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SENATE BILL NO. 296—COMMITTEE ON  
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE DIVISION OF CHILD AND FAMILY SERVICES)

MARCH 24, 2005

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Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions governing abuse or neglect of children. (BDR 38-372)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.

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.

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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.



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

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

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

7       **Sec. 2.** NRS 432.100 is hereby amended to read as follows:

8       432.100 1. There is hereby established a Statewide Central  
9 Registry for the Collection of Information Concerning the Abuse or  
10 Neglect of a Child. This Central Registry must be maintained by  
11 ~~[and in the Central Office of]~~ the Division.

12       2. The Central Registry must contain:

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

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

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

21       3. The Division may ~~[designate a county hospital in each~~  
22 ~~county whose population is 100,000 or more as a regional registry~~  
23 ~~for the collection of information concerning the abuse or neglect of~~  
24 ~~a child.]~~ *release information contained in the Central Registry to*  
25 *an employer:*

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

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

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

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

38       **Sec. 3.** NRS 432.110 is hereby amended to read as follows:

39       432.110 ~~[The]~~

40       1. *Except as otherwise provided in subsection 2, the* Division  
41 shall maintain a record of ~~[the]~~ :



1 (a) *The* names and identifying data, dates and circumstances of  
2 any persons requesting or receiving information from the ~~[central or~~  
3 ~~regional registries and any]~~ *Central Registry; and*

4 (b) *Any* other information which might be helpful in furthering  
5 the purposes of NRS 432.100 to 432.130, inclusive, *and section 1 of*  
6 *this act*, and 432B.010 to 432B.400, inclusive.

7 2. *The Division is not required to maintain a record of*  
8 *information concerning requests for information from or the*  
9 *receipt of information by employees of an agency which provides*  
10 *child welfare services.*

11 **Sec. 4.** NRS 432.120 is hereby amended to read as follows:

12 432.120 1. Information contained in the ~~[central or regional~~  
13 ~~registries or obtained for these registries]~~ *Central Registry* must not  
14 be released unless the right of the applicant to the information is  
15 confirmed ~~[and]~~, *the information concerning the report of abuse*  
16 *or neglect of the child has been reported pursuant to NRS*  
17 *432B.310*, the released information discloses ~~[the nature of]~~ the  
18 disposition of the case ~~[for its current status].~~

19 ~~—2.— Unless an investigation of a report, conducted pursuant to~~  
20 ~~NRS 432.100 to 432.130, inclusive, and 432B.010 to 432B.400,~~  
21 ~~inclusive, reveals some credible evidence of alleged abuse or~~  
22 ~~neglect of a child, all information identifying the subject of a report~~  
23 ~~must be expunged from the central and regional registries at the~~  
24 ~~conclusion of the investigation or within 60 days after the report is~~  
25 ~~filed, whichever occurs first. In all other cases, the record of the~~  
26 ~~substantiated reports]~~ *and, if the information is being provided*  
27 *pursuant to subsection 3 of NRS 432.100, the person who is the*  
28 *subject of the background investigation provides written*  
29 *authorization for the release of the information.*

30 2. *The information* contained in the ~~[central or regional~~  
31 ~~registries]~~ *Central Registry concerning cases in which a report of*  
32 *abuse or neglect of a child has been substantiated by an agency*  
33 *which provides child welfare services* must be ~~[sealed no]~~ *deleted*  
34 *from the Central Registry not* later than 10 years after the child who  
35 is the subject of the report reaches the age of 18 ~~[.]~~ *years.*

36 3. The Division shall adopt regulations to carry out the  
37 provisions of this section.

38 **Sec. 5.** NRS 432.130 is hereby amended to read as follows:

39 432.130 Any person who willfully releases data or information  
40 contained in the ~~[central or regional registries]~~ *Central Registry* to  
41 unauthorized persons in violation of NRS 432.120 or 432B.290 is  
42 guilty of a misdemeanor.



