

COMMITTEE ON GOVERNMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2257
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 8-514, Arizona Revised Statutes, is amended to
3 read:

4 8-514. Placement in foster homes

5 A. Subject to the provisions of section 8-514.01, the division or a
6 licensed child welfare agency if so authorized in its license may place a
7 child in a licensed foster home for care or for adoption. Notwithstanding
8 any law to the contrary, the division or a licensed child welfare agency
9 may place a child in excess of the number of children allowed and
10 identified in a foster parent's license if the division or agency
11 reasonably believes the foster home has the ability to safely handle
12 additional children, there are no outstanding concerns, deficiencies,
13 reports or investigations known by the division regarding the foster home,
14 and the child meets any of the following criteria:

15 1. The child is part of a sibling group that currently resides in
16 the foster home.

17 2. The child is part of a sibling group that is being considered
18 for placement in a foster home but because of the maximum child limit
19 would otherwise have to be separated.

20 3. The child previously resided in the foster home.

21 4. The child is a kinship placement for the foster home.

22 B. The department shall place a child in the least restrictive type
23 of placement available, consistent with the best interests of the child.
24 The order for placement preference is as follows:

25 1. With a parent.

26 2. With a grandparent.

27 3. In kinship care with another member of the child's extended
28 family, including a person who has a significant relationship with the

1 child. A foster parent or kinship caregiver with whom a child under three
2 years of age has resided for nine months or more is presumed to be a
3 person who has a significant relationship with the child.

4 4. In licensed family foster care.

5 5. In therapeutic foster care.

6 6. In a group home.

7 7. In a residential treatment facility.

8 C. Notwithstanding subsection B of this section, the order for
9 placement preference of a Native American child is as follows:

10 1. With a member of the child's extended family.

11 2. In a licensed family foster home approved or specified by the
12 child's tribe.

13 3. In an Indian foster home licensed or approved by an authorized
14 non-Indian licensing authority.

15 4. In an institution approved by the Indian tribe or operated by an
16 Indian organization that has a program suitable to meet the Indian child's
17 needs pursuant to 25 United States Code chapter 21.

18 D. At the time of placement there shall be presented to the foster
19 parents, by the agency or division placing the child, a written summary of
20 known, unprivileged information regarding the child, including the
21 following:

22 1. Demographic information.

23 2. Type of custody and previous placement.

24 3. Pertinent family information including but not limited to the
25 names of family members who, by court order, may not visit the child.

26 4. Known or available medical history including but not limited to:

27 (a) Allergies.

28 (b) Immunizations.

29 (c) Childhood diseases.

30 (d) Physical disabilities.

31 (e) Other idiosyncrasies.

32 (f) The child's last doctor, if known.

33 5. A summary of the child's history of adjudication on acts of
34 delinquency, as may be public record and available in the file of the
35 clerk of the superior court.

36 E. The responsibility of the agency or the division for a child
37 placed in a foster home shall be defined in writing and accepted by the
38 person receiving the child. The agency or division shall make available
39 to the foster parents a method of acquiring emergency information that may
40 be necessary to deal with situations that may arise pursuant to their
41 responsibilities as foster parents.

42 F. Every foster home shall maintain a record of the children
43 received, which shall include facts in regard to the children and their
44 care and shall be in the form and kept in the manner prescribed by the
45 division.

1 G. In addition to any other relevant factors, the department shall
2 consider the following in determining whether a placement is in the best
3 interests of the child:

4 1. The caregiver is interested in providing permanence for the
5 child if reunification efforts ultimately fail.

6 2. The expressed wishes of the birth parent and child, if
7 applicable, unless the wishes are contrary to law.

8 3. The relationship of the caregiver with the child and the child's
9 family.

10 4. The proximity of the placement home to the parents' home and the
11 child's current school or school district.

12 5. The strengths and parenting style of the caregiver in relation
13 to the child's behavior and needs.

14 6. The caregiver's willingness to communicate and interact with the
15 birth family to support visitation and the reunification process.

16 7. The caregiver's ability and willingness to accept placement of
17 the child and all or any of the child's siblings.

18 8. If any sibling will be placed separately, the caregiver's
19 ability and willingness to provide or assist in maintaining frequent
20 visitation or other ongoing contact between the child and the child's
21 sibling.

22 9. The child's fit with the family with regard to age, gender and
23 sibling relationships.

24 10. If the child has chronic behavioral health needs:

25 (a) Whether the child's behavior will place other children in the
26 home at risk.

27 (b) The caregiver's ability to provide the necessary level of
28 supervision to prevent harm to the child or others by the child.

