

LCB File No. R174-09

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

NAC 432A.230 License to operate facility: Disciplinary action. (NRS 432A.077, 432A.190, 432A.200)

1. In addition to the grounds set forth in NRS 432A.190, the Bureau may suspend or revoke the license of a licensee on the ground that:

(a) The health or safety of a child in the facility is being endangered; or

(b) The facility is not in compliance with standards for safety from fire and other emergencies or standards for health and sanitation as determined by the Bureau after an inspection of any building or premises of the facility conducted pursuant to NRS 432A.180.

2. The notice of denial, suspension or revocation required by NRS 432A.200 must be sent by the Bureau within 30 days after its determination to suspend or revoke a license or to deny an application for a license.

3. Pursuant to NRS 432A.190, the Bureau of Services for Child Care may impose an administrative fine for a violation of any provision of this chapter or any regulation adopted. The procedure will consist of three progressive steps for violation of 432A regulations.

a) Site Report

b) Notice of violation

c) Citation

4. When the investigation substantiates that unlicensed care is being provided, a citation may or may not be issued. A citation can be issued immediately:

1. If the person refuses to cooperate

2. If the health or safety of any children appears to be in danger

3. If any State, City or County licensing agents have had prior contact with the person and it is verifiable that the need for licensing has been explained.

5. If the person providing illegal child care agrees to become licensed or to cease caring for an illegal number of children immediately, a notice of violation will be issued. If follow-up investigation reveals that the person did not pursue licensure or continued to provide illegal child care, a citation will be issued at this time.

6. Suggested Citation Amounts:

<i>Unlicensed Child Care</i>	<i>\$250.00 + \$10.00/child</i>
<i>Exceeding Licensed Capacity</i>	<i>\$100.00 + \$25/child beyond licensed limit</i>
<i>Exceeding License Age Limits</i>	<i>\$50.00</i>
<i>Exceeding Licensed Hours of operation</i>	<i>\$50.00</i>
<i>Failure to Report Suspected Child Abuse/ Neglect</i>	<i>\$100.00</i>
<i>Unauthorized Release of child</i>	<i>\$200.00</i>
<i>Child Lost While in Care</i>	<i>\$200.00</i>
<i>Operating a facility in a manner</i>	<i>\$100.00</i>

<i>Detrimental to the Health, Safety, and Welfare of children</i>	
<i>Subjecting a Child to Cruel, Harsh, Humiliating Treatment or Corporal Punishment</i>	<i>\$200.00</i>
<i>Subjecting a Child to Emotional Abuse</i>	<i>\$200.00</i>
<i>Lack of or Inadequate Supervision</i>	<i>\$100.00</i>
<i>Insufficient Staff-to-child Ratio</i>	<i>\$100.00/absent caregiver</i>
<i>Violation involving injury</i>	<i>Assigned citation plus 200.00</i>
<i>Any violation not specifically Mentioned in the above Bail Schedule</i>	
<i>Shall have a bail amount of</i>	<i>\$50.00</i>

7. Appeal procedure: The aggrieved person may file notice of appeal with the Chief within 10 calendar days after receipt of notice of action of the Bureau.

a. Within 20 calendar days after the receipt of the notice of appeal, the Chief shall hold a hearing.

b. Notice of the hearing must be given no less than 5 days before the date set for the hearing.