

Vulnerable Adult System Study Committee



**Final Report
December 2025**

Committee Members:

Representative Selina Bliss, Co-Chair
Representative Patricia Contreras
Karen Barno
Misty Beaver
Brendon Blake
Kathryn Blair
Toni Brown
Dr. Liz Carr
Jennifer Cunico
Maria Dadgar
Zaida Dedolph
Shane Ham

Senator Timothy M. Dunn, Co-Chair
Senator Sally Ann Gonzales
Dr. Lorrie Henderson
Jakenna Lebsock
Molly McCarthy
Lisa Pollock
Tory Roberg
Jaime Roberts
Ericka Stropka
Steve Wagner
Jon Scott Williams
Dave Voepel
Vacant

TABLE OF CONTENTS

- I. Report
 - a. Background
 - b. Committee Activity
 - c. Developmental Disability Work Group Activity
 - d. Elderly & Physical Disability Work Group Activity
 - e. Committee Recommendations

- II. Appendix
 - a. September 26, 2024: minutes and reference materials
 - b. February 6, 2025: minutes and reference materials
 - c. September 24, 2025: minutes and reference materials
 - d. December 10, 2025: minutes and reference materials

FINAL REPORT

Background

The Vulnerable Adults System Study Committee (Committee) was established by [Laws 2024, Chapter 100](#). The purpose of the 25-member Committee is to: 1) develop and implement a coordinated vulnerable adult delivery system that ensures the health and safety of vulnerable adults; 2) recommend best practices relating to responding to and investigating complaints; 3) research best practices related to adult protective services at the State, municipality and community levels; 4) research and make recommendations on how the vulnerable adult system can ensure that vulnerable adults receive services they require after the vulnerable adult system completes its investigatory duties, including assigning a specific agency with the responsibility to provide or coordinate case management; 5) research and identify common statewide outcomes; 6) identify best practices for data collection and data sharing by various entities involved in providing vulnerable adult services; and 7) review and recommend changes to the statutes and rules that govern vulnerable adult services.

Additionally, the Co-chairpersons may designate work groups to research, study and make recommendations to the Committee. Two work groups were established to separately address the needs of persons with developmental disabilities and persons who are elderly or who have a physical disability. The Arizona Department of Economic Security, in conjunction with the workgroups, must develop an action plan for implementation once a strategic direction is established.

The Committee must submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy to the Secretary of State by October 1, 2025. An initial report was submitted on October 1, 2025.

The Committee expires on December 31, 2025.

Summary of Committee Activity

Committee Hearing September 26, 2024

Co-Chairman Dunn introduced the Committee and reviewed the purpose of the committee.

The Committee heard the following presentations:

- 12-month Follow-Up: Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services (APS) System, Office of the Auditor General

The Committee discussed the following topics:

- APS System Auditor General Presentation
- Work Groups

A video recording of the committee can be found at:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024091006>

Committee Hearing February 6, 2025

Co-Chairman Dunn requested that the members introduce themselves.

The Committee heard the following presentations:

- Overview of the Developmental Disabilities Group Home Monitoring Pilot Program, J.J. Rico, CEO, Disability Rights Arizona
- Overview of Proposed Rules on Assisted Living Facility Memory Care Services, Arizona Department of Health Services

The Elderly and Physical Disability Work Group provided an update to the Committee and the Committee offered comments.

The Developmental Disability Work Group provided an update to the Committee and the Committee offered comments.

The Committee heard public testimony and engaged in discussion.

A video recording of the committee can be found at:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025021028>

Committee Hearing September 24, 2025

Co-chair Dunn and Co-chair Bliss offered opening remarks.

The Developmental Disability Work Group provided an update to the Committee and the Committee offered comments.

The Elderly and Physical Disability Work Group provided an update to the Committee and the Committee offered comments.

Research Staff presented a review of the draft recommendations developed by the Developmental Disability and Elderly and Physical Disability Work Groups.

The Committee engaged in discussion and adopted final recommendations.

