



MTL # 0502 – 08042021  
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FROM: Kathryn Roose, Deputy Administrator, Division of Child and Family Services

### POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

#### 0509 Alternative NIA Policy

This policy is/was effective: 08/04/2021

- This policy is new. Please review the policy in its entirety
- This policy replaces the following policy(s):
- This policy has been revised. Please see below for the type of revision:
  - This is a significant policy revision. Please review this policy in its entirety.

#### Major changes include:

- Addition of a new circumstance when the Alternative NIA could be applied.
- This is a minor policy revision: (List page number & summary of change):
- A policy form has been revised: (List form, page number and summary of change):

#### Added form:

#### NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address:  
<http://dcfs.nv.gov/Policies> Please check the table of contents on this page for the link to the chapter you are interested in.

**0509 Alternative NIA**

**Policy Approval Clearance Record**

<input checked="" type="checkbox"/> <b>Statewide Policy</b>	<input type="checkbox"/> <b>New Policy</b>
<input type="checkbox"/> <b>Administrative Policy</b>	<input checked="" type="checkbox"/> <b>Modified Policy</b>
<input type="checkbox"/> <b>DCFS Rural Region Policy</b>	<input type="checkbox"/> <b>This policy supersedes:</b>
<b>Date Policy Effective:</b>	08/04/2021
<b>Attorney General Representative Review:</b>	01/13/2021
<b>DCFS Deputy Administrator Approval</b>	03/02/2021
<b>DMG Original Approval</b>	03/04/2021
<b>DMG Approved Revisions</b>	07/01/2021

**STATEMENT OF PURPOSE**

**Policy Statement:** The Alternative Nevada Initial Assessment (NIA) is a shortened investigation process that may be used in specific circumstances. The process still employs safety concepts and decision-making methods concerned with reconciling information contained within an IA about alleged maltreatment and alleged threats to child safety.

**Policy Purpose:** The purpose of the Alternative NIA Policy is to provide instruction on completing the Alternative NIA process, while ensuring compliance with Statewide Policy: 0508 Nevada Initial Assessment (NIA).

**AUTHORITY**

**Federal:** [Child Abuse Prevention and Treatment Act, Reauthorized 2003-2010](#);  
**NRS:** [NRS 432B.020](#), [NRS 432B.030](#), [NRS 432B.040](#), [NRS 432B.042](#), [NRS 432B.068](#), [NRS 432B.080](#),  
[NRS 432B.130](#), [NRS 432B.140](#), [NRS 432B.160](#), [NRS 432B.190](#), [NRS 432B.260](#), [NRS 432B.270](#), [NRS 432B.280](#),  
[NRS 432B.290](#), [NRS 432B.300](#), [NRS 432B.310](#), [NRS 432B.315](#), [NRS 432B.360](#)  
**NAC:** [NAC 432B.150](#), [NAC 432B.155](#),

**DEFINITIONS**

**Abuse or Neglect of a Child: “Abuse or neglect of a child” means, as defined in NRS432B.020:**

1. “Abuse or neglect of a child” means, except as otherwise provided in subsection 2:
  - a. Physical or mental injury of a nonaccidental nature;
  - b. Sexual abuse or sexual exploitation; or
  - c. Negligent treatment or maltreatment as set forth in [NRS 432B.140](#), of a child caused or allowed by a person responsible for the welfare of the child under circumstances which indicate that the child’s health or welfare is harmed or threatened with harm.
2. A child is not abused or neglected, nor is the health or welfare of the child harmed or threatened for the sole reason that:
  - a. The parent of the child delivers the child to a provider of emergency services pursuant to NRS 432B.630, if the parent complies with the requirements of paragraph (a) of subsection 3 of that section; or
  - b. The parent or guardian of the child, in good faith, selects and depends upon nonmedical remedial treatment for such child, if such treatment is recognized and permitted under the laws of this State in lieu of medical treatment. This paragraph does not limit the court in ensuring that a child receive a medical examination and treatment pursuant to [NRS 62E.280](#).
3. As used in this section, “allow” means to do nothing to prevent or stop the abuse or neglect of a child in circumstances where the person knows or has reason to know that a child is abused or neglected.  
(Added to NRS by [1985, 1368](#); [A 2001, 1255](#); [2003, 1149](#))

**Agency Which Provides Child Welfare Services: (NRS431B.030):** In a county whose population is less than 100,000, the Agency is a local office of the Division of Child and Family Services, or in a county whose population is 100,000 or more, the Agency of the county which provides or arranges for necessary child welfare services. May also be referred to as “Agency” or “Child Welfare Agency”.

