

## MEETING NOTICE AND AGENDA

Name of Organization: Legislative Commission's Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada (Assembly Concurrent Resolution No. 53, File No. 141, *Statutes of Nevada 1999*)

Date and Time of Meeting: Thursday, June 15, 2000  
9 a.m.

Place of Meeting: Grant Sawyer State Office Building  
Room 4401  
555 East Washington Avenue  
Las Vegas, Nevada

Note: Some members of the committee may be attending the meeting and other persons may observe the meeting and provide testimony, through a simultaneous video conference conducted at the following location:

Legislative Building  
Room 3138  
401 South Carson Street  
Carson City, Nevada

*If you cannot attend the meeting, you can listen to it live over the Internet. The address for the Legislative Web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."*

## AGENDA

- I. Opening Remarks  
Assemblywoman Barbara E. Buckley, Chairwoman
- \*II. Approval of Minutes of Meeting Held on April 25, 2000, in Las Vegas, Nevada
- III. Proposal for Integrating Nevada's Child Welfare System
  - A. Overview of the Proposed Model for Integrating Nevada's Child Welfare System  
Dr. Thom Reilly, Professor, School of Social Work, University of Nevada, Las Vegas.  
Dr. James Rast, Psychologist and Consultant to Nevada's Division of Child and Family Services (DCFS), Nevada's Department of Human Resources
  - B. Overview of Cost Estimates Associated with the Proposed Model for Integrating Nevada's Child Welfare System

1. Summary of Cost Estimates Submitted by DCFS and Clark and Washoe Counties  
Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau
2. Changes in Automation of Child Welfare Information System in Clark County  
Kirby Burgess, Director, Department of Youth and Family Services (DYFS),  
Clark County  
Adrienne Cox, Assistant Director, DYFS, Clark County  
Representative of MAXIMUS, Inc.  
Stephen A. Shaw, Administrator, DCFS
3. Improved Access to Mental Health Services for Severely Emotionally Disturbed Children  
Dr. Christa Peterson, Deputy Administrator, DCFS
4. Enhancement of Services Provided by DCFS in Rural Nevada  
MaryEllen White, Social Welfare Program Chief, DCFS

C. Overview of Potential Federal Funding Sources for the Costs Associated with the Proposed Model  
Representative of MAXIMUS, Inc.

D. Status Report on Discussions with the Child Welfare League of America Regarding the Proposed Model  
MaryEllen White, Social Welfare Program Chief, DCFS

\*IV. Work Session – Discussion and Action on Final Recommendations (See attached “Work Session Document” for a Summary of Proposals)

\*V. Future Meeting Dates and Topics

VI. Public Testimony

VII. Adjournment

\*Denotes items on which the committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Kennedy at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

## WORK SESSION DOCUMENT

Legislative Commission’s Subcommittee on the Study of the  
Integration of State and Local Child Welfare Systems in Nevada  
(Assembly Concurrent Resolution No. 53, File No. 141, *Statutes of Nevada 1999*)

**June 15, 2000**

The following work session outline was prepared by staff of the Legislative Commission's Subcommittee on the Study of the Integration of State and Local Child Welfare Systems in Nevada (A.C.R. 53). The outline contains a compilation of recommendations within the scope of the study that were presented in hearings and in writing during the course of the study for the Subcommittee's consideration.

The possible actions listed in the document do not necessarily have the support or opposition of the Subcommittee. These possible actions simply are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. Sponsors of recommendations may be noted in parentheses. Any recommendations adopted by the Subcommittee will be submitted in report form to the Legislative Commission for consideration.

Please note that under *Nevada Revised Statutes* (NRS) 218.2429, interim committees conducting a study or investigation are limited to no more than 10 legislative measures (bill draft requests). However, committees may request the preparation of additional legislative measures if the Legislative Commission approves each additional request by a majority vote.

Finally, A.C.R. 53 specifies that any recommended legislation proposed by the Subcommittee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Subcommittee.

### **RECOMMENDATIONS RELATING TO THE INTEGRATION OF CHILD WELFARE SERVICES IN NEVADA**

The following six recommendations relate to proposals to integrate State and local child welfare systems in Nevada, as directed by A.C.R. 53. Please note that specific sponsors of the recommendations may not be provided if the proposals were raised and discussed by numerous individuals and entities during the course of the study.

