

ASSEMBLY BILL NO. 381—ASSEMBLYMEN LESLIE, KOIVISTO,
PARKS, OHRENSCHALL, ATKINSON, BUCKLEY, CONKLIN,
GEDDES AND MCCLAIN

MARCH 17, 2003

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing purpose, membership
and procedure of multidisciplinary team to review
death of child. (BDR 38-208)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 protection of children; revising the provisions
governing the purpose, membership and procedure of a
multidisciplinary team to review the death of a child;
increasing the fee for a certificate of death to support the
reviews; and providing other matters properly relating
thereto.

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

- 1 **Section 1.** Chapter 432B of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
- 3 act.
- 4 **Sec. 2.** *The purpose of organizing multidisciplinary teams to*
- 5 *review the deaths of children pursuant to NRS 432B.405 and*
- 6 *sections 2 to 6, inclusive, of this act, is to:*
- 7 1. *Review the records of selected cases of deaths of children*
- 8 *under 18 years of age in this state;*
- 9 2. *Review the records of selected cases of deaths of children*
- 10 *under 18 years of age who are residents of Nevada and who die in*
- 11 *another state;*
- 12 3. *Assess and analyze such cases;*



- 1 4. *Make recommendations for improvements to laws, policies*
- 2 *and practice;*
- 3 5. *Support the safety of children; and*
- 4 6. *Prevent future deaths of children.*

5 **Sec. 3. 1.** *A multidisciplinary team to review the death of a*
6 *child that is organized by an agency which provides child welfare*
7 *services pursuant to NRS 432B.405 must include, insofar as*
8 *possible:*

9 (a) *A representative of any law enforcement agency that is*
10 *involved with the case under review;*

11 (b) *Medical personnel;*

12 (c) *A representative of the district attorney's office in the*
13 *county where the case is under review;*

14 (d) *A representative of any school that is involved with the case*
15 *under review;*

16 (e) *A representative of any agency which provides child*
17 *welfare services that is involved with the case under review; and*

18 (f) *A representative of the coroner's office.*

19 2. *A multidisciplinary team may include such other*
20 *representatives of other organizations concerned with the death of*
21 *the child as the agency which provides child welfare services*
22 *deems appropriate for the review.*

23 **Sec. 4. 1.** *A multidisciplinary team to review the death of a*
24 *child is entitled to access to:*

25 (a) *All investigative information of law enforcement agencies*
26 *regarding the death;*

27 (b) *Any autopsy and coroner's investigative records relating to*
28 *the death;*

29 (c) *Any medical or mental health records of the child; and*

30 (d) *Any records of social and rehabilitative services or of any*
31 *other social service agency which has provided services to the*
32 *child or the child's family.*

33 2. *Each organization represented on a multidisciplinary team*
34 *to review the death of a child shall share with other members of*
35 *the team information in its possession concerning the child who is*
36 *the subject of the review, any siblings of the child, any person who*
37 *was responsible for the welfare of the child and any other*
38 *information deemed by the organization to be pertinent to the*
39 *review.*

40 3. *A multidisciplinary team to review the death of a child may*
41 *petition the district court for the issuance of, and the district court*
42 *may issue, a subpoena to compel the production of any books,*
43 *records or papers relevant to the cause of any death being*
44 *investigated by the team. Any books, records or papers received by*



1 *the team pursuant to the subpoena shall be deemed confidential*
2 *and privileged and not subject to disclosure.*

3 *4. Information acquired by, and the records of, a*
4 *multidisciplinary team to review the death of a child are*
5 *confidential, must not be disclosed, and are not subject to*
6 *subpoena, discovery or introduction into evidence in any civil or*
7 *criminal proceeding.*

8 **Sec. 5. 1.** *The report and recommendations of a*
9 *multidisciplinary team to review the death of a child must be*
10 *transmitted to an administrative team for review.*

11 *2. An administrative team must consist of administrators of*
12 *agencies which provide child welfare services, and agencies*
13 *responsible for vital statistics, public health, mental health and*
14 *public safety.*

15 *3. The administrative team shall review the report and*
16 *recommendations and respond in writing to the multidisciplinary*
17 *team within 90 days after receiving the report.*

18 **Sec. 6. 1.** *The Administrator of the Division shall establish*
19 *an Executive Committee to Review the Death of Children,*
20 *consisting of representatives from multidisciplinary teams formed*
21 *pursuant to NRS 432B.405 and section 3 of this act, vital statistics,*
22 *law enforcement, public health and the Office of the Attorney*
23 *General.*

24 *2. The Executive Committee shall:*

25 *(a) Adopt statewide protocols for the review of the death of a*
26 *child;*

27 *(b) Designate the members of an administrative team for the*
28 *purposes of section 5 of this act;*

29 *(c) Oversee training and development of multidisciplinary*
30 *teams to review the death of children; and*

31 *(d) Compile and distribute a statewide annual report,*
32 *including statistics and recommendations for regulatory and*
33 *policy changes.*

34 *3. The Review of Death of Children Account is hereby*
35 *created in the State General Fund. The Executive Committee may*
36 *use money in the Account to carry out the provisions of NRS*
37 *432B.405 and sections 2 to 6, inclusive, of this act.*

38 **Sec. 7.** *NRS 432B.405 is hereby amended to read as follows:*

39 *432B.405 1. An agency which provides child welfare*
40 *services:*

41 *(a) May organize one or more multidisciplinary teams to review*
42 *the death of a child; and*

43 *(b) Shall organize one or more multidisciplinary teams to review*
44 *the death of a child ~~upon~~ under any of the following*
45 *circumstances:*



