

SUMMARY: Amends Washoe County Code by revising provisions of public welfare chapter.

BILL NO. 222

ORDINANCE NO. 747

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY AMENDING, ADDING, AND REPEALING PROVISIONS RELATIVE TO ESTABLISHMENT AND DUTIES OF THE WASHOE COUNTY DEPARTMENT OF SOCIAL SERVICES.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Chapter 45 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as sections 2 to 20, inclusive, of this ordinance.

SECTION 2.

45.035 Advisory board: Unlawful disclosure of information. No member of the advisory board shall use or publicly disclose information concerning individual applicant for or recipients of public assistance. Such use or disclosure is a misdemeanor.

SECTION 3.

45.040 Director: Appointment; salary; duties.

1. The director shall be appointed by the board of county commissioners.

2. The director shall serve at the pleasure of the board of county commissioners at a salary to be fixed by the board.

3. Under the direct supervision of the board of county commissioners, the director shall discharge all duties and administer all programs as the board of county commissioners may from time to time delegate to or impose upon the director. Such duties and administrative responsibilities shall be restricted to those which, under Nevada laws relative to public welfare, are made the responsibility of the counties and are lawfully delegable by county commissioners to duly appointed or elected county officers, including policymaking authority for the department.

SECTION 4.

45.045 Rules, regulations, guidelines and standards. The department may adopt rules, regulations, guidelines and standards, and amend them as it may from time to time deem necessary in order to effectuate the provisions of this

chapter. They shall be based upon the provisions of this ordinance, applicable local, state and federal laws, and the policies and standards as established and approved by the board of county commissioners.

SECTION 5.

45.050 Health care assistance program. The department of social services shall provide a service delivery system to meet the medical and health care needs of eligible program applicants. Assistance may be provided in, but not limited to, the following areas:

1. Inpatient hospital care.
2. Outpatient clinic care.
3. Emergency room treatment.
4. Adult group care; extended care facility placements.
5. Adult services.
6. Indigent accident fund.
7. State supplemental fund.
8. Precommitment at state mental health/retardation facilities prior to September 1, 1988.
9. Burial or cremation.

SECTION 6.

45.055 Eligibility for health care assistance program. Those residents of Washoe County without sufficient resources or income to pay for necessary health care and who meet the limitations imposed by the county upon income, assets and other resources are eligible for the HCAP.

SECTION 7.

45.060 Health care available. The department shall provide such health and institutional care as is reasonable and necessary for the diagnosis and treatment of an eligible applicant's illness or injury.

SECTION 8.

45.065 Emergency medical treatment. Indigent persons of Washoe County may seek care for medical emergencies, as defined herein, at any medical facility. Such care shall be at county expense if all of the following criteria are satisfied:

1. The client meets the HCAP eligibility standards with respect to income and assets.
2. Treatment was rendered for a medical emergency, defined as treatment and care in which serious or permanent bodily injury, disability or death may result without such immediate professional medical intervention.

SECTION 9.

45.070 Burial or cremation. The department director or members of his/her staff may direct that a deceased indigent be buried or cremated at county expense. Friends or relatives of the deceased may also seek county assistance with the expenses of final arrangements.

SECTION 10.

45.075 Responsible relatives. The spouse, father, mother, children, brother or sisters of an applicant to whom medical assistance is rendered are responsible for the costs of care to the extent of their financial ability to pay. Such costs of care shall not be a charge against a responsible relative who is a recipient of public assistance or who is eligible for a federal or state welfare program.

SECTION 11.

45.080 Assistance reimbursement. An applicant shall agree to reimburse Washoe County for the costs of any assistance provided in accordance with the guidelines and standards adopted by the department.

SECTION 12.

45.085 Liens. Where appropriate, as determined by the department, a lien against the property of the patient or responsible relative may be taken.

Such a lien shall not be enforced against the home of the eligible person or his responsible relative:

1. During his lifetime or that of his spouse.
2. During the minority of his children if they reside in the home.
3. During the lifetime of any dependent adult child who resides in the home and who is incapable of self-support because of mental or physical disability.

Any lien taken by the department shall be released immediately when the amount owing for care received is paid.

SECTION 13.

45.090 General assistance to indigent persons or vouchers to vendors. Eligible indigent persons of Washoe County without sufficient resources or income to pay for food and shelter shall receive payment of cash grants or vouchers to vendors for necessary maintenance.

SECTION 14.