1       **Sec. 6.** NRS 432B.160 is hereby amended to read as follows:  
2       432B.160 1. Except as otherwise provided in subsection 2,  
3 immunity from civil or criminal liability extends to every person  
4 who in good faith:

5       (a) Makes a report pursuant to NRS 432B.220;  
6       (b) Conducts an interview or allows an interview to be taken  
7 pursuant to NRS 432B.270;

8       (c) Allows or takes photographs or X rays pursuant to  
9 NRS 432B.270;

10       (d) Causes a medical test to be performed pursuant to  
11 NRS 432B.270;

12       (e) Provides a record, or a copy thereof, of a medical test  
13 performed pursuant to NRS 432B.270 to an agency which provides  
14 child welfare services to the child, a law enforcement agency that  
15 participated in the investigation of the report ~~[of abuse or neglect of~~  
16 ~~the child]~~ *made pursuant to NRS 432B.220* or the prosecuting  
17 attorney's office;

18       (f) Holds a child pursuant to NRS 432B.400, takes possession of  
19 a child pursuant to NRS 432B.630 or places a child in protective  
20 custody pursuant to any provision of this chapter;

21       (g) Performs any act pursuant to subsection 2 of NRS 432B.630;

22       (h) Refers a case or recommends the filing of a petition pursuant  
23 to NRS 432B.380; or

24       (i) Participates in a judicial proceeding resulting from a referral  
25 or recommendation.

26       2. The provisions of subsection 1 do not confer any immunity  
27 from liability for the negligent performance of any act pursuant to  
28 paragraph (b) of subsection 2 of NRS 432B.630.

29       3. In any proceeding to impose liability against a person for:

30       (a) Making a report pursuant to NRS 432B.220; or

31       (b) Performing any act set forth in paragraphs (b) to (i),  
32 inclusive, of subsection 1,

33       ↳ there is a presumption that the person acted in good faith.

34       **Sec. 7.** NRS 432B.170 is hereby amended to read as follows:

35       432B.170 Nothing in the provisions of this chapter or NRS  
36 432.100 to 432.130, inclusive, prohibits an agency which provides  
37 child welfare services from sharing information with other state or  
38 local agencies if:

39       1. The purpose for sharing the information is for the  
40 development of a plan for the care, treatment or supervision of a  
41 child who has been abused or neglected, *or an infant who is born*  
42 *and has been affected by prenatal illegal substance abuse or has*  
43 *withdrawal symptoms resulting from prenatal drug exposure* or of  
44 a person responsible for the child's *or infant's* welfare;



1 2. The other agency has standards for confidentiality equivalent  
2 to those of the agency which provides child welfare services; and

3 3. Proper safeguards are taken to ensure the confidentiality of  
4 the information.

5 **Sec. 8.** NRS 432B.220 is hereby amended to read as follows:

6 432B.220 1. Any person who is described in subsection ~~3~~ 4  
7 and who, in his professional or occupational capacity, knows or has  
8 reasonable cause to believe that a child has been abused or neglected  
9 shall:

10 (a) Except as otherwise provided in subsection 2, report the  
11 abuse or neglect of the child to an agency which provides child  
12 welfare services or to a law enforcement agency; and

13 (b) Make such a report as soon as reasonably practicable but not  
14 later than 24 hours after the person knows or has reasonable cause to  
15 believe that the child has been abused or neglected.

16 2. If a person who is required to make a report pursuant to  
17 subsection 1 knows or has reasonable cause to believe that the abuse  
18 or neglect of the child involves an act or omission of:

19 (a) A person directly responsible or serving as a volunteer for or  
20 an employee of a public or private home, institution or facility  
21 where the child is receiving child care outside of his home for a  
22 portion of the day, the person shall make the report to a law  
23 enforcement agency.

24 (b) An agency which provides child welfare services or a law  
25 enforcement agency, the person shall make the report to an agency  
26 other than the one alleged to have committed the act or omission,  
27 and the investigation of the abuse or neglect of the child must be  
28 made by an agency other than the one alleged to have committed the  
29 act or omission.

30 3. *Any person who is described in paragraph (a) of*  
31 *subsection 4 who delivers or provides medical services to a*  
32 *newborn infant and who, in his professional or occupational*  
33 *capacity, knows or has reasonable cause to believe that the*  
34 *newborn infant has been affected by prenatal illegal substance*  
35 *abuse or has withdrawal symptoms resulting from prenatal drug*  
36 *exposure shall, as soon as reasonably practicable but not later*  
37 *than 24 hours after the person knows or has reasonable cause to*  
38 *believe that the newborn infant is so affected or has such*  
39 *symptoms, notify an agency which provides child welfare services*  
40 *of the condition of the infant and refer each person who is*  
41 *responsible for the welfare of the infant to an agency which*  
42 *provides child welfare services for appropriate counseling,*  
43 *training or other services. A notification and referral to an agency*  
44 *which provides child welfare services pursuant to this subsection*