Prior to the September 24, 2025, hearing, the Committee was notified that Marlinda Littleman is no longer with the Navajo Area Agency on Aging. The Committee member position for the Executive Director of the Navajo Area Agency on Aging, or the Director's designee, is currently vacant.

A video recording of the committee can be found at:

<https://www.azleg.gov/videoplayer/?eventID=2025091000>

Committee Hearing December 10, 2025

Co-Chairman Dunn offered opening remarks and explained that the purpose of the hearing was to consider supplemental recommendations relating to the use of electronic monitoring devices in assisted living facilities.

Research Staff presented a review of the laws and policies governing the use of electronic monitoring devices in group homes and intermediate care facilities.

The Committee heard public testimony and engaged in discussion.

The Committee adopted supplemental recommendations.

A video recording of the committee can be found at:

<https://www.azleg.gov/videoplayer/?eventID=2025121001>

Summary of Developmental Disability Work Group Activity

Developmental Disability (DD) Work Group Meetings January 10, 2025 – September 5, 2025

The DD Work Group met on January 10, 2025, January 24, 2025, February 14, 2025, February 28, 2025, March 14, 2025, March 28, 2025, April 11, 2025, April 25, 2025, May 9, 2025, May 23, 2025, June 13, 2025, June 27, 2025, July 11, 2025, July 25, 2025, August 22, 2025, and September 5, 2025, and was created to focus on the unique needs of persons with developmental disabilities as well as to discuss potential improvements and solutions within the vulnerable adult system to better address the needs of the DD community.

The DD Work Group consists of the following members:

- Toni Brown (Group Liaison), Law Enforcement Professional
- Misty Beaver, Health Care Professional
- Dr. Liz Carr, DD Advocate and Copa Health
- Jennifer Cunico, Arizona Department of Health Services, Director's Designee
- Maria Dadgar, Executive Director of the Inter Tribal Council of Arizona
- Zaida Dedolph Piccoro, Office of the Governor.
- Shane Ham, Office of the Attorney General
- Dr. Lorrie Henderson, Vulnerable Adult Advocate
- Jakenna Lebsock, Arizona Health Care Cost Containment System, Director's Designee
- Molly McCarthy, Arizona Department of Economic Security, Director's Designee

Joseph Branco, member for the Office of the Attorney General, was replaced on the Committee and the DD work group with Committee member Shane Ham, Office of the Attorney General.

Summary of Elderly & Physical Disability Work Group Activity

Elderly & Physical Disability (EPD) Work Group Meetings January 16, 2025 – September 12, 2025

The EPD Work Group met on January 16, 2025, February 20, 2025, March 20, 2025, April 17, 2025, May 15, 2025, June 19, 2025, July 17, 2025, July 31, 2025, and September 12, 2025, and was created to focus on the unique needs of persons who are elderly or who have a physical disability as well as to discuss potential improvements and solutions within the vulnerable adult system to better address the needs of the EPD community.

The EPD Work Group consists of the following members:

- Brendon Blake (Group Liaison), Governor's Advisory Council on Aging
- Karen Barno, Arizona Assisted Living Federation of America
- Kathryn Blair, Yavapai County Public Fiduciary
- Jennifer Cunico, Arizona Department of Health Services, Director's Designee
- Molly McCarthy, Arizona Department of Economic Security, Director's Designee
- Lisa Pollock, LTC Ombudsman
- Tory Roberg, Alzheimer's Association
- Jaime Roberts, Nursing Care Institutions and Arizona Leading Age
- John Scott Williams, Assisted Living and Fellowship Square
- Ericka Stropka, Law Enforcement Professional
- Dave Voepel, Arizona Health Care Association
- Steve Wagner, Firefighters

Committee Recommendations

On September 24th, 2025, the Committee adopted the following recommendations:

RECOMMENDATION #1 – IMPROVE INTERAGENCY COMMUNICATION & COLLABORATION

The Legislature should:

- Remove barriers to inter-agency collaboration between law enforcement, state agencies, boards, and other regulatory bodies involved in investigating abuse, neglect, and exploitation.
- Invest in state data technology infrastructure to streamline reporting and investigation of vulnerable adult abuse, neglect, and exploitation by creating a new, easy-to-use, online form to be utilized by state agencies, law enforcement, industry staff, and the public, which will automate cross-reporting to the necessary agencies.
- Centralize resources and referral processes by creating a state Standard Operating Procedure for reporting Abuse, Neglect, and Exploitation for law enforcement agencies.

