

Errata – LCB File No. R133-18.

*Blue italic* = Proposed language found in LCB File No. R133-18

*Green italic* = New language proposed in Errata.

~~*Red italic bold bracketed strikethrough*~~ = Proposed omission in Errata to current LCB File No. R133-18 draft.

Sec. 5. ~~*“Plan of safe care”*~~ *CARA Plan of Care* means a plan that is established pursuant to section 7 of this regulation for the care of an infant who has a fetal alcohol spectrum disorder, has been affected by prenatal substance abuse or is experiencing symptoms of withdrawal from a substance as a result of exposure to the substance in utero.

Sec. 7. 1. A provider of health care who delivers or provides medical services to an infant in a medical facility and who, in his or her professional capacity, knows or has reasonable cause to believe that the infant was born with a fetal alcohol spectrum disorder, is affected by substance abuse or is experiencing symptoms of withdrawal from a drug as a result of exposure to the drug in utero, shall ensure that a ~~*plan of safe care*~~ *CARA Plan of Care* is established for the infant before the infant is discharged from the medical facility.

2. A ~~*plan of safe care*~~ *CARA Plan of Care* must be completed using the form prescribed by the Division and include, without limitation:

- (a) Measures to ensure the immediate safety of the infant;
- (b) Measures to address the needs of the infant and his or her family or caregiver for substance abuse treatment and health care;
- (c) Measures to ensure that the infant and his or her family or caregiver receive any necessary services, including, without limitation, referrals to appropriate providers of such services; and
- (d) Any other information necessary to ensure that the needs of the infant are met.

3. When an infant is discharged from a medical facility, the medical facility shall provide a copy of any ~~*plan of safe care*~~ *CARA Plan of Care* established pursuant to subsection 1 to:

- (a) Each parent or legal guardian of the infant to whom the ~~*plan of safe care*~~ *CARA Plan of Care* pertains, or both, if applicable; and
- (b) The Division, within 24 hours.

Sec. 8. 1. The Division shall:

- (a) Monitor, in accordance with 42 U.S.C. § 5106a(b)(2)(B)(iii)(II), the implementation of each ~~*plan of safe care*~~ *CARA Plan of Care* that it receives pursuant to section 7 of this regulation to ensure that the infant to whom the plan pertains and his or her family or caregiver are receiving appropriate services; and
- (b) Provide a copy of a ~~*plan of safe care*~~ *CARA Plan of Care* in the possession of the Division to an agency which provides child welfare services upon request.

2. Except as otherwise provided in this section and NRS 239.0115, a ~~*plan of safe care*~~ *CARA Plan of Care* in the possession of the Division or an agency which provides child welfare services and any information associated with such a ~~*plan of safe care*~~ *CARA Plan of Care* is

*confidential, not subject to subpoena or discovery and not subject to inspection by the general public.*

*3. The Division and an agency which provides child welfare services shall ensure that a ~~plan of safe care~~ **CARA Plan of Care** in the possession of the Division or the agency which provides child welfare services, as applicable, and any information associated with such a ~~plan of safe care~~ **CARA Plan of Care** is:*

*(a) Adequately protected from fire, theft, loss, destruction, other hazards and unauthorized access; and*

*(b) Stored in a manner that protects the security and confidentiality of the information.*

*4. As used in this section, “agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.*

**Rationale:**

The change of name from the plan of safe care to the CARA plan of care is being made to avoid confusion with another plan that uses a similar name.