1 *shall not be construed to require prosecution for any illegal*  
2 *action.*

3 **4.** A report must be made pursuant to subsection 1 by the  
4 following persons:

5 (a) A physician, dentist, dental hygienist, chiropractor,  
6 optometrist, podiatric physician, medical examiner, resident, intern,  
7 professional or practical nurse, physician assistant, psychiatrist,  
8 psychologist, marriage and family therapist, alcohol or drug abuse  
9 counselor, *clinical social worker*, athletic trainer, advanced  
10 emergency medical technician or other person providing medical  
11 services licensed or certified in this State. ~~§~~

12 (b) Any personnel of a hospital or similar institution engaged in  
13 the admission, examination, care or treatment of persons or an  
14 administrator, manager or other person in charge of a hospital or  
15 similar institution upon notification of suspected abuse or neglect of  
16 a child by a member of the staff of the hospital. ~~§~~

17 (c) A coroner. ~~§~~

18 (d) A clergyman, practitioner of Christian Science or religious  
19 healer, unless he has acquired the knowledge of the abuse or neglect  
20 from the offender during a confession. ~~§~~

21 (e) A social worker and an administrator, teacher, librarian or  
22 counselor of a school. ~~§~~

23 (f) Any person who maintains or is employed by a facility or  
24 establishment that provides care for children, children's camp or  
25 other public or private facility, institution or agency furnishing care  
26 to a child. ~~§~~

27 (g) Any person licensed to conduct a foster home. ~~§~~

28 (h) Any officer or employee of a law enforcement agency or an  
29 adult or juvenile probation officer. ~~§~~

30 (i) An attorney, unless he has acquired the knowledge of the  
31 abuse or neglect from a client who is or may be accused of the abuse  
32 or neglect. ~~§~~

33 (j) Any person who maintains, is employed by or serves as a  
34 volunteer for an agency or service which advises persons regarding  
35 abuse or neglect of a child and refers them to persons and agencies  
36 where their requests and needs can be met. ~~§~~

37 (k) Any person who is employed by or serves as a volunteer for  
38 an approved youth shelter. As used in this paragraph, "approved  
39 youth shelter" has the meaning ascribed to it in NRS 244.422. ~~§~~  
40 ~~and~~

41 (l) Any adult person who is employed by an entity that provides  
42 organized activities for children.

43 ~~§4-~~ **5.** A report may be made by any other person.

44 ~~§5-~~ **6.** If a person who is required to make a report pursuant to  
45 subsection 1 knows or has reasonable cause to believe that a child



1 has died as a result of abuse or neglect, the person shall, as soon as  
2 reasonably practicable, report this belief to the appropriate medical  
3 examiner or coroner, who shall investigate the report and submit to  
4 an agency which provides child welfare services his written  
5 findings. The written findings must include, if obtainable, the  
6 information required pursuant to the provisions of subsection 2 of  
7 NRS 432B.230.

8 **Sec. 9.** NRS 432B.230 is hereby amended to read as follows:

9 432B.230 1. A person may make a report pursuant to NRS  
10 432B.220 by telephone or, in light of all the surrounding facts and  
11 circumstances which are known or which reasonably should be  
12 known to the person at the time, by any other means of oral, written  
13 or electronic communication that a reasonable person would believe,  
14 under those facts and circumstances, is a reliable and swift means of  
15 communicating information to the person who receives the report. If  
16 the report is made orally, the person who receives the report must  
17 reduce it to writing as soon as reasonably practicable.

18 2. The report must contain the following information, if  
19 obtainable:

20 (a) The name, address, age and sex of the child;

21 (b) The name and address of the child's parents or other person  
22 responsible for his care;

23 (c) The nature and extent of the abuse or neglect of the child ~~;~~,  
24 *the effect of prenatal illegal substance abuse on the newborn*  
25 *infant or the nature of the withdrawal symptoms resulting from*  
26 *prenatal drug exposure of the newborn infant;*

27 (d) Any evidence of previously known or suspected ~~[abuse]~~ :

28 (1) *Abuse* or neglect of the child or the child's siblings; or

29 (2) *Effects of prenatal illegal substance abuse on or*  
30 *evidence of withdrawal symptoms resulting from prenatal drug*  
31 *exposure of the newborn infant;*

32 (e) The name, address and relationship, if known, of the person  
33 who is alleged to have abused or neglected the child; and

34 (f) Any other information known to the person making the  
35 report that the agency which provides child welfare services  
36 considers necessary.

