

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

Petitioner: Tim Burch, Administrator of Human Services

Recommendation:

Re-appoint Christine Kelleher and Michelle Tobler to serve as Administrative Hearing Officers for the Department of Family Services for a three-year term from August 1, 2022 through July 31, 2025. (For possible action)

FISCAL IMPACT:

Fund #:	1010.000	Fund Name:	General Fund
Fund Center:	1250816000	Funded PGM/Grant:	N/A
Amount:	\$50,000 Annually		
Description:	Hearing Officers		
Additional Comments:	Compensation rate per Clark County Code Section 2.68.060 is \$70 per hour. The total value for services is estimated at \$210,000 for the three-year term.		

Fund #:	2370.000	Fund Name:	Child Welfare
Fund Center:	1250153000	Funded PGM/Grant:	N/A
Amount:	\$10,000 Annually		
Description:	Hearing Officers		
Additional Comments:	Compensation rate per Clark County Code Section 2.68.060 is \$70 per hour. The total value for services is estimated at \$210,000 for the three-year term.		

Fund #:	2370.000	Fund Name:	Child Welfare
Fund Center:	1250811400	Funded PGM/Grant:	N/A
Amount:	\$10,000 Annually		
Description:	Hearing Officers		
Additional Comments:	Compensation rate per Clark County Code Section 2.68.060 is \$70 per hour. The total value for services is estimated at \$210,000 for the three-year term.		

BACKGROUND:

Pursuant to NRS 432B.317, NAC 127.500 and NAC 424.210 decisions made by the Clark County Department of Family Services (DFS) regarding substantiations of abuse or neglect of a child, adoption subsidies, and foster care licensing revocations may be appealed and subject to an Administrative Hearing conducted in accordance with NRS 233B. Administrative Hearing officers must meet all the requirements set forth in Clark County Code Section 2.68.020 and will receive compensation in accordance with Section 2.68.060. The hearings will be conducted in accordance with the applicable statutory and regulatory requirements found in NRS Chapter 127, 233B, 424, 432B; NAC Chapters 127, 424, and 432B; and any pertinent Statewide or County Policies and Procedures governing the subject matter.

DFS is mandated by State & Federal law (CAPTA) to provide Appellants with Due Process. We cannot meet this

Cleared for Agenda

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legal mandate without the provision of Administrative Hearings, which requires the appointment of Hearing Officers to preside over these Hearings. The demand for Administrative Hearings far exceeds our limited supply of human resources who provide this service, to include Appeals Staff, Management, District Attorney & Hearing Officers. Therefore, in order to comply with the law and meet the progressively increasing demand for Administrative Hearings, it is incumbent on DFS to re-appoint these two experienced Hearing Officers so that the Hearings that have already been scheduled throughout the year can proceed in due course.

Both Christine Kelleher and Michelle Tobler are currently serving as DFS' Administrative hearing officers. DFS recommends that the Board re-appoint both candidates as DFS Administrative Hearing Officers for the period beginning August 1, 2022 and expiring on July 31, 2025.