

Amendment No. 345

Senate Amendment to Senate Bill No. 296	(BDR 38-372)
Proposed by: Committee on Human Resources and Education	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: No	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
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Amend the bill as a whole by renumbering sections 1 through 6 as sections 2 through 7 and adding a new section designated section 1, following the enacting clause, to read as follows:

“**Section 1.** Chapter 432 of NRS is hereby amended by adding thereto a new section to read as follows:

As used in NRS 432.100 to 432.130, inclusive, and this section, “Central Registry” means the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established by NRS 432.100.”.

Amend section 1, page 2, by deleting lines 5 and 6 and inserting:

“~~and in the Central Office of~~ the”.

Amend section 1, page 2, by deleting lines 9 through 22 and inserting:

YMG/LH

Date: 4/21/2005

S.B. No. 296—Revises provisions governing abuse or neglect of children.



“(a) The information in any *substantiated* report of child abuse or neglect made pursuant to NRS 432B.220 ; ~~[- and the results, if any, of the investigation of the report;]~~

(b) Statistical information on the protective services provided in this State; and

(c) Any other information which the Division determines to be in furtherance of NRS 432.100 to 432.130, inclusive, *and section 1 of this act*, and 432B.010 to 432B.400, inclusive.

3. The Division may ~~[- designate a county hospital in each-]~~”.

Amend section 1, page 2, line 25, after “~~child-]~~” by inserting:

“release information contained in the Central Registry to an employer:

(a) If the employer is required by law to conduct a background investigation of a person for employment purposes; or

(b) If the person who is the subject of a background investigation by the employer provides written authorization for the release of the information,

↳ but only to the extent necessary to inform the employer whether the person who is the subject of the background investigation has been found to have abused or neglected a child.

4. Except as otherwise provided in this section or by specific statute, information in the Central Registry may be accessed only by an employee of the Division and by an agency which provides child welfare services.”.

Amend sec. 2, page 2, line 34, after “inclusive,” by inserting:

“and section 1 of this act,”.

Amend sec. 2, page 2, by deleting lines 38 through 40 and inserting:

“receipt of information by employees of an agency which provides child welfare services.”.

Amend sec. 3, page 3, line 5, after “confirmed” by inserting “[~~and~~]”.

Amend sec. 3, page 3, lines 6 and 7, by deleting “**432B.310** and” and inserting “**432B.310**,”.

Amend sec. 3, page 3, line 8, by deleting “.”.

Amend sec. 3, page 3, line 16, after “~~reports]~~” by inserting:

“and, if the information is being provided pursuant to subsection 3 of NRS 432.100, the person who is the subject of the background investigation provides written authorization for the release of the information.”.

Amend sec. 3, page 3, line 21, by deleting “**expunged**” and inserting “**deleted**”.

Amend sec. 3, page 3, by deleting lines 24 through 30 and inserting:

“3. The Division shall adopt regulations to carry out the provisions of this section.”.

Amend sec. 6, page 4, by deleting lines 32 and 33 and inserting:

“child who has been abused or neglected , or an infant who is born and has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure or of”.

Amend the bill as a whole by deleting sections 7 through 9 and renumbering sections 10 through 12 as sections 8 through 10.

Amend sec. 10, page 6, line 30, by deleting “3” and inserting “~~3~~ 4”.

Amend sec. 10, page 6, by deleting lines 33 through 39 and inserting “shall:”.

Amend sec. 10, page 6, lines 41 and 42, by deleting:

“or the effect of illegal substances or alcohol on the infant”.

Amend sec. 10, page 7, by deleting lines 3 through 7 and inserting:

“believe that the child has been abused or neglected.”.

Amend sec. 10, page 7, line 22, after “3.” by inserting:

“Any person who is described in paragraph (a) of subsection 4 who delivers or provides medical services to a newborn infant and who, in his professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.

4.”.

Amend sec. 10, page 7, line 28, after “counselor,” by inserting:

“clinical social worker,”

Amend sec. 10, page 8, line 17, by deleting “4.” and inserting “[~~4.~~] 5.”.

Amend sec. 10, page 8, line 18, by deleting “5.” and inserting “[~~5.~~] 6.”.

Amend sec. 11, page 8, by deleting lines 43 and 44 and inserting:

“, the effect of prenatal illegal substance abuse on the newborn infant or the nature of the withdrawal symptoms resulting from prenatal drug exposure of the newborn infant;”.

Amend sec. 11, page 9, by deleting lines 2 and 3 and inserting:

“(2) Effects of prenatal illegal substance abuse on or evidence of withdrawal symptoms resulting from prenatal drug exposure of the newborn infant;”.

Amend sec. 11, page 9, by deleting lines 5 through 7, and inserting:

“who is alleged to have abused or neglected the child; and”.

Amend sec. 12, page 9, by deleting lines 13 through 17 and inserting:

“possible abuse or neglect of a child, an agency which provides child welfare”.

Amend sec. 12, page 9, by deleting lines 23 through 27 and inserting:

“neglect of a child, an agency which provides child welfare services or a”.

Amend sec. 12, page 9, by deleting lines 36 through 40 and inserting:

“of a report concerning the possible abuse or neglect of a child or notification”.