37 **Sec. 10.** NRS 432B.260 is hereby amended to read as follows:

38 432B.260 1. Upon the receipt of a report concerning the  
39 possible abuse or neglect of a child, an agency which provides child  
40 welfare services or a law enforcement agency shall promptly notify  
41 the appropriate licensing authority, if any. A law enforcement  
42 agency shall promptly notify an agency which provides child  
43 welfare services of any report it receives.

44 2. Upon receipt of a report concerning the possible abuse or  
45 neglect of a child, an agency which provides child welfare services



1 or a law enforcement agency shall immediately initiate an  
2 investigation if the report indicates that:

- 3 (a) The child is 5 years of age or younger;
- 4 (b) There is a high risk of serious harm to the child; or
- 5 (c) The child is living in a household in which another child has  
6 died, or the child is seriously injured or has visible signs of physical  
7 abuse.

8 3. Except as otherwise provided in subsection 2, upon receipt  
9 of a report concerning the possible abuse or neglect of a child or  
10 notification from a law enforcement agency that the law  
11 enforcement agency has received such a report, an agency which  
12 provides child welfare services shall conduct an evaluation not later  
13 than 3 days after the report or notification was received to determine  
14 whether an investigation is warranted. For the purposes of this  
15 subsection, an investigation is not warranted if:

- 16 (a) The child is not in imminent danger of harm;
- 17 (b) The child is not vulnerable as the result of any untreated  
18 injury, illness or other physical, mental or emotional condition that  
19 threatens his immediate health or safety;

20 (c) The alleged abuse or neglect *of the child or the alleged*  
21 *effect of prenatal illegal substance abuse on or the withdrawal*  
22 *symptoms resulting from prenatal drug exposure of the newborn*  
23 *infant* could be eliminated if the child and his family receive or  
24 participate in social or health services offered in the community, or  
25 both; or

26 (d) The agency determines that the:

27 (1) Alleged abuse or neglect was the result of the reasonable  
28 exercise of discipline by a parent or guardian of the child involving  
29 the use of corporal punishment, including, without limitation,  
30 spanking or paddling; and

31 (2) Corporal punishment so administered was not so  
32 excessive as to constitute abuse or neglect as described in  
33 NRS 432B.150.

34 4. If the agency determines that an investigation is warranted,  
35 the agency shall initiate the investigation not later than 3 days after  
36 the evaluation is completed.

37 5. Except as otherwise provided in this subsection, if the  
38 agency determines that an investigation is not warranted, the agency  
39 may, as appropriate:

40 (a) Provide counseling, training or other services relating to  
41 child abuse and neglect to the family of the child, or refer the family  
42 to a person who has entered into an agreement with the agency to  
43 provide those services; or

44 (b) Conduct an assessment of the family of the child to  
45 determine what services, if any, are needed by the family and, if





1 appropriate, provide any such services or refer the family to a  
2 person who has entered into a written agreement with the agency to  
3 make such an assessment.

4 ➤ If an agency determines that an investigation is not warranted for  
5 the reason set forth in paragraph (d) of subsection 3, the agency  
6 shall take no further action in regard to the matter and shall  
7 ~~expunge~~ delete all references to the matter from its records.

8 6. If an agency which provides child welfare services enters  
9 into an agreement with a person to provide services to a child or his  
10 family pursuant to subsection 5, the agency shall require the person  
11 to notify the agency if the child or his family refuse or fail to  
12 participate in the services, or if the person determines that there is a  
13 serious risk to the health or safety of the child.

14 7. An agency which provides child welfare services that  
15 determines that an investigation is not warranted may, at any time,  
16 reverse that determination and initiate an investigation.

17 8. An agency which provides child welfare services and a law  
18 enforcement agency shall cooperate in the investigation, if any, of a  
19 report of abuse or neglect of a child.