**Child:** As defined by NRS 432B.040, a person under the age of 18 years or, if in school, until graduation from high school. The term does not include a child who remains under the jurisdiction of the court pursuant to NRS 432B.594.

**Child Welfare Services:** As defined by NRS 432B.044, includes, without limitation: 1. Child Protective Services; 2. Foster care services, as defined in NRS 432.010; and 3. Services related to adoption.

**Infant:** A child between birth and age one (1).

**Negligent treatment or maltreatment:** As defined by NRS 432B.140, negligent treatment or maltreatment of a child occurs if a child has been subjected to harmful behavior that is terrorizing, degrading, painful or emotionally traumatic, has been abandoned, is without proper care, control or supervision or lacks the subsistence, education, shelter, medical care or other care necessary for the well-being of the child because of the faults or habits of the person responsible for the welfare of the child or the neglect or refusal of the person to provide them when able to do so.

**Nevada Initial Assessment (NIA) Intervention Manual:** This is used to provide guidance to NIA workers in case practice and decision making. The NIA Intervention Manual provides direction regarding engaging family members and collateral information sources in collecting information related to the six assessment questions. The information is assessed and analyzed to reach decisions concerning the family strengths, maltreatment, impending danger and caregiver protective capacities.

**NIA Process:** The investigative process in its entirety including the NIA document, Safety Plan Determination, Safety Plan, and Conditions for Return.

**Person Responsible for a Child’s Welfare:** Any person responsible for a child’s welfare including the child’s parent, guardian, a stepparent with whom the child lives, an adult person continually or regularly found in the same household as the child, or a person directly responsible or serving as a volunteer for or employed in a public or private home, institution or facility where the child actually resides or is receiving child care outside of the home for a portion of the day (NRS 432B.130). *For the purposes of this policy this will be referred to as “caregiver.”*

**Preponderance of Evidence:** The standard of proof in most civil cases in which the party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party or which shows that the fact to be proven is more probable than not.

**Present Danger:** An immediate, significant, and clearly observable family condition or situation that is actively occurring or “in process” of occurring at the point of contact with a family; and will likely result in serious harm to a child. In process of occurring means it might have just happened (e.g., a child is left unattended in a parked car); or happens all the time (e.g., young children were left alone last night and might be tonight).

**Present Danger Assessment:** A judgment or process involving observation, interpretation, identification, and a conclusion that a family condition, child condition, individual behavior or action or family circumstance places a child in immediate jeopardy. The judgment must involve supervisory consultation.

**Present Danger Plan:** An instantaneous (same day), short-term, sufficient strategy that assures a child is cared for, supervised, and protected by a responsible adult to allow for the completion of the NIA.

**Priority Response Time:** The time frame required to initiate the investigation/assessment by attempting face-to-face contact with all alleged child victims. The time frame is determined by the urgency of the report and the type of intervention (NRS 432B.260).

**Report:** Information received from a reporting party alleging child abuse, neglect, and/or requesting services. Reports are then dispositioned to determine appropriate response.

**Risk:** The likelihood of maltreatment occurring in the future.

**Safe Child:** A child considered to be safe because there are no present or impending danger threats or there are sufficient caregiver protective capacities to control existing threats.

**Serious Harm:** Refers to evidence of a serious physical injury, sexual abuse, significant pain or mental suffering, extreme fear or terror, extreme impairment or disability; death, substantial impairment or risk of substantial impairment to the child's mental or physical health and development.

**State:** An alternate word for the Division of Child and Family Services (DCFS) or Family Programs Office (FPO)

**Vulnerable Child:** A child who is dependent on others for protection and is exposed to circumstances that she or he is powerless to manage, and susceptible, accessible, and available to a threatening person and/or persons in authority over them. Vulnerability is judged according to age, physical and emotional development, ability to communicate needs, mobility, size and dependence and susceptibility.

