

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:

1 Existing law authorizes a child whom a court places with a person or entity
2 other than a parent and who reaches 18 years of age to request the court to retain
3 jurisdiction over the child until the child reaches 21 years of age. If a court retains
4 jurisdiction over a child in such circumstances, the child is required to enter into an
5 agreement with the agency which provides child welfare services. Such an
6 agreement is required to provide that the child is entitled to: (1) continue receiving
7 services from the agency which provides child welfare services; and (2) receive
8 monetary payments directly or to have such payments provided to another entity in
9 an amount not to exceed the rate of payment for foster care. (NRS 432B.594)
10 Existing law additionally requires the agency which provides child welfare services
11 to develop a written plan to assist the child in transitioning into independent living.
12 (NRS 432B.595)
13 Senate Bill No. 397 of the 2021 Legislative Session revises those provisions,
14 effective on January 1, 2024, to require the Division of Child and Family Services
15 of the Department of Health and Human Services to establish the Extended Young
16 Adult Support Services Program to provide extended youth support services to
17 young adults who would have been eligible previously to receive services upon
18 electing to remain under the jurisdiction of the court. (Section 25 of chapter 419,
19 Statutes of Nevada 2021, at page 2728) Senate Bill No. 397 authorizes a young



20 adult to decide to participate in the Program any time before his or her 21st
 21 birthday, notwithstanding any previous decision not to participate or to terminate
 22 participation. (Section 32 of chapter 419, Statutes of Nevada 2021, at page 2731)
 23 Senate Bill No. 397 requires a participant in the Program to: (1) enter into a written
 24 agreement with the agency which provides child welfare services; and (2) be
 25 employed or enrolled in certain educational programs or programs to promote
 26 employment if the participant is capable of doing so. (Section 33 of chapter 419,
 27 Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires: (1) the agency
 28 which provides child welfare services to develop a written extended youth support
 29 services plan to assist a participant in the Program in transitioning to self-
 30 sufficiency; and (2) the participant to make a good faith effort to achieve the goals
 31 set forth in the plan. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021,
 32 at pages 2731 and 2734) Senate Bill No. 397 requires a court that has jurisdiction
 33 over a participant to hold an annual hearing to: (1) review the plan developed for
 34 the participant; and (2) determine whether the agency which provides child welfare
 35 services has made reasonable efforts to assist the participant in meeting the goals
 36 prescribed by the plan. (Section 26 of chapter 419, Statutes of Nevada 2021, at page
 37 2729) Senate Bill No. 397 additionally provides that a participant in the Program is
 38 entitled to continue to: (1) receive services from the agency which provides child
 39 welfare services; and (2) receive monetary payments from that agency or have
 40 those payments provided to another entity. (Sections 33 and 34 of chapter 419,
 41 Statutes of Nevada 2021, at pages 2731 and 2734)

42 **Section 1** of this bill revises the date on which an agency which provides child
 43 welfare services is required to participate in the Program from January 1, 2024, to
 44 July 1, 2025. However, **section 2** of this bill authorizes an agency which provides
 45 child welfare services to submit a request to the Division to begin participating in
 46 the Program before that date. If sufficient money is available and the Division
 47 approves that request, **section 2** requires the Division to notify the Governor and
 48 the Director of the Legislative Counsel Bureau. **Section 2** requires the Division to
 49 begin reporting on December 31, 2023, and every 6 months thereafter until July 1,
 50 2025, to the Interim Finance Committee and the Legislature on: (1) the status of the
 51 implementation of the Program and any requests to participate in the Program
 52 before July 1, 2025; (2) the progress of efforts to allow young adults to remain in
 53 foster care; (3) recommendations for additional programs to allow young adults to
 54 remain in foster care; and (4) the progress of efforts to secure federal funding for
 55 the Program.

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

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

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

5 2. Sections 1 to 34, inclusive, and 35 of this act become
 6 effective on ~~January 1, 2024.~~ *the earlier of July 1, 2025, or*
 7 *the date on which the Division of Child and Family Services*
 8 *of the Department of Health and Human Services notifies*
 9 *the Governor and the Director of the Legislative Counsel*
 10 *Bureau that there is sufficient money available to carry out*
 11 *the provisions of those sections and an agency which*



1 *provides child welfare services, as defined in NRS*
2 *422B.030, is prepared to participate in the Extended Young*
3 *Adult Support Services Program established pursuant to*
4 *section 25 of this act (codified as NRS 432B.5919).*

5 **Sec. 2.** 1. An agency which provides child welfare services
6 may submit a request to the Division to begin participating in the
7 Program before July 1, 2025.

8 2. If the Division determines that an agency which provides
9 child welfare services that submits a request pursuant to subsection
10 1 is prepared to begin participating in the Program before July 1,
11 2025, and there is sufficient money available to carry out such a
12 request, the Division shall notify the Governor and the Director of
13 the Legislative Counsel Bureau of that fact.

14 3. On or before December 31, 2023, and every 6 months
15 thereafter until July 1, 2025, the Division shall submit a report to the
16 Director of the Legislative Counsel Bureau for transmittal to the
17 Interim Finance Committee. The report must include, without
18 limitation:

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

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

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

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

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

33 4. As used in this section:

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

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

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

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



1 (e) "Young adult" means a person who is at least 18 years of age
2 but less than 21 years of age and whose plan for permanent
3 placement adopted pursuant to NRS 432B.553 was, on his or her
4 18th birthday, a permanent living arrangement other than
5 reunification with his or her parents.

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

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