



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: *June 25, 2024*

DATE: Thursday, June 20, 2024

TO: Board of County Commissioners

FROM: Herbert B. Kaplan, Deputy District Attorney
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THROUGH: Ryan Gustafson, Agency Director, Human Services Agency
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SUBJECT: Introduction and first reading of an ordinance amending Washoe County Code (WCC) Chapter 45 (Public Welfare) and, if supported, set a public hearing for second reading and possible adoption of the ordinance on July 16, 2024. The Nevada Division of Welfare and Supportive Services will be taking over all child care licensing activities for Washoe County effective July 1, 2024. If passed, the proposed ordinance will: (1) reflect that change in WCC; (2) allow for consistent statewide enforcement of NRS and NAC 432A; and (3) streamline federal reporting requirements for child care licensing activities and funding. (All Commission Districts).

SUMMARY

The Nevada Division of Welfare and Supportive Services (DWSS) will be taking over all child care licensing activities for Washoe County effective July 1, 2024. The proposed ordinance seeks to: (1) reflect that change in Washoe County Code; (2) allow for consistent statewide enforcement of NRS and NAC 432A; and (3) streamline federal reporting requirements for child care licensing activities and funding.

Washoe County Strategic Objective supported by this item: Vulnerable Populations, Economic Impacts, and Fiscal Sustainability.

PREVIOUS ACTION

On June 18, 2024, the Washoe County Board of County Commissioners approved the initiation of a proposed ordinance amending Washoe County Code (WCC) Chapter 45 (Public Welfare) to set the matter for an introduction and first reading of the ordinance on June 25, 2024, and if supported, set a public hearing for second reading and possible retroactive adoption of the ordinance on July 16, 2024. The Nevada Division of Welfare and Supportive Services will be taking over all child care licensing activities for Washoe County effective July 1, 2024. If passed, the proposed ordinance will: (1) reflect that change in WCC; (2) allow for consistent statewide enforcement of NRS and NAC 432A;

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and (3) streamline federal reporting requirements for child care licensing activities and funding.

The Washoe County Board of County Commissioners passed Ordinance 1902 on February 20, 2024, amending Washoe County Code Chapter 45 by modifying: 1) the definition of “child care” found in WCC 45.010(5) to mirror the definition of “child care facility” found in NRS 432A.024; 2) the definition of “division director” and selection process thereof in WCC 45.010(4) and WCC 45.020(2)(b), respectively; and 3) the composition of the WCHSA in WCC 45.020(1) to reflect the addition of new divisions within WCHSA. These changes were made in preparation for the transition of child care licensing activities to DWSS effective July 1, 2024.

BACKGROUND

The purpose of child care licensing regulations is to establish a minimum level of care necessary to maintain and facilitate the normal development, health, safety, and welfare of children receiving care outside their homes.

NRS 432A.024 provides for the definition of a Child Care Facility in the State of Nevada. NRS 432A.131 authorizes cities and counties to adopt standards and regulations for the operation of child care facilities when these regulations have been approved by the State of Nevada Bureau of Child Care Licensing.

Pursuant to Washoe County Code Chapter 45.095, the Washoe County Board of County Commissioners has determined that the Washoe County Human Services Agency is the agency responsible for licensing and regulation of child care facilities in Washoe County. The State of Nevada Division of Welfare and Supportive Services (DWSS) is the Lead Agency for Child Care Licensing in the State of Nevada.

In 2023, the State of Nevada Child Care Licensing department moved from the Division of Public and Behavioral Health to DWSS. Following that change, DWSS expressed interest in conducting all child care licensing activities in the state and intends to take over child care licensing operations for Washoe County on or about July 1, 2024. This proposed County Code change will allow for consistent enforcement of Nevada Revised Statutes and Nevada Administrative Code 432A statewide and streamline federal reporting requirements for child care licensing activities and funding.

In order to allow DWSS to move forward with child care licensing activities beginning July 1, 2024, Washoe County’s designation as the child care licensing authority must be removed from County Code.

Northern Nevada Public Health (NNPH) is working with the State of Nevada Child Care Licensure Program for NNPH to develop criteria and conduct inspections of child care facilities to ensure a smooth transition for child care providers.

FISCAL IMPACT

There is no fiscal impact to the County budget associated with this proposed code change.

RECOMMENDATION

It is recommended that the Board of County Commissioners introduce and conduct the first reading of an ordinance amending Washoe County Code (WCC) Chapter 45 (Public Welfare) and, if supported, set a public hearing for second reading and possible adoption of the ordinance on July 16, 2024. The Nevada Division of Welfare and Supportive Services will be taking over all child care licensing activities for Washoe County effective July 1, 2024. If passed, the proposed ordinance will: (1) reflect that change in WCC; (2) allow for consistent statewide enforcement of NRS and NAC 432A; and (3) streamline federal reporting requirements for child care licensing activities and funding.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to introduce and conduct the first reading of Ordinance # ____ [to be provided by the County Clerk], which is an ordinance amending WCC Chapter 45, and if supported, set a public hearing for a second reading and possible adoption of the ordinance on July 16, 2024.”