

Licensed Foster Homes

The State Fire Marshal shall cooperate with the Division of Child and Family Services (DCFS) of the Department of Health and Human Services in establishing reasonable minimum standards for overseeing the safety of and directing the means and adequacy of exit in case of fire from foster homes.

There are 4 categories of foster homes as defined by DCFS:

1. **Family Foster Home:** means a family home in which one (1) to six (6) children who are under 18 years of age or who remain under the jurisdiction of a court and who are not related within first degree of consanguinity or affinity to the persons maintaining the home are received, cared for and maintained, for compensation or otherwise, including the provision of free care.
2. **Group Foster Home:** means a foster home in which seven (7) to fifteen (15) children who are under 18 years of age or who remain under the jurisdiction of a court and who are not related within the first degree of consanguinity or affinity to the person(s) maintaining the home are received, cared for and maintained, for compensation or otherwise, including the provision of free care.
3. **Independent Living Foster Home:** means a foster home which provides assistance to the transition to independent living for children who have entered into an agreement to transition to independent living and who are under 18 years of age or who remain under the jurisdiction of a court and who are not related within the first degree of consanguinity or affinity to the person(s) maintaining the home are received, cared for and maintained, for compensation or otherwise, including the provision of free care.
4. **Specialized Foster Home:** means a foster home that provides fulltime care and services to one (1) to six (6) children who require special care for physical, mental or emotional issues, are under 18 years of age or who remain under the jurisdiction of a court and who are not related within the first degree of consanguinity or affinity to the person(s) maintaining the home are received, care for and maintained, for compensation or otherwise, including the provision of free care.

If your facility meets the definitions of the foster home as listed above and, through DCFS, these facilities are required to obtain a state license. The licensing requirement includes a fire and life safety inspection for a single family residence per the adopted fire codes and the provisions of NAC Sections 424.355 through 424.415. The Nevada State Fire Marshal will conduct the **initial** inspection only under the following conditions:

- A. There is a total occupant load of 10 or more
- B. Foster care is located in an apartment building more than one story in height.

The licensing agency will conduct initial inspections that do not meet the criteria items A and B. The licensing agency will also conduct all subsequent annual inspections but may request the inspection be completed by the State Fire Marshal or the Local Fire Authority if conditions warrant such an inspection.

In general, a foster home will be regulated as a single family residence per the adopted codes and as such will not require a sprinkler system. Certain conditions will warrant the requirement for the installation of a sprinkler system:

- A. The calculated occupant load exceeds 15. The facility will no longer meet the definition of a foster home and the provisions of a single family residence no longer apply. A sprinkler system is required.
- B. If the facility has three (3) or more children under 18 months of age, three (3) or more non-ambulatory children, or five (5) or more children who are under 6 years of age. A sprinkler system installed per NFPA 13D is required.