**RECOMMENDATION NO. 1 – Draft legislation to implement the proposed model that transfers foster care and adoption services (as well as other related child welfare programs) to Clark and Washoe Counties and to continue and expand the operation of pilot programs for two more years.** (Comprehensive recommendation proposed by Assemblywoman Barbara E. Buckley, Chairwoman of the A.C.R. 53 Subcommittee, to incorporate multiple proposals involving the model developed by Dr. Thom Reilly, Professor, School of Social Work, University of Nevada, Las Vegas.)

The recommendation includes the following major components:

- A. **Proposed Model:** The proposed model was developed by Dr. Reilly and is entitled "Nevada's Integrated Child Welfare System: The Next Step." Under the model, case management functions for foster care and adoptions, emergency shelter care, family foster care, and other related child welfare programs are transferred to counties with a population of more than 100,000 from Nevada's Division of Child and Family Services (DCFS), Nevada's Department of Human Resources. (See pages 7 through 9 for a narrative of Dr. Reilly's model.)
- B. **Effective date of legislation necessary to implement the model:** September 1, 2002.
- C. **Pilot Programs:** Draft legislation to continue and expand pilot programs authorized in 1999 to provide continuity of care for children who receive protective services as follows:
  1. **Extend Enabling Legislation:** Extend the expiration date of the 1999 legislation that authorizes the creation of pilot programs in counties whose population is 100,000 or more to September 1, 2002.
  2. **Expansion of Programs:** Expand the provisions governing pilot programs to include the following items:
    - a. Termination of parental rights.
    - b. Adoptions.
    - c. Authorization for the county to hire employees from Nevada's Division of Child and Family Services (DCFS) in accordance with the agreement between the county and the State.

**RECOMMENDATION NO. 2 - *If Recommendation No. 1 is approved by the A.C.R. 53 Subcommittee, recommend that the Legislature also consider improving the following components of the child welfare system to adequate levels, as outlined below, if sufficient funds are available:***

- A. Lower the caseloads in Clark County for foster care and adoption case management under the proposed model to match the caseloads in Washoe County;
- B. Increase access to mental health services; *and/or*
- C. "Match-up" services provided in rural Nevada by DCFS.

(STAFF NOTE: THE SUBCOMMITTEE MAY WISH TO CONSIDER RECOMMENDATION NOS. 3 AND 4 TOGETHER.)

**RECOMMENDATION NO. 3 - *If Recommendation Nos. 1 and 2 are approved by the A.C.R. 53 Subcommittee, include a statement in the report recognizing that the Subcommittee's support is subject to the Subcommittee's future determination that (1) the additional cost required to end the current bifurcation of the child welfare system is reasonable, and that (2) non-State funding sources are available to ensure that the cost is not prohibitive and that the recommendations can be reasonably implemented.*** (Proposed by Chairwoman Buckley.)

**RECOMMENDATION NO. 4 - *If Recommendation Nos. 1 and 2 are approved by the A.C.R. 53 Subcommittee, establish a general timeline for finalizing the cost estimates of the proposed model and presenting the additional information to the A.C.R. 53 Subcommittee in August 2000.*** (Proposed by Chairwoman Buckley.)

*If the A.C.R. 53 Subcommittee votes in favor of recommendations to implement the proposed model (see Recommendation Nos. 1 and 2), the A.C.R. 53 Subcommittee will need an opportunity to review the necessary information (including the estimates on the cost of the model and related enhancements) that was not available at the work session. Therefore, the Subcommittee may wish to consider the following recommendations:*

- A. Schedule an additional meeting in August 2000 for the A.C.R. 53 Subcommittee to review the relevant information and cost estimates; and
- B. Establish a timeline for finalizing the proposed model to provide its total cost estimate to the A.C.R. 53 Subcommittee in August 2000 and to Governor Kenny Guinn in October 2000 for his review in the development of the budget presented to the 2001 Legislature.

**RECOMMENDATION NO. 5 - *In lieu of adopting the proposed model (Recommendation Nos. 1 through 4), draft legislation to extend the expiration date of the 1999 legislation authorizing the creation of pilot programs in counties whose populations are 100,000 or more.*** (Concept, but not actual language, proposed by Robert J. Gagnier, Executive Director of the State of Nevada Employees Association.)