## **STANDARDS/PROCEDURES**

In an effort to ensure NIA Workers respond to reports of maltreatment in accordance with NRS 432B.260 and focus their efforts on families who are in need of CPS intervention and follow-up services the use of an Alternative NIA is permitted in specific circumstances outlined in this policy.

### **Circumstances for an Alternative NIA**

**Circumstance 1: The Family Resides Outside of Nevada:** The Agency has confirmed the child and family, or any other adult who is legally responsible for the care of a child, do not reside or no longer reside in the state of Nevada, but is brought to the attention of the local child welfare agency. Due to the family residing outside of Nevada, the Agency is limited in the ability to accurately assess the family and the Agency would not be able to provide services to the family. An allegation of maltreatment may be substantiated in this circumstance when applicable.

1. This circumstance must not be used when any of the following apply and the NIA Worker must proceed with a complete NIA:
  - a. The Agency retains custody beyond the adjudication; or
  - b. The child visits their parent who resides in Nevada; or
    - i. This includes a child who has visitation with their parent in Nevada and the parent may have access to the child again during future visitation in Nevada (i.e. there is court ordered visitation or the other parent/caregiver indicates they will allow the child future visitation with their parent in Nevada). The Agency is able to accurately assess the parent(s) home in this situation. If the child resides in another state with another parent or relative, but comes to Nevada to visit with their parent, the NIA Worker will complete the NIA process to assess the safety of the parent who resides in Nevada.
  - c. The family and child reside in another Nevada jurisdiction.
    - i. The Agency must coordinate the transfer of the case to the appropriate jurisdiction in Nevada. The receiving jurisdiction may not use an Alternative NIA.
2. Documentation: The NIA Worker must document a case note that includes the following information:
  - a. How the NIA Worker verified the family and child reside outside of Nevada; and
  - b. The current address and location of the child and family; and
  - c. The jurisdiction a cross-report was made to, including who the NIA Worker spoke with and a reference number if available.

**Circumstance 2: The allegation of maltreatment is Patently Unfounded:** This means all information contained in the report has no basis in fact as demonstrated by compelling evidence which directly refutes the allegation/information contained in the report. This circumstance may be used when:

1. There is no present or impending danger; and
2. All information and evidence collected is consistent and indicates the information and allegation(s) are untrue; and
3. The family does not have any of the following CPS history:
  - a. Any reports of domestic violence within the last 12 months; or
  - b. Any screened-in reports for any caregiver within the last 12 months; or
  - c. No prior reports at any time for the same or similar allegations; or

- d. The Agency has a current open case with the family.
4. Patently unfounded may not be used with any of the following allegations:
  - a. Sexual abuse
  - b. Physical abuse with any injuries, regardless of what the family reports the injuries are from
  - c. Domestic violence
  - d. Any allegation against a child who is vulnerable due to untreated injury, illness or other physical or mental condition

**Circumstance #3: There is a child fatality and no other children reside in the home.** An allegation of maltreatment may be substantiated in this circumstance when applicable.

**Circumstance #4: There is a new allegation received on an open Permanency case.** A new report has been received that meets screen-in criteria for an investigation and the family already has an open Permanency case where the permanency plan is reunification. In this circumstance the NIA Worker and Permanency Worker are each assigned duties. This circumstance ensures the NIA Worker meets the response time and an appropriate substantiation decision is made; and for the Permanency Worker to engage/reengage with the caregiver and assess/reassess family functioning.

