

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:

1 Existing law requires the Administrator of the Division of Child and Family
2 Services of the Department of Health and Human Services to perform certain duties
3 relating to the mental health of children. Among other things, the Administrator is
4 required to accept and provide services to a child who has been determined to be
5 incompetent by a juvenile court. (NRS 433B.130) **Section 3.5** of this bill
6 additionally requires the Administrator to accept and provide services to a child
7 who is subject to certain orders pursuant to chapter 62E or 432B of NRS. If the
8 order requires the child to be committed to a treatment facility, **section 3.5** also
9 requires the Administrator to place the child in the treatment facility not later than
10 30 days after receipt of the order under certain circumstances.

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

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



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

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

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

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

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

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

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

15 **Sec. 3.5.** NRS 433B.130 is hereby amended to read as follows:
16 433B.130 1. The Administrator shall:

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

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

25 (c) Upon an order of a juvenile court pursuant to *chapter 62E or*
26 *432B or* NRS 62D.180 or 62D.185, accept and provide services to a
27 child who ~~has been determined to be incompetent by the juvenile~~
28 ~~court.] is subject to the order.~~

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

33 2. The Administrator may:

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



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

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

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

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

53 433B.310 ~~[The Administrator may receive any]~~ *Subject to*
54 *NRS 433B.320 and 433B.330, a* child with an emotional
55 disturbance *may be admitted* for treatment ~~[in]~~ *at* a treatment
56 facility or ~~[any other]~~ division facility if the child is a resident of this
57 State and if:

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

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