29 11. Whether placement in the home would comply with the placement
30 preferences prescribed by 25 United States Code section 1915, if
31 applicable.

32 H. Within thirty days after a dependent child who is at least eight
33 years of age is placed in out-of-home care, unless otherwise recommended
34 by a doctor or therapist, the department shall ensure that the child
35 receives age-appropriate and developmentally appropriate materials and
36 resources about sexual abuse, child sex trafficking and exploitation. The
37 materials and resources must include a definition of sexual abuse,
38 information about the dangers of online and in-person predators and
39 methods for reporting abuse. The materials and resources may include a
40 twenty-four-hour hotline telephone number.

41 I. THE DEPARTMENT MAY NOT REFUSE TO PLACE A CHILD IN A FOSTER HOME
42 BASED SOLELY ON THE VACCINATION STATUS OF THE CHILD OR THE VACCINATION
43 STATUS OF OTHER CHILDREN OR FOSTER CHILDREN IN THE FOSTER HOME IF THE
44 FOSTER HOME IS LICENSED AND QUALIFIED FOR PLACEMENT OF THE CHILD.

1 <<Sec. 2. Section 8-514.03, Arizona Revised Statutes, is amended to
2 read:

3 8-514.03. Kinship foster care; requirements; investigation

4 A. The department shall establish kinship foster care services for
5 a child who has been removed from the child's home and who is in the
6 custody of the department. The program shall promote the placement of the
7 child with the child's relative or a person with a significant
8 relationship with the child for kinship foster care.

9 B. A kinship foster care parent applicant who is not a licensed
10 foster care parent shall be at least eighteen years of age. The applicant
11 and each member of the applicant's household who is at least eighteen
12 years of age shall submit a full set of fingerprints to the department of
13 child safety for the purpose of obtaining a state and federal criminal
14 records check pursuant to section 41-1750 and Public Law 92-544. The
15 department of public safety may exchange this fingerprint data with the
16 federal bureau of investigation. The department of child safety shall
17 determine if the applicant is able to meet the child's health and safety
18 needs by conducting one or more home visits and interviewing the
19 applicant. The department of child safety may interview other household
20 members, review the applicant's personal and professional references and
21 conduct department of child safety central registry checks.

22 C. If the department determines that a kinship foster care
23 placement is not in the best interest of the child, the department shall
24 provide written notification to the applicant within fifteen business
25 days. The notice shall include the specific reason for denial, the
26 applicant's right to appeal and the process for reviewing the decision.

27 D. A kinship foster care parent may be eligible to receive the
28 following financial services for the child:

29 1. Full foster care benefits, including payment if the kinship
30 foster care parent becomes a licensed foster care home or if the kinship
31 foster care parent obtains a restricted license pursuant to section 8-509,
32 subsection C.

33 2. Temporary assistance for needy families cash assistance payments
34 for a child only case and supplemental financial support.

35 E. The department shall establish procedures for child welfare
36 workers to inform kinship foster care families about available financial
37 and nonfinancial services and eligibility requirements and shall assist
38 the families in completing the necessary application.

39 F. If a family declines to apply for financial services, the family
40 shall sign a statement indicating that the family declined services. The
41 statement does not prevent the family from making application in the
42 future. The worker shall provide a copy of the statement to the family.

43 G. The department shall provide nonfinancial services for a kinship
44 foster care parent through existing means or referral. Nonfinancial
45 services may include:

- 46 1. Family assessment.
47 2. Case management.

- 1 3. Child day care.
- 2 4. Housing search and relocation.
- 3 5. Parenting skills training.
- 4 6. Supportive intervention and guidance counseling.
- 5 7. Transportation.
- 6 8. Emergency services.
- 7 9. Parent aid services.
- 8 10. Respite services.
- 9 11. Additional services that the department determines are necessary
- 10 to meet the needs of the child and family.

11 [H. THE DEPARTMENT MAY NOT REFUSE TO PLACE A CHILD WITH A KINSHIP
12 FOSTER CARE PARENT BASED SOLELY ON THE VACCINATION STATUS OF THE CHILD OR
13 THE VACCINATION STATUS OF OTHER CHILDREN IN THE KINSHIP FOSTER CARE HOME
14 IF THE KINSHIP FOSTER CARE HOME IS QUALIFIED FOR PLACEMENT OF THE
15 CHILD.]>>

- 16 Enroll and engross to conform
 - 17 Amend title to conform
- And, as so amended, it do pass

WALT BLACKMAN
CHAIRMAN

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