**RECOMMENDATION NO. 6 - *Draft legislation to create a statutory legislative committee on children, youth, and families.*** (Proposed by Chairwoman Buckley, Senator Jon C. Porter, Senator Maurice Washington, Dr. Reilly, and representatives of Washoe County.)

Draft legislation to create a standing legislative committee to review issues involving child welfare in Nevada. *If the proposed model is adopted (Recommendation No. 1), additional responsibilities may include:*

- Monitor the progress of the implementation of the proposed model;
- Receive reports from the multiagency consortium;
- Monitor the fiscal impact of the proposed model as it is implemented; and
- Study the needs of abused and neglected children to access necessary mental health programs.

**ADDITIONAL RECOMMENDATION RELATING TO  
CHILD WELFARE AND PROTECTIVE SERVICES IN NEVADA**

The following recommendation relates generally to child welfare and protective services in Nevada:

**RECOMMENDATION NO. 7 – Urge by resolution Nevada’s Department of Human Resources to review the Foster Care Independence Act of 1999 and the feasibility of amending the State Medicaid Plan to create a new Medicaid Eligibility Group for children who have “aged out” of foster care.** (Proposed by Chris Brooks, Foster Adolescent, and Chairwoman Buckley.)

The Foster Care Independence Act of 1999 establishes a new optional Medicaid eligibility group for children who are in foster care under the responsibility of the State on their 18<sup>th</sup> birthday and doubles the federal funding for the Title IV-E Independent Living Program from \$70 million to \$140 million. The options include the flexibility to provide eligibility for these children until they reach age 19, 20, or 21. Testimony during the course of the study indicated that children in foster care often face tremendous financial problems when they complete high school or reach 18 years of age.

**RECOMMENDATION NO. 8 – Draft legislation to expand the definition of a child under NRS 432.010 (“less than 18 years of age, or if in school, until graduation from high school”) to permit a youth to stay in foster care until the age of 21 years under certain circumstances.** (Proposed by Dr. Reilly, Mr. Brooks, and Francis M. Doherty, Juvenile Court Master, Washoe County.)

Legislative Commission’s Interim Subcommittee to Study the Integration of Nevada’s State and Local Child Welfare Systems (A.C.R. 53)

*Proposed Model  
Nevada’s Integrated Child Welfare System: The Next Step*

*The system in Nevada of separating child protective service functions from the larger child welfare system (foster care and adoption services) is not responsive to children and families nor is it cost effective. Over the past dozen years, numerous studies of effectiveness and efficiency of this unusual arrangement have been conducted by the federal government and national child welfare organizations. Every study identified serious concerns about the efficacy of the county/state split of responsibilities in Clark and Washoe Counties for children and families. Sweeping new legislation passed by the United States Congress (The Adoption and Safe Families Act - ASFA) and adopted by the 1999 Nevada Legislature create new demands to move children into permanent home settings in a shorter period of time. These mandates will be difficult to meet in the current bifurcated child welfare system.*

*The passage of the ASFA coupled with the work of the A.C.R 53 committee provides for unprecedented opportunity to make the Nevada system more responsive to the multiple, and often, complex needs of children and families. To accomplish this, one agency needs to be responsible for children and families requiring child welfare services and forge the necessary linkages between the child welfare system and other systems of support (mental health, early childhood, substance abuse, income maintenance, courts) to ensure the safety and well-being of children and their families. In addition, services and supports need to be easily accessible, flexible, and provided in a cost responsible manner. The state Division of Child and Family Services (DCFS), Washoe County and Clark County have been working on a proposed model to decrease fragmentation and improve coordination of child welfare services.*

*Under this model:*

- \* Case management functions for foster care and adoptions would transfer to Counties with a population over 100,000 (Clark and Washoe). This would allow for all child welfare staff (child protective services, foster care and adoptions) to be administered by a single agency. Child welfare services in Rural Nevada would continue to be administered by DCFS (these case management functions are currently not fragmented and the rural communities do not have the infrastructure at this time to assume this program).*
- \* Centralized Intake staff (CRB) would transfer with the child welfare staff to Clark and Washoe. This will provide streamlined, early and direct access to these assessment services.*
- \* Family Preservation staff would transfer to Clark and Washoe to ensure families receive needed intensive services to prevent the unnecessary removal of children from their homes.*
- \* Family foster care and emergency care will be the responsibility of Clark and Washoe Counties. Funding for*