Amend sec. 12, page 10, line 8, by deleting:

“*or alcohol abuse on the*” and inserting:

“*on or the withdrawal symptoms resulting from prenatal drug exposure of the newborn*”.

Amend sec. 12, page 10, lines 27 and 28, by deleting:

“*or relating to prenatal illegal substance abuse or alcohol abuse*”.

Amend sec. 12, page 10, line 38, by deleting “expunge” and inserting “[~~expunge~~ *delete*”.

Amend sec. 12, page 11, by deleting lines 6 through 9 and inserting:

“report of abuse or neglect of a child.”.

Amend the bill as a whole by deleting sec. 13 and renumbering sec. 14 as sec. 11.

Amend sec. 14, page 12, by deleting lines 26 and 27 and inserting:

“has reasonable cause to believe has been abused or neglected;”.

Amend sec. 14, page 12, lines 30 and 31, by deleting:

“*or is affected by prenatal illegal substance abuse or alcohol abuse*”.

Amend sec. 14, page 13, line 9, by deleting “neglect [;]” and inserting “neglect;”.

Amend sec. 14, page 13, by deleting line 10.

Amend sec. 14, page 13, lines 21 through 23, by deleting:

“or the effect of prenatal illegal substance abuse or alcohol abuse on the infant”.

Amend sec. 14, page 13, by deleting lines 37 through 39 and inserting:

“the person alleged to have committed the abuse or neglect;”.

Amend sec. 14, page 14, line 7, by deleting “or” and inserting “[~~or~~]”.

Amend sec. 14, page 14, line 9, by deleting “services.” and inserting:

“services [~~]~~; ***or***

(u) An employer in accordance with subsection 3 of NRS 432.100.”.

Amend sec. 14, page 14, by deleting lines 14 and 15 and inserting:

“critically injured as a result of alleged abuse or neglect, except that the”.

Amend sec. 14, page 14, lines 17 and 18, by deleting:

“or of prenatal illegal substance abuse or alcohol abuse”.

Amend sec. 14, page 14, by deleting lines 34 through 38 and inserting:

“child shall, upon request, provide to a person named in the report as allegedly causing the abuse or neglect of the child:”.

Amend sec. 14, page 14, by deleting lines 42 and 43 and inserting:

“abuse or neglect of the child; or”.

Amend sec. 14, page 15, by deleting lines 1 through 3 and inserting:

“the report as allegedly causing the abuse or neglect of the child; or”.

Amend sec. 14, page 15, by deleting lines 6 through 9 and inserting:

“neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect.”.

Amend the bill as a whole by deleting sec. 15, renumbering sec. 16 as sec. 13 and adding a new section designated sec. 12, following sec. 14, to read as follows:

“**Sec. 12.** NRS 432B.310 is hereby amended to read as follows:

432B.310 **1.** Except as otherwise provided in subsection 5 of NRS 432B.260, the agency investigating a report of abuse or neglect of a child shall, upon completing the investigation, report to the Central Registry:

~~{1.}~~ **(a)** Identifying and demographic information on the child alleged to be abused or neglected, his parents, any other person responsible for his welfare and the person allegedly responsible for the abuse or neglect;

~~{2.}~~ **(b)** The facts of the alleged abuse or neglect, including the date and type of alleged abuse or neglect, the manner in which the abuse was inflicted and the severity of the injuries; and

~~{3.}~~ **(c)** The disposition of the case.

2. As used in this section, “Central Registry” has the meaning ascribed to it in section 1 of this act.”.

Amend sec. 16, page 16, by deleting lines 5 through 11 and inserting:

“(b) ~~He is suffering from congenital drug addiction or fetal alcohol syndrome because of the faults or habits of a person responsible for his welfare;~~

~~—(e)} He has been subjected to abuse or neglect by a person”.~~

Amend sec. 16, page 16, line 13, by deleting “(d)” and inserting “~~{(d)}~~ **(c)**”.

Amend sec. 16, page 16, line 15, by deleting “(e)” and inserting “~~{(e)}~~ **(d)**”.

Amend sec. 16, page 16, line 17, by deleting “(f)” and inserting “~~{(f)}~~ (e)”.

Amend sec. 16, page 16, after line 35, by inserting:

“4. A child may be in need of protection if he is identified as being affected by prenatal illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure.”

Amend the bill as a whole by deleting sec. 17 and renumbering sec. 18 as sec. 14.

Amend sec. 18, page 17, line 9, by deleting “*alcohol abuse*” and inserting:

“has withdrawal symptoms resulting from prenatal drug exposure”.

Amend the bill as a whole by deleting sec. 19 and renumbering sec. 20 as sec. 15.

Amend the title of the bill to read as follows:

“AN ACT relating to children; revising the provisions governing the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child; authorizing an employer to obtain under certain circumstances certain information concerning a person who is found to have abused or neglected a child; requiring certain persons to notify an agency which provides child welfare services of newborn infants who are identified as being affected by illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure and to refer persons responsible for the welfare of such infants to such agencies for counseling, training and other services; revising the provisions governing when a child is in need of protection because he is affected by alcohol use, illegal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure; providing a penalty; and providing other matters properly relating thereto.”.