RECOMMENDATION #2 - ALIGNING COMPLIANCE REQUIREMENTS

The Legislature should:

- Work with stakeholders and relevant state agencies to establish an online database for which the entries for abuse, neglect, and exploitation are stored, cross-referenced and connected to be followed-up on by any relevant state agencies, including law enforcement, regulatory agencies, and relevant licensure boards.

RECOMMENDATION #3 - TRAINING & PREVENTION

The Legislature should:

- Increase prevention of abuse, neglect and exploitation through more support and services and increase public awareness and information resources on guardianship.
- Work with stakeholders and relevant state agencies to create a central repository for all training within the elder care/developmental disability community.

RECOMMENDATION #4 - STAFFING & WORKFORCE DEVELOPMENT

The Legislature should:

- Create an apprenticeship (or similar) pathway to train and provide professional development to new employees who provide care.
- Establish a stakeholder group to include direct care staff from various facilities to determine how to better retain, promote, and recruit staff.
- Collaborate with State and County workgroups in developing standardized training curriculums, including the Arizona Department of Health Services' Alzheimer's Disease and Dementia Statewide Plan and the BOLD Grant, the Maricopa County Healthy Brain Initiative Coalition, and representatives from the Vulnerable Adult System Study Committee.

- Establish a stakeholder group to examine the streamlining and coordination of training, licensure, and certifications of paid care providers (i.e. Direct Care Workers, Certified Nursing Assistants, Paid Caregivers, etc).
- Review the current preadmission screening for eligibility for Arizona Health Care Cost Containment System/Arizona Long Term Care System services for the Elderly and/or Physically Disabled, including the tool, staffing levels, and training requirements.
- Create a registry for paid care providers for regulators, employers, and the public to reference.

RECOMMENDATION #5 - DATA COLLECTION & SHARING

The Legislature should:

- Work with stakeholders and relevant state agencies to collect and analyze data related to involuntary discharges/evictions from health care institutions.

RECOMMENDATION #6 - MISCELLANEOUS

The Legislature should:

- Work with the judicial branch to create a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) Program in Arizona.
- Require assisted living facilities to include the rights of residents on any discharge or eviction notice given to them.
- Extend the sunset date of the Vulnerable Adult System Study Committee to December 31st, 2026.

RECOMMENDATION #7 – ELECTRONIC MONITORING

Before December 31st 2025, the Vulnerable Adult System Study Committee should:

- Hold another public meeting of the study committee to discuss and receive public testimony on the issue of electronic monitoring within assisted living facilities.
- Issue an addendum to its October 1st, 2025 Committee Report with the Committee's recommendations on the use of electronic monitoring within assisted living facilities.

In accordance with Recommendation #7, adopted on September 24th, 2025, on December 10th, 2025, the Committee adopted the following supplemental recommendation:

RECOMMENDATION #8 – ELECTRONIC MONITORING (ADDENDUM)

- The Committee recommends that the Legislature consider adopting legislation that provides residents living in long-term care facilities with the statutory authority to utilize privately funded and maintained electronic monitoring devices and internet services in their private living space if requested by the resident or their authorized representative while the Department of Economic Security, the Arizona Health Care Cost Containment System and the Department of Health Services commissions and the Legislature analyzes a report examining real-world data from assisted living facilities, skilled nursing facilities, DDD group homes, nursing-supported group homes and intermediate care facilities that already allow electronic monitoring and internet services in their private living space to inform our policy, including but not limited to: whether the presence of cameras or other electronic monitoring devices have an impact on changes in complaints, resident rights and autonomy, injuries and falls, Adult Protective Services involvement, and staffing. The Committee shall appoint a work group to facilitate the data collection and distribution.

