of Health and Human Services on or before September 25, 2006. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Department of Health and Human Services may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the following locations:

- Department of Health and Human Services, 505 E. King St, Room 600, Carson City
- Department of Health and Human Services, 4220 S. Maryland Pkwy, Building B, Suite 302, Las Vegas
- Division for Aging Services, 3416 Goni Rd. #D132, Carson City
- Welfare Division, 725 Avenue K, Ely
- Welfare Division, 111 Industrial Way, Fallon
- Welfare Division, 1000 "C" Street, Hawthorne
- Welfare Division, 3700 E. Charleston Blvd, Las Vegas
- Welfare Division, 3697 Kings Row, Reno
- Welfare Division, 1470 E. College Parkway, Carson City
- Office of Disability Services, 3656 Research Way, Suite 32, Carson City
- Washoe County Social Services, 1001 East Ninth Street, Reno
- Clark County Social Services Agency, 1600 Pinto Lane, Las Vegas

and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

- Department of Health and Human Services, 505 E. King St, Room 600, Carson City
- Department of Health and Human Services, 4220 S. Maryland Pkwy, Building B, Suite 302, Las Vegas
- Division for Aging Services, 3416 Goni Rd. #D132, Carson City

- Welfare Division, 725 Avenue K, Ely
- Welfare Division, 111 Industrial Way, Fallon
- Welfare Division, 1000 “C” Street, Hawthorne
- Welfare Division, 3700 E. Charleston Blvd, Las Vegas
- Welfare Division, 3697 Kings Row, Reno
- Welfare Division, 1470 E. College Parkway, Carson City
- Office of Disability Services, 3656 Research Way, Suite 32, Carson City
- Washoe County Social Services, 1001 East Ninth Street, Reno
- Clark County Social Services Agency, 1600 Pinto Lane, Las Vegas

LCB File No. R168-06

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

ADMINISTRATION OF CHILDREN'S TRUST ACCOUNT

432.010 Definitions. As used in NAC 432.010 to 432.040, inclusive, unless the context otherwise requires:

1. "Account" means the Children's Trust Account created pursuant to NRS 432.131.
2. "Committee" means the ~~[Committee for Protection of Children.]~~ *Grants Management Advisory Committee.*
3. *Director means the Director of the Department of Health and Human Services.*

432.020 Eligibility for money from Account.

1. To be eligible for money from the Account, an applicant must provide a program which ~~[does not require money from the Account for more than 12 months and which is:~~
 - ~~—(a) Available to any member of the community; and~~
 - ~~—(b) Designed to prevent abuse or neglect of children.]~~ *is designed to prevent abuse or neglect of children.*
2. Money from the account may not be used to take the place of financial support for current programs.

432.030 Requests for money from Account.

- ~~[1.—At least once each year, the Committee will establish a period in which it will accept requests for money from the Account. Additional periods may be established if money is available.]~~
2. The request for money must include:
 - (a) A detailed description of the services for which the money would be used; and
 - (b) ~~[Certifications by the agency making the request that it will:~~
 - ~~—(1) Comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352);~~
 - ~~—(2) Not discriminate on the basis of religion; and~~
 - ~~—(3) Meet any conditions imposed by the Federal Government and stated by the Committee when it announces the period during which it will accept requests for money from the Account, as a qualification for Nevada to receive money from the Federal Government for the Account.]~~ *Assurance of compliance with all state and federal regulations, conditions and requirements consistent with the expenditure of these funds.*

432.040 Notice of decision regarding request.

1. After reviewing all requests, the Committee will ~~[notify each agency whether its request has been granted. If the request was not granted, the Committee will notify the agency of the reason for denying the request.]~~ *submit to the director a list of each agency recommended for funding.*
2. *The Director will notify each agency whose request for funding has been granted.*