

Senate Bill No. 380–Senator Nguyen

CHAPTER.....

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; making appropriations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a child whom a court places with a person or entity other than a parent and who reaches 18 years of age to request the court to retain jurisdiction over the child until the child reaches 21 years of age. If a court retains jurisdiction over a child in such circumstances, the child is required to enter into an agreement with the agency which provides child welfare services. Such an agreement is required to provide that the child is entitled to: (1) continue receiving services from the agency which provides child welfare services; and (2) receive monetary payments directly or to have such payments provided to another entity in an amount not to exceed the rate of payment for foster care. (NRS 432B.594) Existing law additionally requires the agency which provides child welfare services to develop a written plan to assist the child in transitioning into independent living. (NRS 432B.595)

Senate Bill No. 397 of the 2021 Legislative Session revises those provisions, effective on January 1, 2024, to require the Division of Child and Family Services of the Department of Health and Human Services to establish the Extended Young Adult Support Services Program to provide extended youth support services to young adults who would have been eligible previously to receive services upon electing to remain under the jurisdiction of the court. (Section 25 of chapter 419, Statutes of Nevada 2021, at page 2728) Senate Bill No. 397 authorizes a young adult to decide to participate in the Program any time before his or her 21st birthday, notwithstanding any previous decision not to participate or to terminate participation. (Section 32 of chapter 419, Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires a participant in the Program to: (1) enter into a written agreement with the agency which provides child welfare services; and (2) be employed or enrolled in certain educational programs or programs to promote employment if the participant is capable of doing so. (Section 33 of chapter 419, Statutes of Nevada 2021, at page 2731) Senate Bill No. 397 requires: (1) the agency which provides child welfare services to develop a written extended youth support services plan to assist a participant in the Program in transitioning to self-sufficiency; and (2) the participant to make a good faith effort to achieve the goals set forth in the plan. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734) Senate Bill No. 397 requires a court that has jurisdiction over a participant to hold an annual hearing to: (1) review the plan developed for the participant; and (2) determine whether the agency which provides child welfare services has made reasonable efforts to assist the participant in meeting the goals prescribed by the plan. (Section 26 of chapter 419, Statutes of Nevada 2021, at page 2729) Senate Bill No. 397 additionally provides that a participant in the Program is entitled to continue to: (1) receive services from the agency which provides child welfare services; and (2) receive monetary payments from that agency or have



those payments provided to another entity. (Sections 33 and 34 of chapter 419, Statutes of Nevada 2021, at pages 2731 and 2734)

Section 1 of this bill revises the date on which an agency which provides child welfare services is required to participate in the Program from January 1, 2024, to July 1, 2025. However, **section 2** of this bill authorizes an agency which provides child welfare services to submit a request to the Division to begin participating in the Program before that date. If sufficient money is available and the Division approves that request, **section 2** requires the Division to notify the Governor and the Director of the Legislative Counsel Bureau. **Section 2** requires the Division to begin reporting on December 31, 2023, and every 6 months thereafter until July 1, 2025, to the Interim Finance Committee and the Legislature on: (1) the status of the implementation of the Program and any requests to participate in the Program before July 1, 2025; (2) the progress of efforts to allow young adults to remain in foster care; (3) recommendations for additional programs to allow young adults to remain in foster care; and (4) the progress of efforts to secure federal funding for the Program. **Sections 1.3 and 1.5** of this bill make appropriations to the Division for personnel costs to develop the Program.

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

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

2. Sections 1 to 34, inclusive, and 35 of this act become effective on ~~January 1, 2024.~~ *the earlier of July 1, 2025, or the date on which the Division of Child and Family Services of the Department of Health and Human Services notifies the Governor and the Director of the Legislative Counsel Bureau that there is sufficient money available to carry out the provisions of those sections and an agency which provides child welfare services, as defined in NRS 422B.030, is prepared to participate in the Extended Young Adult Support Services Program established pursuant to section 25 of this act (codified as NRS 432B.5919).*

Sec. 1.3. 1. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$352,204 for Fiscal Year 2023-2024 for the Family Support Program budget account for personnel costs to develop a statewide Extended Young Adult Support Services Program.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30,



2024, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2024, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2024.

Sec. 1.5. 1. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$276,861 for Fiscal Year 2024-2025 for the Washoe County Child Welfare budget account for personnel costs to develop a statewide Extended Young Adult Support Services Program.

2. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$886,126 for Fiscal Year 2024-2025 for the Clark County Child Welfare budget account for personnel costs to develop a statewide Extended Young Adult Support Services Program.

3. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$49,232 for Fiscal Year 2024-2025 for the Children, Youth and Family Administration budget account for personnel costs to develop a statewide Extended Young Adult Support Services Program.

4. There is hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services the sum of \$162,683 for Fiscal Year 2024-2025 for the Rural Child Welfare budget account for personnel costs to develop a statewide Extended Young Adult Support Services Program.

5. Any remaining balance of the appropriations made by subsections 1 to 4, inclusive, must not be committed for expenditure after June 30, 2025, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 19, 2025, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 19, 2025.



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

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

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

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

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

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

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

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

4. As used in this section:

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

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

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

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

(e) "Young adult" means a person who is at least 18 years of age but less than 21 years of age and whose plan for permanent



placement adopted pursuant to NRS 432B.553 was, on his or her 18th birthday, a permanent living arrangement other than reunification with his or her parents.

Sec. 3. 1. This section and sections 1 and 2 of this act become effective upon passage and approval.

2. Sections 1.3 and 1.5 of this act become effective on July 1, 2023.

