

Senate Bill No. 158—Committee on
Health and Human Services

CHAPTER.....

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:

Existing law requires the Department of Health and Human Services to establish and administer the Kinship Guardianship Assistance Program to provide assistance to a relative who becomes the legal guardian of a child in foster care. (NRS 432B.6201-432B.626) Existing law sets forth various criteria that a child and a relative must satisfy in order for the relative to be eligible for assistance pursuant to the Program, including a requirement that the child must not be able to permanently return to his or her home or be adopted. (NRS 432B.623) This bill revises that requirement to require that, for a relative to be eligible for such assistance, an agency which provides child welfare services must determine that being returned home or adopted are not appropriate permanency options for the child.

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

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

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

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

(a) A child must:

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

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

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

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

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

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



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

(b) A relative of the child must:

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

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

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

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

(c) An agency which provides child welfare services must determine that being returned home or adopted are not appropriate permanency options for the child.

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

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