*family foster care will transfer to these larger counties. Enhanced family foster care (better pay and more support to care for children experiencing problems) will decrease the inappropriate escalation of children to higher levels of care.*

- \* *Foster/ Group Home Licensing and Child Welfare Eligibility would remain a centralized function with DCFS.*
- \* *DCFS would provide an enhanced regulatory oversight role for all Child Welfare programs statewide (including the evaluation of program and services).*
- \* *All Child and Adolescent Mental Health Programs (Early Childhood, OutPatient Treatment, On-Campus Treatment Homes, Acute Residential, Clinical Case Management, and Long Term Residential Services) will be administered by DCFS. In addition, all Purchased Placement dollars for higher levels of care (Levels I-V) including therapeutic, group, residential and institutional care would remain the responsibility of DCFS. Funding for these services would be covered through the same mechanisms available today with DCFS having fiscal responsibility for these programs. However, a local county collaborative structure or consortium made up of representatives from the County, DCFS, the Medicaid program, families, local providers, the school district and community business and civic leaders would be established in Clark and Washoe to determine prioritization and access to care for all populations requiring these services: the child welfare, juvenile justice and voluntary (community) populations in their Counties (within legislatively approved amounts).*

*The mental health portion of this model is seen as a transition step that creates a system and infrastructure that could, at a later point in time, be either transferred to the counties or privatized. This piece is costly and complex (in terms of types of services, quality assurance, gatekeeping, funding and matching requirements) and the infrastructure and level of trust (between the counties and the state) have not developed to a point where these services can be transferred to the local level or privatized at this time.*

*A major concern on behalf of the state is ensuring that appropriate gatekeeping and cost control mechanisms can be maintained. On the other hand, the two counties worry about their ability to access needed services for children in their legal care in a timely manner. Several components would need to be built into this model:*

- 1) *Criteria for accessing these mental health and higher level of care services would be a diagnosis of having a severe emotional disorder (SED). Approximately 37% of the children within the child welfare system in Nevada are SED. If the child has a mental health disorder but it is not severe, the county will provide family support or preservation services and would access mental health services through private providers using Medicaid as a payment source.*
- 2) *The current level of effort being spent for this population would need to be maintained in each county.*
- 3) *While each county collaborative structure would need to live within the legislatively approved allocation, the ability to be flexible with these dollars is essential. Legislation establishing the collaborative structure would be needed and guiding principles that allow comprehensive wrap-around services to children in family foster care and/or to the child's family would need to be assured. Likewise, the flexibility to provide services to keep siblings together would be needed. Therefore if one child within the family has a severe emotional disorder, the entire family should be eligible to receive services.*
- 4) *Local consortiums would be required to submit a detailed plan describing the types of services and supports being offered through the consortium; a plan for prioritizing the populations accessing services; the mechanisms and quality assurance measures that will be put in place to ensure funds will be managed within legislatively authorized amounts; documentation on the unmet need for children with severe emotional disturbances and their families; barriers in the local geographic community to meeting those needs; recommendations for the removal of these barriers; a description on how the consortium will be expanded to include other community members; and methods to measure the collective performance outcomes of services provide and how individual providers' performance will be measured.*

*Efforts to collocate county child welfare staff with DCFS mental health and clinical staff should be made under this*

*new system to facilitate communication. Plans for transitioning program and services should be tailored to each county allowing for the ability to build on current pilot programs in Washoe and Clark. The target date for the completion of the integration to occur is September 1, 2002.*

*A Legislative Committee on Children, Youth and Families should be established (either via the existing A.C.R 53 Committee or another legislative committee) to oversee the integration of child welfare services and assist in the transition.*

*Finally, there is insufficient money to fund current needed and the population is growing at a rapid pace. Increases in state and county funding and strategies for increasing federal participation should be a priority.*

*Prepared: 5 June 2000*

*Thom Reilly*

*University of Nevada, Las Vegas*