

Amendment No. 356

Senate Amendment to Senate Bill No. 306	(BDR 39-796)
<b>Proposed by:</b> Senate Committee on Health and Human Services	
<b>Amends:</b> Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.





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 ~~admission of a child with an emotional disturbance to certain inpatient psychiatric treatment facilities;~~ 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 ~~of the Division of Child and Family Services of the Department of Health and Human Services~~ 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 2 of this bill requires a public or private inpatient psychiatric treatment facility that is authorized to receive reimbursements from Medicaid for services provided to a child with an emotional disturbance to accept a child for treatment at the facility unless the facility determines that it does not have the availability or resources to provide adequate treatment to~~

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22 the child, in which case the facility must identify an alternative facility from which the child  
 23 could receive treatment and assist with the admission of the child at the identified facility.

24 ~~Section 2 also requires certain public or private inpatient psychiatric treatment facilities  
 25 that are authorized to receive reimbursements from Medicaid to develop a plan to provide  
 26 services to children with emotional disturbances under certain circumstances.]~~

27 **Section 3** of this bill requires a public or private inpatient psychiatric treatment facility  
 28 that admits a child with an emotional disturbance to ~~[prepare a]~~ **establish discharge [plan]**  
 29 **procedures** which must ~~[be shared with and agreed to by]~~ : **(1) require a court to approve**  
 30 **the discharge plan of the child if** each parent or legal guardian of the child ~~[before the~~  
 31 ~~release of the child from the facility.]~~ **does not approve of the discharge plan; (2) prohibit a**  
 32 **child from being discharged to a temporary facility; and (3) require approval by an**  
 33 **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:

1 **Section 1.** ~~[Chapter 433B of NRS is hereby amended by adding thereto the  
 2 provisions set forth as sections 2 and 3 of this act.]~~ **(Deleted by amendment.)**

3 **Sec. 2.** ~~[1. Notwithstanding any provision of NRS 433B.320 or 433B.330,  
 4 if a public or private inpatient psychiatric treatment facility is authorized to  
 5 receive reimbursement through Medicaid for the treatment of a child with an  
 6 emotional disturbance, the public or private inpatient psychiatric treatment facility shall  
 7 admit the child for treatment unless the facility does not have the  
 8 availability or resources to adequately meet the needs of the child.]~~

9 ~~2. If a public or private inpatient psychiatric treatment facility is unable to  
 10 provide treatment to a child with an emotional disturbance pursuant to  
 11 subsection 1, the public or private inpatient psychiatric treatment facility shall  
 12 identify a facility from which the child could receive treatment and assist with the  
 13 admission of the child at the identified facility.]~~

14 ~~3. If a public or private inpatient psychiatric treatment facility is authorized  
 15 to receive reimbursement through Medicaid and does not provide services to  
 16 children, the facility shall develop a plan to provide services to children who  
 17 would otherwise qualify for admission based on the reimbursable services.]~~  
 18 **(Deleted by amendment.)**

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

21 ~~A public or private inpatient psychiatric treatment facility that admits a child  
 22 with an emotional disturbance [for treatment] shall [before the release of the  
 23 child from the facility, prepare a] **establish discharge [plan] procedures** which  
 24 must ~~[be shared with and agreed to by]~~ :~~

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

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

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

30 **Sec. 3.5. NRS 433B.130 is hereby amended to read as follows:**

31 433B.130 1. The Administrator shall:

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

34 (b) Establish appropriate policies to ensure that children in division facilities  
 35 have timely access to clinically appropriate psychotropic medication that are

1 consistent with the provisions of NRS 432B.197 and NRS 432B.4681 to 432B.469,  
2 inclusive, and the policies adopted pursuant thereto.

3 (c) Upon an order of a juvenile court pursuant to chapter 62E or 432B or NRS  
4 62D.180 or 62D.185, accept and provide services to a child who ~~has been~~  
5 ~~determined to be incompetent by the juvenile court.~~ is subject to the order.

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

9 2. The Administrator may:

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

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

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

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

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

26 433B.310 ~~[The Administrator may receive any. Except as otherwise provided~~  
27 ~~in section 2 of this act and subject]~~ Subject to NRS 433B.320 and 433B.330, a  
28 child with an emotional disturbance may be admitted for treatment ~~in~~ at  
29 a treatment facility or ~~[any other]~~ division facility if the child is a resident of this  
30 State and if:

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

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