45.095 Department designated as child care licensing agency and as family home child care regulatory agency.

1. The department is hereby designated as the child care licensing agency of Washoe County pursuant to subsection 2 of NRS 432A.131.

2. The department is hereby designated as the agency of Washoe County which shall regulate family home child care businesses.

3. Any person engaged in child care must be licensed as provided by rules and regulations adopted by the department.

SECTION 15.

45.100 Penalties.

1. Any person who provides child care in a center or home without possessing a valid license issued pursuant to rules and regulations adopted by the department is guilty of a misdemeanor.

2. Any child care facility employee who provides child care for 5 or more children without possessing a valid temporary work permit or work permit authorizing him to do so is guilty of a misdemeanor.

SECTION 16.

45.105 Misdemeanor citation authority. The department director and designees are hereby authorized to issue misdemeanor citations to violators of the child care regulations or the family home child care rules.

SECTION 17.

45.110 Department designated as child protective services agency. Pursuant to NRS 432B.180, the department is hereby designated as the child protective services agency of Washoe County.

SECTION 18.

45.115 Confidentiality. All department client files and applications for assistance are confidential and, except as provided below, may not be published, released or otherwise disclosed.

Client files and applications for assistance may be disclosed to the following persons and entities:

1. The district attorney's office.
2. Law enforcement agencies.
3. Court-appointed special advocates.
4. Local, state or federal agencies.

5. Clients or applicants and their representatives, to the extent allowed by NRS 432B.290.

6. All other persons or entities entitled to examine such files pursuant to NRS 432B.290.

The department may require that a request for confidential information be in writing.

SECTION 19.

45.120 Denial of application for assistance and appeal. The department shall promptly notify an applicant of the reason for denial of financial or health care assistance. An applicant must submit a written request for a review or fair hearing of the action taken by the department.

SECTION 20.

45.125 Misrepresentation.

1. Any applicant who makes a false statement or a misrepresentation of information in order to qualify for assistance, with the intent that that false statement or misrepresentation be relied upon in granting assistance, is guilty of a misdemeanor.

2. If it appears that an applicant or responsible relative has conveyed property within 2 years prior to the date of application for assistance or at any time after such date the department shall determine whether such conveyance was for fair and adequate consideration. Making a conveyance for less than fair and adequate consideration is a ground for denial of assistance. The county may also in such cases proceed against the applicant or responsible relative to recover expenses incurred against the county.

3. Any asset conveyed by an applicant or by a recipient of assistance will be valued at the market value and that figure will be used to compute a period of ineligibility.

SECTION 21. Section 45.010 of the Washoe County Code is hereby amended to read as follows:

45.010 Definitions. As used in this chapter, unless the context otherwise requires:

1. "Advisory board" means the board created by the county commissioners of Washoe County to advise the Washoe County department of social services.

2. "Department" means the Washoe County department of social services.

3. "Director" means the director of the department.

4. "Family home child care business" means a business that provides care for 2 to 4 children, inclusive, for compensation, for a sum of more than 15 hours per week. The total number of hours of care provided each day shall

be added to determine whether the sum exceeds 15 hours per week.

5. "HCAP" means health care assistance program.

SECTION 22. Section 45.020 of the Washoe County Code is hereby amended to read as follows:

45.020 Department of social services: Creation; composition.

1. There is hereby created the Washoe County department of social services.

2. The department consists of:

(a) The duly appointed director;

(b) The advisory board;

(c) Authorized officers, agents and employees of the department.

SECTION 23. Section 45.030 of the Washoe County Code is hereby amended to read as follows:

45.030 Advisory board members: Number; appointment; qualifications; terms of office; compensation.

1. The advisory board shall consist of not less than six members who possess broad experience and interest in civic affairs and matters of public affairs.

2. Members of the advisory board shall be appointed by the board of county commissioners upon advice and consent of the director.

3. Appointed advisory board members serve at the pleasure of the board of county commissioners.

SECTION 24. Sections 45.040 to 45.280, inclusive, of the Washoe County Code are hereby repealed.

Proposed on the 24th day of May, 1988.

Proposed by Commissioners Lillard.


Passed on the 14th day of June, 1988.

Vote:


Ayes: Commissioners: Beck, Cornwall, Lillard, McDowell & Williams

Nays: Commissioners: None

Absent: Commissioners: None


Chairman of the Board

ATTEST:


County Clerk

This ordinance shall be in force and effect from and after the 27th day of June, 1988.