Appendix A:

September 26, 2024

Minutes and Reference Materials

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Date: Thursday, September 26, 2024

Time: 10:00 A.M.

Place: SHR 1

Members of the public may access a livestream of the meeting here:
<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024091006>

AGENDA

1. Call to Order
2. Roll Call
3. Introduction of Members
4. Committee Charge
5. Presentations
 - 12-Month Follow-up: Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System, Arizona Office of the Auditor General
6. Committee Discussion
 - Auditor General Presentation
 - Work Groups
7. Adjournment

Members:

- Senator Janae Shamp, Co-Chair
- ▲ Senator Flavio Bravo
- ▲ ~~Senator Sally Ann Gonzales~~
- Karen Barno
- Misti Beaver
- Kathryn Blair
- Brendon Blake
- Joe Branco
- Toni Brown
- Dr. Liz Carr
- Jennifer Cunico
- Maria Dadgar
- Dr. Lorrie Henderson

- Representative Timothy M. Dunn, Co-Chair
- Representative Patricia Contreras
- Jakenna Lebsock
- Molly McCarthy
- Zaida Dedolph Picoro
- Lisa Pollock
- Tory Roberg
- Jaime Roberts
- Ericka Stropka
- Dave Voepel
- Steve Wagner
- Jon Scott Williams
- Vacant

~~09/20/2024~~
09/24/2024
h#
ls

For questions regarding this agenda, please contact Senate Research Department.
Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Minutes of the Meeting
September 26, 2024
10:00 A.M., SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024091006>

Members Present:

Senator Janae Shamp, Co-Chair
Senator Flavio Bravo
Karen Barno
Misti Beaver
Brendon Blake
Joe Branco
Toni Brown
Dr. Liz Carr
Jennifer Cunico
Jakenna Lebsock

Representative Timothy M. Dunn, Co-Chair
Representative Patricia Contreras
Molly McCarthy
Zaida Dedolph Piecoro
Jaime Roberts
Ericka Stropka
Dave Voepel
Steve Wagner
Jon Scott Williams

Members Excused:

Kathryn Blair
Maria Dadgar
Dr. Lorrie Henderson

Lisa Pollock
Tory Roberg

Staff:

Michael Madden, Senate Research Analyst
Kaytie Sherman, Senate Assistant Research Analyst
Montse Torres, House Assistant Research Analyst

Co-Chair Dunn called the meeting to order at 10:04 a.m. and attendance was taken.

Co-Chair Dunn offered comments and introduced himself.

Co-Chair Shamp introduced herself and offered comments.

Representative Contreras introduced herself and offered comments.

Senator Bravo introduced himself and offered comments.

Brendon Blake, Governor's Advisory Council on Aging, introduced himself and offered comments.

Misti Beaver, Registered Nurse, Haven Health, introduced herself and offered comments.

Joe Branco, Chief, Civil Division, Arizona Attorney General's Office, introduced himself and offered comments.

Jakenna Lebsock, Assistant Director, Arizona Health Care Cost Containment System, introduced herself and offered comments.

Molly McCarthy, Arizona Department of Economic Security, introduced herself and offered comments.

Jon Scott Williams, Executive Director, Fellowship Square, introduced himself and offered comments.

Toni Brown, Crimes Against Vulnerable Adults and Rights and Liberties Consulting, introduced herself and offered comments.

Jaime Roberts, CEO, Arizona Leading Age, introduced herself and offered comments.

Karen Barno, Founder, CEO, Arizona Alpha, introduced herself and offered comments.

Steve Wagner, Founder, President, The RightCare Foundation, introduced himself and offered comments.

Dr. Lizz Carr, COPA Health, introduced herself and offered comments.

Zaida Dedolph Piccoro, Health Policy Director, Office of the Arizona Governor, introduced herself and offered comments.

Dave Voepel, CEO, Arizona Health Care Association, introduced himself and offered comments.

Jennifer Cunico, Director Nominee, Arizona Department of Health Services, introduced herself and offered comments.