1 (1) Upon receiving a written request from an adult related to
2 the child within the third degree of consanguinity, if the request is
3 received by the agency within 1 year after the date of death of the
4 child [;

5 ~~2. Members of a team organized pursuant to subsection 1 serve
6 at the invitation of the agency and must include representatives of
7 other organizations concerned with education, law enforcement or
8 physical or mental health.~~

9 ~~3. Each organization represented on such a team may share
10 with other members of the team information in its possession
11 concerning the child who is the subject of the review, siblings of the
12 child, any person who was responsible for the welfare of the child
13 and any other information deemed by the organization to be
14 pertinent to the review.~~

15 ~~4. Before establishing any child death review team, an agency
16 shall adopt a written protocol describing its objectives and the
17 structure of such a team.];~~

18 (2) *If a child dies while in the custody of or involved with
19 an agency which provides child welfare services, or if the child's
20 family previously received services from such an agency;*

21 (3) *If the death is alleged to be from abuse or neglect of the
22 child;*

23 (4) *If a sibling, household member or daycare provider has
24 been the subject of a child abuse and neglect investigation within
25 the previous 12 months, including cases in which the report was
26 unsubstantiated or the investigation is currently pending;*

27 (5) *If the child was adopted through an agency which
28 provides child welfare services; or*

29 (6) *If the child died of Sudden Infant Death Syndrome.*

30 2. A review conducted pursuant to subparagraph (2) of
31 paragraph (b) of subsection 1 must occur within 3 months after
32 the issuance of a certificate of death.

33 **Sec. 8.** NRS 440.170 is hereby amended to read as follows:

34 440.170 1. All certificates in the custody of the State
35 Registrar are open to inspection subject to the provisions of this
36 chapter. It is unlawful for any employee of the State to disclose data
37 contained in vital statistics, except as authorized by this chapter or
38 by the Board.

39 2. Information in vital statistics indicating that a birth occurred
40 out of wedlock must not be disclosed except upon order of a court of
41 competent jurisdiction.

42 3. The Board:

43 (a) Shall allow the use of data contained in vital statistics to
44 carry out the provisions of NRS 442.300 to 442.330, inclusive;

45 ~~[and]~~



1 (b) *Shall allow the use of certificates of death by a*
2 *multidisciplinary team to review the death of a child established*
3 *pursuant to NRS 432B.405 and section 3 of this act; and*

4 (c) May allow the use of data contained in vital statistics for
5 other research purposes, but without identifying the persons to
6 whom the records relate.

7 **Sec. 9.** NRS 440.690 is hereby amended to read as follows:
8 440.690 1. The State Registrar shall keep a true and correct
9 account of all fees received under this chapter.

10 2. The money collected pursuant to subsection 2 of NRS
11 440.700 must be remitted by the State Registrar to the State
12 Treasurer for credit to the Children’s Trust Account . ~~[, and any]~~
13 *The money collected pursuant to subsection 3 of NRS 440.700*
14 *must be remitted by the State Registrar to the State Treasurer for*
15 *credit to the Review of Death of Children Account. Any* other
16 proceeds accruing to the State of Nevada under the provisions of
17 this chapter must be forwarded to the State Treasurer for deposit in
18 the State General Fund.

19 3. Upon the approval of the State Board of Examiners and
20 pursuant to its regulations, the Health Division may maintain an
21 account in a bank or credit union for the purpose of refunding
22 overpayments of fees for vital statistics.

23 **Sec. 10.** NRS 440.700 is hereby amended to read as follows:
24 440.700 1. The State Registrar shall charge and collect the
25 following fees:

26	
27	For searching the files for one name, if no copy is
28	made..... \$8
29	For verifying a vital record 8
30	For establishing and filing a record of paternity (other
31	than a hospital-based paternity), and providing a
32	certified copy of the new record 20
33	For a certified copy of a record of birth 11
34	For a certified copy of a record of death..... 18 9
35	For correcting a record on file with the State Registrar
36	and providing a certified copy of the corrected
37	record 20
38	For replacing a record on file with the State Registrar
39	and providing a certified copy of the new record 20
40	For filing a delayed certificate of birth and providing a
41	certified copy of the certificate 20
42	For the services of a notary public, provided by the
43	State Registrar 2



- 1 For an index of records of marriage provided on
- 2 microfiche to a person other than a county recorder
- 3 of a county of this state \$200
- 4 For an index of records of divorce provided on
- 5 microfiche to a person other than a county recorder
- 6 of a county in this state 100
- 7 For compiling data files which require specific
- 8 changes in computer programming..... 200
- 9
- 10 2. The fee collected for furnishing a copy of a certificate of
- 11 birth or death ~~must include~~ *includes* the sum of \$3 for credit to the
- 12 Children's Trust Account.
- 13 3. *The fee collected for furnishing a copy of a certificate of*
- 14 *death includes the sum of \$1 for credit to the Review of Death of*
- 15 *Children Account.*
- 16 4. Upon the request of any parent or guardian, the State
- 17 Registrar shall supply, without the payment of a fee, a certificate
- 18 limited to a statement as to the date of birth of any child as disclosed
- 19 by the record of such birth when the certificate is necessary for
- 20 admission to school or for securing employment.
- 21 ~~4.~~ 5. The United States Bureau of the Census may obtain,
- 22 without expense to the State, transcripts or certified copies of births
- 23 and deaths without payment of a fee.
- 24 **Sec. 11.** This act becomes effective on July 1, 2003.

