

LCB File No. E001-01

**Emergency Regulation of the
Division of Child and Family Services of the
Department of Human Resources**

Effective June 28, 2001

Authority: NRS 432B.190.

Section 1. Section 26 of LCB File No. R221-97 adopted by the Division of Child and Family Services of the Department of Human Resources is hereby repealed.

TEXT OF REPEALED SECTION

Sec. 26. Sections 3, 7 to 16, inclusive, 19, 22, 23 and 25, of this regulation, expire by limitation on June 30, 2001.

Statement of Emergency

This statement of emergency is made pursuant to NRS 233B.0613. The attached emergency regulation is necessary to ensure that NAC 432B.135 to 432B.1368, inclusive, continue in existence between June 30, 2001, and the date on which the Division of Child and Family Services is able to adopt a permanent regulation repealing the provision which makes NAC 432B.135 to 432B.1368, inclusive, expire by limitation on June 30, 2001.

Section 1 of chapter 517, Statutes of Nevada 1997, amended NRS 432B.190 to require the Division of Child and Family Services to adopt regulations establishing uniform standards for the qualifications of persons with whom agencies which provide protective services enter into agreements to provide services to children and families. NAC 432B.135 to 432B.1368, inclusive, were adopted by the Division to provide those qualifications.

Section 16 of chapter 517, Statutes of Nevada 1997, provided that section 1 expired by limitation on June 30, 2001, which would have removed the statutory requirement for the regulations effective June 30, 2001. Therefore, the regulations that were adopted by the Division to comply with NRS 432B.190, as amended, contained a section which provided that the regulations also expired by limitation on June 30, 2001.

At the end of the 2001 Legislative Session, the Nevada Legislature enacted Assembly Bill No. 248, which was signed by the Governor on June 5, 2001. Section 16 of A.B. 248 deleted the prospective expiration by limitation of section 16 of chapter 517, Statutes of Nevada 1997, thereby making the requirement for the regulations that were codified as NAC 432B.135 to 432B.1368, inclusive, continue in existence after June 30, 2001. Therefore, to be in compliance with state law, the regulations codified as NAC 432B.135 to 432B.1368, inclusive, must not be allowed to expire on June 30, 2001. An emergency regulation is necessary because it is not possible for the Division of Child and Family Services to complete the permanent regulation adoption process before June 30, 2001.

Respectfully submitted on _____, 2001 by:

Fill in name and address of person who will
Sign this document here (Should be either head of Division or
Director of Department)

Endorsed on _____, 2001 by:

Kenny C. Guinn, Governor of the State of Nevada