20 **Sec. 11.** NRS 432B.290 is hereby amended to read as follows:

21 432B.290 1. Except as otherwise provided in subsections 2, 5  
22 and 6 and NRS 432B.513, data or information concerning reports  
23 and investigations thereof made pursuant to this chapter may be  
24 made available only to:

25 (a) A physician, if the physician has before him a child who he  
26 has reasonable cause to believe has been abused or neglected;

27 (b) A person authorized to place a child in protective custody, if  
28 the person has before him a child who he has reasonable cause to  
29 believe has been abused or neglected and the person requires the  
30 information to determine whether to place the child in protective  
31 custody;

32 (c) An agency, including, without limitation, an agency in  
33 another jurisdiction, responsible for or authorized to undertake the  
34 care, treatment or supervision of:

35 (1) The child; or

36 (2) The person responsible for the welfare of the child;

37 (d) A district attorney or other law enforcement officer who  
38 requires the information in connection with an investigation or  
39 prosecution of the abuse or neglect of a child;

40 (e) A court, for in camera inspection only, unless the court  
41 determines that public disclosure of the information is necessary for  
42 the determination of an issue before it;

43 (f) A person engaged in bona fide research or an audit, but  
44 information identifying the subjects of a report must not be made  
45 available to him;



- 1 (g) The attorney and the guardian ad litem of the child;  
2 (h) A grand jury upon its determination that access to these  
3 records is necessary in the conduct of its official business;  
4 (i) A federal, state or local governmental entity, or an agency of  
5 such an entity, that needs access to the information to carry out its  
6 legal responsibilities to protect children from abuse and neglect;  
7 (j) A person or an organization that has entered into a written  
8 agreement with an agency which provides child welfare services to  
9 provide assessments or services and that has been trained to make  
10 such assessments or provide such services;  
11 (k) A team organized pursuant to NRS 432B.350 for the  
12 protection of a child;  
13 (l) A team organized pursuant to NRS 432B.405 to review the  
14 death of a child;  
15 (m) A parent or legal guardian of the child and an attorney of a  
16 parent or guardian of the child, if the identity of the person  
17 responsible for reporting the alleged abuse or neglect of the child to  
18 a public agency is kept confidential;  
19 (n) The persons who are the subject of a report;  
20 (o) An agency that is authorized by law to license foster homes  
21 or facilities for children or to investigate persons applying for  
22 approval to adopt a child, if the agency has before it an application  
23 for that license or is investigating an applicant to adopt a child;  
24 (p) Upon written consent of the parent, any officer of this State  
25 or a city or county thereof or Legislator authorized, by the agency or  
26 department having jurisdiction or by the Legislature, acting within  
27 its jurisdiction, to investigate the activities or programs of an agency  
28 which provides child welfare services if:  
29 (1) The identity of the person making the report is kept  
30 confidential; and  
31 (2) The officer, Legislator or a member of his family is not  
32 the person alleged to have committed the abuse or neglect;  
33 (q) The Division of Parole and Probation of the Department of  
34 Public Safety for use pursuant to NRS 176.135 in making a  
35 presentence investigation and report to the district court or pursuant  
36 to NRS 176.151 in making a general investigation and report;  
37 (r) Any person who is required pursuant to NRS 432B.220 to  
38 make a report to an agency which provides child welfare services or  
39 to a law enforcement agency;  
40 (s) The Rural Advisory Board to Expedite Proceedings for the  
41 Placement of Children created pursuant to NRS 432B.602 or a local  
42 advisory board to expedite proceedings for the placement of  
43 children created pursuant to NRS 432B.604; ~~or~~  
44 (t) The panel established pursuant to NRS 432B.396 to evaluate  
45 agencies which provide child welfare services ~~or~~; *or*



1 *(u) An employer in accordance with subsection 3 of*  
2 *NRS 432.100.*

3 2. Except as otherwise provided in subsection 3, data or  
4 information concerning reports and investigations thereof made  
5 pursuant to this chapter may be made available to any member of  
6 the general public if the child who is the subject of a report dies or is  
7 critically injured as a result of alleged abuse or neglect, except that  
8 the data or information which may be disclosed is limited to:

9 (a) The fact that a report of abuse or neglect has been made and,  
10 if appropriate, a factual description of the contents of the report;

11 (b) Whether an investigation has been initiated pursuant to NRS  
12 432B.260, and the result of a completed investigation; and

13 (c) Such other information as is authorized for disclosure by a  
14 court pursuant to subsection 4.

15 3. An agency which provides child welfare services shall not  
16 disclose data or information pursuant to subsection 2 if the agency  
17 determines that the disclosure is not in the best interests of the child  
18 or if disclosure of the information would adversely affect any  
19 pending investigation concerning a report.

20 4. Upon petition, a court of competent jurisdiction may  
21 authorize the disclosure of additional information to the public  
22 pursuant to subsection 2 if good cause is shown by the petitioner for  
23 the disclosure of the additional information.

