

SENATE BILL NO. 306—SENATOR CRUZ-CRAWFORD

MARCH 10, 2025

JOINT SPONSOR: ASSEMBLYMEMBER MOSCA

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to mental health services for children. (BDR 39-796)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 mental health; revising provisions relating to the duties of the Administrator of the Division of Child and Family Services of the Department of Health and Human Services; establishing provisions related to the discharge of a child with an emotional disturbance from certain inpatient psychiatric treatment facilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Administrator of the Division of Child and Family Services of the Department of Health and Human Services to perform certain duties relating to the mental health of children. Among other things, the Administrator is required to accept and provide services to a child who has been determined to be incompetent by a juvenile court. (NRS 433B.130) **Section 3.5** of this bill additionally requires the Administrator to accept and provide services to a child who is subject to certain orders pursuant to chapter 62E or 432B of NRS. If the order requires the child to be committed to a treatment facility, **section 3.5** also requires the Administrator to place the child in the treatment facility not later than 30 days after receipt of the order under certain circumstances.

Existing law authorizes the Administrator to receive a child with an emotional disturbance for treatment in certain treatment facilities if the child is a resident of this State and: (1) the child is committed by a court order; or (2) a parent or legal guardian makes application for treatment for the child. (NRS 433B.310) **Section 4** of this bill makes various changes to provide that any such child with an emotional disturbance may be admitted to a treatment facility.

Section 3 of this bill requires a public or private inpatient psychiatric treatment facility that admits a child with an emotional disturbance to establish discharge



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procedures which must: (1) require a court to approve the discharge plan of the child if each parent or legal guardian of the child does not approve of the discharge plan; (2) prohibit a child from being discharged to a temporary facility; and (3) require approval by an agency which provides child welfare services before receiving the child after discharge.

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

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. Chapter 433B of NRS is hereby amended by adding thereto a new section to read as follows:

A public or private inpatient psychiatric treatment facility that admits a child with an emotional disturbance shall establish discharge procedures which must:

1. Require a court to approve the discharge plan of the child if each parent or legal guardian of the child does not approve of the discharge plan;

2. Prohibit the discharge of the child to a temporary facility; and

3. Require approval by an agency which provides child welfare services before receiving the child after discharge.

Sec. 3.5. NRS 433B.130 is hereby amended to read as follows:
433B.130 1. The Administrator shall:

(a) Administer, in accordance with the policies established by the Commission, the programs of the Division for the mental health of children.

(b) Establish appropriate policies to ensure that children in division facilities have timely access to clinically appropriate psychotropic medication that are consistent with the provisions of NRS 432B.197 and NRS 432B.4681 to 432B.469, inclusive, and the policies adopted pursuant thereto.

(c) Upon an order of a juvenile court pursuant to *chapter 62E or 432B or* NRS 62D.180 or 62D.185, accept and provide services to a child who ~~has been determined to be incompetent by the juvenile court.~~ *is subject to the order.*

(d) Subject to NRS 433B.320, if an order described in paragraph (c) requires the child to be committed to a treatment facility, place the child in the treatment facility not later than 30 days after receipt of the order.

2. The Administrator may:

(a) Appoint the administrative personnel necessary to operate the programs of the Division for the mental health of children.



(b) Delegate to the administrative officers the power to appoint medical, technical, clerical and operational staff necessary for the operation of any division facilities.

3. If the Administrator finds that it is necessary or desirable that any employee reside at a facility operated by the Division or receive meals at such a facility, prerequisites granted or charges for services rendered to that person are at the discretion of the Director of the Department.

4. The Administrator may enter into agreements with the Administrator of the Division of Public and Behavioral Health of the Department or with the Administrator of the Aging and Disability Services Division of the Department for the care and treatment of consumers of the Division of Child and Family Services at any facility operated by the Division of Public and Behavioral Health or the Aging and Disability Services Division, as applicable.

Sec. 4. NRS 433B.310 is hereby amended to read as follows:

433B.310 ~~[The Administrator may receive any]~~ *Subject to NRS 433B.320 and 433B.330, a* child with an emotional disturbance *may be admitted* for treatment ~~[in]~~ *at* a treatment facility or ~~[any other]~~ division facility if the child is a resident of this State and if:

1. The child is committed by court order to the custody of the Administrator or to a division facility; or

2. The child's parent, parents or legal guardian makes application for treatment for the child.



