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# DEPARTMENT OF HEALTH AND HUMAN SERVICES



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## Comprehensive Addiction and Recovery Act Plans of Safe Care

### “CARA Plan of Care”

### Procedure to request a Plan of Care

#### PURPOSE

The purpose of this document is to establish a procedure for a child welfare agency, to request individual Plans of Care from the Division of Public and Behavioral Health, hereafter referred to as DPBH.

#### APPLICABLE NEVADA REGULATIONS

**NAC 449.941 “CARA Plan of Care” defined. (NRS 439.200, 449.0302)** “CARA Plan of Care” means a plan that is established pursuant to [NAC 449.947](#) for the care of an infant who has a fetal alcohol spectrum disorder, has been affected by a prenatal substance use disorder or is experiencing symptoms of withdrawal from a substance as a result of exposure to the substance in utero.

**NAC 449.947 Establishment and contents of plan; use of form; provision of copy to parent or guardian and Division. (NRS 439.200, 449.0302)**

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 a prenatal substance use disorder or is experiencing symptoms of withdrawal from a substance as a result of exposure to the substance in utero shall ensure that a CARA Plan of Care is established for the infant before the infant is discharged from the medical facility.

2. A 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 use disorder 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 CARA Plan of Care established pursuant to subsection 1 to:

(a) Each parent or legal guardian of the infant to whom the CARA Plan of Care pertains, or both, if applicable; and

(b) The Division, within 24 hours after the discharge.

(Added to NAC by Bd. of Health by R133-18, eff. 12-19-2018)

**NAC 449.948 Duties of Division; confidentiality and protection of plans and related information. ([NRS 439.200](#), [449.0302](#))**

1. The Division shall:

(a) Monitor, in accordance with 42 U.S.C. § 5106a(b)(2)(B)(iii)(II), the implementation of each CARA Plan of Care that it receives pursuant to [NAC 449.947](#) to ensure that the infant to whom the CARA Plan of Care pertains and his or her family or caregiver are receiving appropriate services; and

(b) Provide a copy of a 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](#), each 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 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 each 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 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](#).

(Added to NAC by Bd. of Health by R133-18, eff. 12-19-2018)

**PROCEDURE:**

In compliance with NAC 449.948 1(b) DPBH will provide a child welfare agency with individual plans of care upon request. The child welfare agency will provide DPBH with a “Authorized Requestor” document (Attachment A) listing the persons from the agency that are authorized to receive the sensitive information contained in CARA Plans of Care.

The Authorized Requestor Form will prompt the DPBH representative to request access from IT. This will be done by emailing [Healthsupport@health.nv.gov](mailto:Healthsupport@health.nv.gov) with the subject line “SFTP Folder Access Request”. The body of the email will contain the request that the person be given access to the “CARA Plan of Care Transfer” folder. It should contain the first and name of the person gaining access and their phone number. A ticket number will be sent out immediately for future reference and follow up.

An authorized requestor will send a “CARA Plan of Care Request Form” (Attachment B) through a secure file transfer portal site where the appointed DPBH representative will retrieve it. They will then notify DPBH of the upload via email. The SFTP will not notify DPBH of the upload. Failure to notify DPBH via email will result in a delay in releasing the documents. The DPBH representative will upload the Plan of Care to the same secure file transfer portal site for the requestor to access.