24 5. An agency investigating a report of the abuse or neglect of a  
25 child shall, upon request, provide to a person named in the report as  
26 allegedly causing the abuse or neglect of the child:

27 (a) A copy of:

28 (1) Any statement made in writing to an investigator for the  
29 agency by the person named in the report as allegedly causing the  
30 abuse or neglect of the child; or

31 (2) Any recording made by the agency of any statement  
32 made orally to an investigator for the agency by the person named in  
33 the report as allegedly causing the abuse or neglect of the child; or

34 (b) A written summary of the allegations made against the  
35 person who is named in the report as allegedly causing the abuse or  
36 neglect of the child. The summary must not identify the person  
37 responsible for reporting the alleged abuse or neglect.

38 6. An agency which provides child welfare services shall  
39 disclose the identity of a person who makes a report or otherwise  
40 initiates an investigation pursuant to this chapter if a court, after  
41 reviewing the record in camera and determining that there is reason  
42 to believe that the person knowingly made a false report, orders the  
43 disclosure.

44 7. Any person, except for:

45 (a) The subject of a report;



1 (b) A district attorney or other law enforcement officer initiating  
2 legal proceedings; or

3 (c) An employee of the Division of Parole and Probation of the  
4 Department of Public Safety making a presentence investigation and  
5 report to the district court pursuant to NRS 176.135 or making a  
6 general investigation and report pursuant to NRS 176.151,  
7 who is given access, pursuant to subsection 1 or 2, to information  
8 identifying the subjects of a report and who makes this information  
9 public is guilty of a misdemeanor.

10 8. The Division of Child and Family Services shall adopt  
11 regulations to carry out the provisions of this section.

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

13 432B.310 *1.* Except as otherwise provided in subsection 5 of  
14 NRS 432B.260, the agency investigating a report of abuse or neglect  
15 of a child shall, upon completing the investigation, report to the  
16 Central Registry:

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

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

24 ~~3.~~ (c) The disposition of the case.

25 *2. As used in this section, "Central Registry" has the*  
26 *meaning ascribed to it in section 1 of this act.*

27 **Sec. 13.** NRS 432B.330 is hereby amended to read as follows:

28 432B.330 1. A child is in need of protection if:

29 (a) He has been abandoned by a person responsible for his  
30 welfare;

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

34 ~~—(c)~~ He has been subjected to abuse or neglect by a person  
35 responsible for his welfare;

36 ~~(d)~~ (c) He is in the care of a person responsible for his welfare  
37 and another child has died as a result of abuse or neglect by that  
38 person;

39 ~~(e)~~ (d) He has been placed for care or adoption in violation of  
40 law; or

41 ~~(f)~~ (e) He has been delivered to a provider of emergency  
42 services pursuant to NRS 432B.630.

43 2. A child may be in need of protection if the person  
44 responsible for his welfare:



1 (a) Is unable to discharge his responsibilities to and for the child  
2 because of incarceration, hospitalization, or other physical or mental  
3 incapacity;

4 (b) Fails, although he is financially able to do so or has been  
5 offered financial or other means to do so, to provide for the  
6 following needs of the child:

7 (1) Food, clothing or shelter necessary for the child's health  
8 or safety;

9 (2) Education as required by law; or

10 (3) Adequate medical care; or

11 (c) Has been responsible for the abuse or neglect of a child who  
12 has resided with that person.

13 3. A child may be in need of protection if the death of a parent  
14 of the child is or may be the result of an act by the other parent that  
15 constitutes domestic violence pursuant to NRS 33.018.

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

19 **Sec. 14.** NRS 432B.400 is hereby amended to read as follows:

20 432B.400 A physician treating a child or a person in charge of  
21 a hospital or similar institution may hold a child for no more than 24  
22 hours if there is reasonable cause to believe that the child has been  
23 abused or neglected *or has been affected by prenatal illegal  
24 substance abuse or has withdrawal symptoms resulting from  
25 prenatal drug exposure* and that he is in danger of further harm if  
26 released. The physician or other person shall immediately notify a  
27 law enforcement agency or an agency which provides child welfare  
28 services that he is holding the child.

29 **Sec. 15.** As soon as practicable after October 1, 2005, each  
30 county hospital that was designated as a regional registry for the  
31 collection of information concerning the abuse or neglect of a child  
32 pursuant to NRS 432.100 shall transfer any information that the  
33 county hospital collected for that purpose to the Central Registry for  
34 the Collection of Information Concerning the Abuse or Neglect of a  
35 Child established by NRS 432.100.