Ericka Stropka, Lieutenant, Tuscon Police Department, introduced herself and offered comments.

Michael Madden, Senate Research Analyst, introduced the excused Committee members.

COMMITTEE CHARGE

Michael Madden, Senate Research Analyst, distributed and explained a PowerPoint presentation entitled "Vulnerable Adult System Study Committee" (Attachment A).

PRESENTATIONS

12-Month Follow-up: Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System, Arizona Office of the Auditor General

Jeff Gove, Director, Performance Audit Division, Arizona Auditor General's Office, distributed and explained a presentation entitled "Examining Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System" (Attachment B).

Co-Chair Dunn offered comments.

Mr. Gove answered questions posed by the Committee.

Ms. McCarthy offered comments.

Mr. Gove answered additional questions posed by the Committee.

Ms. McCarthy answered questions posed by the Committee.

Co-Chair Shamp offered comments.

Mr. Gove answered additional questions posed by the Committee.

Ms. McCarthy answered additional questions posed by the Committee.

Ms. Dedolph Piccoro offered comments.

Mr. Gove answered additional comments posed by the Committee.

Ms. McCarthy answered additional questions posed by the Committee.

Co-Chair Dunn offered additional comments.

COMMITTEE DISCUSSION

Senator Shamp posed questions for the Committee.

Mr. Branco answered questions posed by the Committee.

Ms. McCarthy answered questions posed by the Committee.

The Committee offered comments.

Mr. Blake answered questions posed by the Committee.

The Committee offered comments.

Ms. McCarthy answered additional questions posed by the Committee.

The Committee offered comments.

Ms. Lebsack answered questions posed by the Committee.

The Committee offered comments.

The Committee answered questions posed by Dr. Liz Carr.

Co-Chair Dunn offered comments.

The Committee offered closing comments.

There being no further business, the meeting was adjourned at 12:03 p.m.

