
SENATE BILL NO. 158—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
CHILD WELFARE AND JUVENILE JUSTICE)

MARCH 1, 2021

Referred to Committee on Health and Human Services

SUMMARY—Revises requirements to receive assistance from the
Kinship Guardianship Assistance Program.
(BDR 38-504)

FISCAL NOTE: Effect on Local Government: No.
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 public welfare; revising requirements for a relative of a child in foster care to be eligible for assistance from the Kinship Guardianship Assistance Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Department of Health and Human Services to
2 establish and administer the Kinship Guardianship Assistance Program to provide
3 assistance to a relative who becomes the legal guardian of a child in foster care.
4 (NRS 432B.6201-432B.626) Existing law sets forth various criteria that a child and
5 a relative must satisfy in order for the relative to be eligible for assistance pursuant
6 to the Program. (NRS 432B.623) This bill eliminates the requirement that for a
7 relative to be eligible for such assistance, the child must not be able to permanently
8 return to his or her home or be adopted. Thus, under this bill, the relative of a child
9 who may be able to permanently return to his or her home or be adopted would be
10 eligible for assistance pursuant to the Program if the relative and the child satisfied
11 the other eligibility criteria set forth in existing law.



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

1 **Section 1.** NRS 432B.623 is hereby amended to read as
2 follows:

3 432B.623 1. As a condition to the provision of assistance
4 pursuant to the Program:

5 (a) A child must:

6 (1) Have been removed from his or her home:

7 (I) Pursuant to a written agreement voluntarily entered by
8 the parent or guardian of the child and an agency which provides
9 child welfare services; or

10 (II) By a court which has determined that it is in the best
11 interests of the child for the child to remain in protective custody or
12 to be placed in temporary or permanent custody outside his or her
13 home;

14 (2) For not less than 6 consecutive months, have resided with
15 a relative of the child;

16 (3) ~~Not have as an option for permanent placement the~~
17 ~~return to the home or the adoption of the child;~~

18 ~~(4)~~ Demonstrate a strong attachment to the relative; and

19 ~~(5)~~ (4) If the child is 14 years of age or older, be consulted
20 regarding the guardianship arrangement.

21 (b) A relative of the child must:

22 (1) Demonstrate a strong commitment to caring for the child
23 permanently;

24 (2) Be a provider of foster care who is licensed by a licensing
25 authority pursuant to NRS 424.030;

26 (3) Enter into a written agreement for assistance with an
27 agency which provides child welfare services before the relative is
28 appointed as the legal guardian of the child; and

29 (4) Be appointed as the legal guardian of the child by a court
30 of competent jurisdiction and comply with any requirements
31 imposed by the court.

32 2. If the sibling of a child who is eligible for assistance
33 pursuant to the Program is not eligible for such assistance, the
34 sibling may be placed with the child who is eligible for assistance
35 upon approval of the agency which provides child welfare services
36 and the relative. In such a case, payments may be made for the
37 sibling so placed as if the sibling is eligible for the Program.

38 **Sec. 2.** This act becomes effective on July 1, 2021.

