

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

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**PROPOSED REGULATION OF THE
DIVISION OF CHILD AND FAMILY
SERVICES**

**OF THE DEPARTMENT OF HEALTH AND HUMAN
SERVICES**

NRS 432B.190 and 432B.5919

Section 1. Chapter 432B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 2 to 9, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3, 4, and 5 of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Administrative Review” means a collaborative team meeting which includes the young adult, their attorney, the child welfare agency and any other party deemed necessary to discuss the status of the young adult’s participation in the Extended Young Adult Support Services Program.*

Sec. 4. *“Program” means the Extended Young Adult Support Services Program established pursuant to NRS 432B.5919.*

Sec. 5. *“Young adult” means a person who is at least 18 years of age but less than 21 years of age, whose plan for permanent placement adopted pursuant to NRS 432B.553 was, on their 18th birthday, a permanent living arrangement other than reunification with their parents, or whose plan of reunification with their parents was not achieved by their 18th birthday, and who is under a suitable order for foster care placement or a pending foster care case upon turning 18.*

Sec. 6. *Each agency which provides child welfare services that enters into a written agreement with a young adult to participate in the Program pursuant to NRS 432B.594 shall:*

- 1. Develop a case plan in collaboration with the young adult;*
- 2. Review and update the case plan developed pursuant to subsection 1 at least once every 6 months; and*
- 3. Visit the young adult in person at least once each month during the time in which the young adult is participating in the Program. At least 50 percent of these in person visits must be conducted in the residence of the young adult.*
- 4. Conduct a meeting with the young adult at least 30 calendar days, but not more than 45 calendar days, before they reach the age of 21 years to determine whether the young adult requires any additional guidance.*

Sec. 7. 1. *Except as otherwise provided in subsection 6, for each young adult who has entered*

into a written agreement to participate in the Program pursuant to NRS 432B.594, the court shall, within 6 months after the date on which the young adult entered into the agreement, and every 12 months thereafter, conduct a status review of the young adult in the Program until the young adult is no longer a participant in the Program. Each status review conducted pursuant to this subsection must:

- (a) Be held in a manner that supports the active engagement of the young adult in key decisions;*
- (b) Focus on whether the young adult is safe in their placement;*
- (c) Consider whether continued participation in the Program is appropriate;*
- (d) Consider whether the young adult is developing appropriate and meaningful independent living skills; and*
- (e) Assess the progress made by the young adult towards achieving independence by a projected date.*

2. Except as otherwise provided in subsection 5, for each young adult who has entered into a written agreement to participate in the Program pursuant to NRS 432B.594, the court shall, within 12 months after the date on which the young adult entered into the agreement, and every 12 months thereafter, conduct an annual permanency hearing concerning the young adult in the Program until the young adult is no longer a participant in the Program. Each annual permanency hearing conducted pursuant to this subsection must:

(a) Be held in a manner that supports the active engagement of the young adult in key decisions; and

(b) Include a judicial determination that the agency which provides child welfare services has made reasonable efforts to finalize a permanency plan for the young adult or to prepare the young adult for independence.

3. Each review or hearing conducted pursuant to this section must be conducted as a collaborative team meeting and be held in a manner that supports the active engagement of the young adult in key decisions, and must include the young adult's attorney and any other party deemed necessary to discuss the status of the participation of the young adult in the Program.

4. The agency which provides child welfare services must send a notice of each review or hearing conducted pursuant to this section to the young adult and their attorney.

5. The court may enter an order directing that a status review or an annual permanency hearing conducted pursuant to this section be conducted by an administrative review panel of three or more persons appointed by mutual consent of the judge or judges of the court. At least one of the persons appointed to the administrative review panel must be a person who is not responsible for the case management of or the delivery of services to the young adult who is the subject of the review or the hearing. The persons so appointed to the administrative review

panel shall serve without compensation at the pleasure of the court.

Sec. 8. *1. An agency which provides child welfare services shall monitor the participation of each young adult participating in the Program to prevent the young adult from terminating their participation in the Program.*

2. Before the agency which provides child welfare services decides to terminate the participation of a young adult in the Program either because of a decrease in engagement by the young adult towards achieving the goals set forth in the plan developed pursuant to NRS 432B.595 or a lack of compliance with the requirements of the Program by the young adult, the agency must make reasonable efforts to reengage the young adult in the Program. These reasonable efforts may include, without limitation, assigned staff of the agency:

(a) Attempting to contact the young adult more frequently through various methods, including, without limitation, email, text, virtual visits, or in person visits at work, home or school;

(b) Providing more concentrated supports to help the young adult participate in services offered through the Program;

(c) Using motivational interviewing to identify what motivates the young adult to succeed;

(d) Conducting diligent searches to locate the young adult; and

(e) Enlisting the assistance of any identified supports in the life of the young adult.

3. A young adult may at any time request to terminate their participation in the Program by submitting a written request to the agency which provides child welfare services, their attorney or the court.

4. If, during an administrative review conducted pursuant to subsection 5 of NRS 432B.594, the panel conducting the administrative review determines that the young adult will remain in the Program:

(a) The panel will collaborate with the young adult and identify solutions to enable the young adult to make a good faith effort to achieve the goals set forth in the plan developed pursuant to NRS 432B.595;

(b) The young adult has up to 30 days to provide any documentation and current contact information required by the panel to the agency which provides child welfare services; and

(c) The young adult will be placed on a 60-day probation period, and if the young adult is not compliant with the Program at any time during the 60 day period, the agency which provides child welfare services may submit a notice to the court that it wishes to terminate the participation of the young adult in the Program.

Sec 9. *1. At least 90 days before the date on which a young adult who is participating in the Program reaches the age of 21, the agency which provides child welfare services shall develop a transition plan that satisfies the requirements of 42 U.S.C. § 675(5)(H). That plan must include, without limitation, information relating to sexual health, services and resources to ensure that the young adult is informed and prepared to make healthy decisions about their life.*

2. An agency which provides child welfare services shall also develop a transition plan that satisfies the requirements of 42 U.S.C. §675(5)(H) for a young adult if:

(a) The young adult requests that participation in the Program be terminated; or

(b) The agency which provides child welfare services wishes to terminate the participation of the young adult in the Program.

3. When a young adult who is participating in the Program leaves the Program, the agency which provides child welfare services shall provide the young adult with the documents required to be provided pursuant to 42 U.S.C. §675(5)(I), if these documents have not already been provided.

4. An agency which provides child welfare services and the court shall ensure that the participation of a young adult in the Program is not terminated until the court approves a transition plan that satisfies the requirements of 42 U.S.C. § 675(5)(H) and the young adult has been provided the documents required to be provided pursuant to 42 U.S.C. §675(5)(I), or the agency which provides child welfare services has provided them to the last known address, and used best efforts to locate the youth.