Respectfully submitted,

Jackson Cooper
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

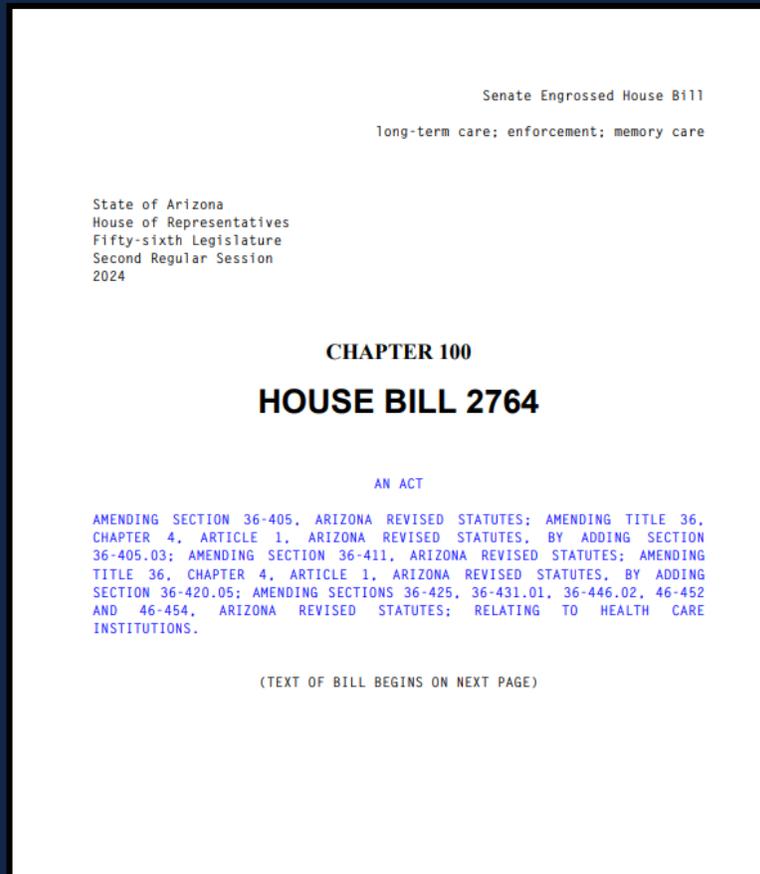
VULNERABLE ADULT SYSTEM STUDY COMMITTEE



COMMITTEE CHARGE AND BACKGROUND

SEPTEMBER 26, 2024

HB 2764: long-term care; enforcement; memory care



- Made various statutory changes related to health care institution regulation and compliance, care and services for vulnerable adults, and the Adult Protective Services system.
- Established the Vulnerable Adult System Study Committee
 - 25-members
 - Two mandatory work groups:
 - ✓ Developmental Disabilities
 - ✓ Elderly and Physical Disabilities
 - Collaborates with Department of Economic Security, through work groups, in development of action plan
 - Reporting dates: 12/31/24, 10/1/25
 - Dissolves on 12/31/25



COMMITTEE CHARGE

“The Vulnerable Adult System Study Committee Shall:

1. *Develop and implement a coordinated vulnerable adult delivery system that ensures the health and safety of vulnerable adults.*
2. *Recommend best practices relating to responding to and investigating complaints.*
3. *Research best practices related to adult protective services at the state, municipality and community levels.*
4. *Research and make recommendations on how the vulnerable adult system can ensure that vulnerable adults receive services they require after the vulnerable adult system completes its investigatory duties, including assigning a specific agency with the responsibility to provide or coordinate case management.*
5. *Research and identify common statewide outcomes.*
6. *Identify best practices for data collection and data sharing by various entities involved in providing vulnerable adult services.*
7. *Review and recommend changes to the statutes and rules that govern vulnerable adult services.”*



HOUSE AD HOC COMMITTEE ON ABUSE AND NEGLECT OF VULNERABLE ADULTS

2019 Recommendations

- ✓ The Legislature fund an independent audit of the Adult Protective Services (APS) System.
- ✓ Support and funding for training for facilities, caregivers, residents and families on:
 - the signs of abuse and neglect; and
 - how to report.
- ✓ Create a statutory definition for *emotional abuse*.
- ✓ Support DHS and DES in developing and implementing a stakeholder-driven action plan to protect vulnerable adults.
- ✓ APS must identify and make appropriate accommodations for vulnerable adults who may be unable to communicate and cooperate with the investigation.
- ✓ Support the recommendations of the Auditor General.
- ✓ Create or identify and fund an agency to oversee vulnerable adults in Arizona.

2022 Recommendations

- ✓ Improve and enhance methods of effective communication with all vulnerable adults to make sure that equitable communication will meet their needs.
- ✓ Bring stakeholders together to design a single point of entry for complaints of abuse or neglect of vulnerable adults that will be effective for all Arizonans.



LEGISLATIVE RECAP – CHAPTERED BILLS

2024

- H.B. 2764 long-term care; enforcement; memory care

2023

- H.B. 2166 DHS; licensure; group homes

2022

- H.B. 2397 emotional abuse; vulnerable adults
- H.B. 2049 fingerprint requirements; care facilities
- H.B. 2113 developmental disabilities; Down syndrome
- H.B. 2088 ALTCS; preadmission screening
- S.B. 1242 nursing care; assisted living; regulation

2021

- S.B. 1221 vulnerable adults; jurisdiction; grand juries
- H.B. 2535 mandatory reporting; vulnerable adults; penalties
- H.B. 2521 long-term care; health aides





Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System

Special Audit: September 2023
Initial Follow-up Report: September 2024

Presenter: Jeff Gove
Date: September 26, 2024



Madame and mister co-chairs and members of the Committee:

My name is Jeff Gove with the Arizona Auditor General, and today I'll present information from our recently issued initial followup of the September 2023 report examining the delivery of services to vulnerable adults in the Arizona Adult Protective Services System – both of which were conducted by an independent consultant, LeCroy & Milligan Associates, under contract with our office.