1. The NIA Worker must:
  - a. Attempt contact with all alleged child victims within the priority time assigned;
  - b. Investigate the allegation(s) as identified in the Intake Report and make a substantiation decision;
  - c. Assess for present danger;
  - d. Place the child into Protective Custody (including obtaining a warrant as required), as necessary;
  - e. Complete the Alternative NIA process as instructed below; and
  - f. Schedule and attend a meeting with the Permanency worker at the time the Alternative NIA is concluded to discuss findings and ensure all actions align.
2. The Permanency Worker will:
  - a. Make face-to-face contact with the caregiver(s), including caregivers who have been previously assessed and those who have not been assessed previously, within three (3) business days of receipt of the Intake Report to engage or reengage them;
  - b. Complete a Protective Capacity Family Assessment (PCFA) or Protective Capacity Progress Assessment (PCPA) within 25 calendar days from the Intake Report;
    - i. The PCFA must be completed if the caregiver did not engage in the PCFA previously.
    - ii. The PCPA must be completed if the caregiver did engage in the PCFA previously.
  - c. Determine enhanced and/or diminished protective capacities and impending danger threats related to all caregivers in the household on the PCFA or PCPA
  - d. Update the case plan, to include the child wellbeing section regarding child needs and services for any new children and for existing children;
  - e. Address the well-being needs of the child;
  - f. Make all necessary child contacts within the required timeframes;
  - g. Complete a Safety Assessment for all children, Safety Plan Determination, Conditions for Return and Safety Plan, as appropriate; and
  - h. Attend a meeting with the NIA worker at the conclusion of the investigation, but prior to concluding the NIA to discuss funding and ensure all actions align.

### **Approval to use the Alternative NIA**

1. The NIA Worker must staff the case with a supervisor if they believe an Alternative NIA can be used.
2. If the Supervisor agrees that an Alternative NIA can be used, the Supervisor must seek Manager/Coordinator approval to complete an Alternative NIA.
3. The Manager/Coordinator will determine if an Alternative NIA may be completed.
4. If approved, the Manager/Coordinator must document an "ALTERNATIVENIA" case note type clearly indicating their approval, the circumstance that meets criteria, and any required information to justify the approval.

### **Completing the Alternative NIA Process**

The timeframe for completing the Alternative NIA process is 25 calendar days. If the case is more than 25 calendar days from the date of report, then a full NIA must be completed for Alternative NIA Circumstances #1, #2 and #4. The only Alternative NIA that may be extended beyond the 25 calendar days is Circumstance #3 when the NIA Worker is waiting for additional information regarding the fatality that is necessary to complete the investigation.

The NIA Worker and NIA Supervisor must adhere to [Statewide Policy: 0508 Nevada Initial Assessment](#) for the following:

1. Priority Response Times for Initial Contact
2. Preparing and Planning for the NIA
3. NIA Initial Contact Protocol
4. Entering a Home to Assess Allegations
5. NIA Interview Protocol
6. Persistent Efforts (if required)
7. Assessing for Present Danger
8. Developing a Present Danger Plan (PDP)(if applicable)
9. Documenting the PDA and PDP
10. Additional Allegations

#### **NIA Information Collection for the Alternative NIA:**

1. Collateral contacts may not be necessary unless more information is needed to corroborate the situation or the circumstance is Patently unfounded. There must always be collateral contacts for Patently Unfounded.
2. The NIA Worker must gather information for the Maltreatment and Nature sections of the NIA.
3. The NIA Worker must make a substantiation decision. The only circumstance that cannot have a substantiated finding is Patently Unfounded.
4. The Child Functioning, Adult Functioning, Discipline, and Parenting General information will not be evaluated therefore the NIA Worker does not need to gather information for these NIA Assessment questions.

#### **Documenting the Alternative NIA Process:**

The NIA document and case notes serve as the Agency's record of contacts during the NIA process. All activities, including attempted activities, conducted by the NIA Workers, Supervisors, and any other staff must be documented in UNITY. The NIA Worker may begin documenting the Alternative NIA in UNITY at any time during the Alternative NIA process. The Alternative NIA is completed in UNITY using the Investigation and NIA windows.

1. Documentation of the Alternative NIA must demonstrate:
  - a. Clarity that indicates which circumstance applies and rationale for the decision to utilize the Alternative NIA.
  - b. That all gaps in information are reconciled.
  - c. That all children and adults in the home were interviewed.
2. The NIA Worker must document the following:
  - a. The Present Danger Assessment documenting the circumstances of the family. The PDA and, if applicable, the Present Danger Plan (PDP), must be documented in UNITY within one (1) business day, after the NIA worker has completed assessing for present danger.
  - b. Extent of Maltreatment, Nature and Conclusion sections of the Alternative NIA must be completed documenting all required criteria.
  - c. Adult Functioning, Child Functioning, Discipline and Parenting General sections of the Alternative NIA should contain the statement "Alternative NIA."
  - d. Protective Capacities for the parents/caregivers should be marked as "unknown."
  - e. All Impending Danger threats should be marked as "no" and the conclusion of the Alternative NIA will be "safe."
3. Case notes must be written as soon after the activity as is reasonably possible. At a minimum, case note documentation must be completed within the following time frames:

- a. Initial child contact case notes must be entered in 'CHILDCONTACT' UNITY case note type within one (1) business day.
- b. The NIA Worker must attempt to contact the alleged maltreating parent or caregiver and enter the attempt into a 'PARNT CONTCT' UNITY case note type within five (5) business days of the contact attempt.
- c. Interviews of family members and collaterals must be documented in UNITY case notes within five (5) business days of the interview.
- d. All other activities must be documented within five (5) business days of their occurrence.
4. UNITY case notes documenting any contact must include but are not limited to:
  - a. The time of the contact, including the approximate length of time of the interview;
  - b. The location of the interview;
  - c. The names and roles (e.g., mother's friend, police officer) of all others present during the interview;
  - d. Newly discovered identifying information including birth dates, Social Security numbers, addresses, phone numbers;
  - e. Specific efforts to assist the family

**Approval of the completed Alternative NIA**

1. Once the NIA Worker has completed the Alternative NIA process they must notify their Supervisor.
2. The Supervisor must notify the Manager/Coordinator that the Alternative NIA has been completed and is ready for review.
3. The Manager/Coordinator will review the case in UNITY, including the Alternative NIA, case notes, and case history (if applicable).
4. The Manager/Coordinator may:
  - a. Approve the Alternative NIA; or
  - b. Request additional information from the NIA Worker prior to approval; or
  - c. Deny the approval of the Alternative NIA and require a full NIA be completed.
5. After the Manager/Coordinator has approved the completed Alternative NIA:
  - a. The Manager/Coordinator must document an "ALTERNATIVENIA" case note type clearly indicating their approval, the circumstance that meets criteria, and any required information to justify the approval.
  - b. The Manager/Coordinator or the Supervisor may complete the UNITY windows approving the investigation and closing the case.

**Timeline:** Policy/procedure development and implementation will adhere to any statewide policies when developing internal policy timelines.

Requirement	Starting Date	Deadline	Responsible Party	Actions to be Taken
<b>Complete the Alternative NIA Process</b>	Date/Time report is received	25 calendar days	NIA Worker Supervisor Manager/Coordinator	Complete the Alternative NIA process as outlined above and ensure adherence to Statewide Policy 0508: Nevada Initial Assessment

**Case File Documentation (paper)**

File Location	Data Required
<ul style="list-style-type: none"> <li>• Follow Agency business practice</li> </ul>	<ul style="list-style-type: none"> <li>• Follow Agency business practice</li> </ul>

**UNITY Documentation (electronic)**

Applicable UNITY Screen	Data Required
<ul style="list-style-type: none"> <li>• Case Notes</li> </ul>	<ul style="list-style-type: none"> <li>• All activities not documented in the NIA, Supervisory/Manager/Coordinator Staffings; Persistent efforts</li> </ul>
<ul style="list-style-type: none"> <li>• Present Danger Assessment (ASM100)</li> </ul>	<ul style="list-style-type: none"> <li>• PDA</li> </ul>
<ul style="list-style-type: none"> <li>• CPS Report Detail (RP000)</li> </ul>	<ul style="list-style-type: none"> <li>• Document initial response date/time</li> </ul>
<ul style="list-style-type: none"> <li>• Investigation Approval (INVS003)</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisor approval of investigation</li> </ul>

## **JURISDICTIONAL ACTION**

**Development of Internal Policies:** This policy must be adhered to by all Agencies which provide child welfare services. Agencies may develop internal policies and procedures to implement the provisions of Federal and State law and this policy.

**Supervisory Responsibility:** See above policy instruction for responsibilities of the supervisor.

## **STATE RESPONSIBILITIES**

The State will provide technical assistance regarding program development and implementation to the child welfare agencies.

## **POLICY CROSS REFERENCE**

**Policies:** 0508 Nevada Initial Assessment

**History and Updates:** This policy is new.

## **ATTACHMENTS**

Alternative NIA Guide for Case Workers and Supervisors  
Alternative NIA Guide for Managers and Coordinators