Presentation overview



- Background information
- Key conclusions from 2023 review
- Implementation status of recommendations



My presentation today will include some background information on the 2023 review of the Adult Protective Services System, key conclusions identified in the 2023 review, including why the issues identified in the review matter, and information from the initial followup on the implementation status of recommendations that were made to improve the system. Copies of the September 2023 report highlights and the initial followup report can be found under Tab 6 Attachments A and B in your packets.

Although I won't cover everything from the reports, I'm available to answer any questions you have about the information in the reports at the end of my presentation.

Background



2022 legislation directed Auditor General to engage a consultant to review the adult protective services system and consider best practices to improve delivery of services, including:

- Developing a strategic direction for vulnerable adult safety and providing services after an investigation
- Creating accountability mechanisms
- Engaging with the community



Laws 2022, Ch. 313, §55, directed the Arizona Auditor General to engage an independent consultant to examine the current adult protective services system and consider best practices to improve the delivery of services in this state, including developing a strategic direction that ensures the safety of vulnerable adults and establishes protocols for services after an investigation, creating accountability mechanisms, and engaging with families, vulnerable adults, service providers, and other community members.

DES APS primarily responsible for protecting vulnerable adults



- Several entities have responsibilities related to the system
- DES APS is primary agency and program for protecting vulnerable adults



The 2023 examination identified several state agencies, other public entities, and nonprofit organizations that have roles and responsibilities related to Arizona's adult protective services system, but the primary agency and program responsible for protecting vulnerable adults in the State is the Arizona Department of Economic Security's Adult Protective Services Program, which I'll refer to as DES APS.

Status of 13 recommendations



Status of DES APS recommendations:

- 5 in process
- 8 not yet applicable

Status of ADHS recommendations:

- 1 in process

Status of AHCCCS recommendations:

- 1 in process



The consultant's 2023 report made 13 recommendations to DES APS intended to help ensure vulnerable adults are protected and receive the services they need, including 1 recommendation that also applied to the Arizona Department of Health Service (ADHS) and the Arizona Health Care Cost Containment System (AHCCCS). As I'll explain in more detail shortly, the initial followup found that DES APS is in the process of implementing 5 recommendations, while 8 recommendations are not yet applicable, and ADHS and AHCCCS are both in the process of implementing the recommendation involving their agencies.

Strategic direction conclusions



- Arizona lacked overall strategic direction for adult protective services system
- Arizona's adult protective services system also lacked assigned responsibility/protocols for:
 - Assessing reductions in maltreatment and revictimization
 - Providing case management to ensure all vulnerable adults receive services they need after investigations



In the first area the consultant reviewed, it concluded that Arizona's adult protective services system lacks an overall strategic direction. Specifically, the consultant reviewed several documents and plans intended to provide direction for and/or improve certain aspects of the system, such as the Arizona State Plan on Aging, which focuses on many issues of the aging population in Arizona. However, none of the documents included a strategic direction for Arizona's adult protective services system as a whole.

The consultant also identified gaps in Arizona's adult protective services system related to assessing if the system is reducing maltreatment and recurrence or re-victimization; and for providing case management services for all vulnerable adults after an investigation to help ensure they receive the services they need and determine that the services had the desired outcome.

Why this matters



Ensuring vulnerable adults receive effective services can:

- Prevent vulnerable adults from suffering further threats to human dignity and safety
- Prevent individuals from re-entering the adult protective services system due to unresolved maltreatment
- Lessen health care costs of serving older and vulnerable adults



Addressing these gaps in the system is important because effective services can:

- Prevent vulnerable adults from suffering further threats to human dignity and safety, including additional physical abuse, emotional abuse, neglect, self-neglect and or exploitation.
- Prevent vulnerable adults from re-entering the adult protective services system due to maltreatment issues not resolved.
- And lessen health care costs involved in serving older and vulnerable adults.

Key recommendation



DES APS should work with the Governor, Senate President, and House Speaker to establish and appoint members to a working group to develop a strategic direction for the adult protective services system



To help address these gaps, the consultant recommended that DES APS work with the Governor, Senate President, and House Speaker to establish and appoint members to a working group to develop a strategic direction for Arizona's adult protective services system.

Recommendation in process



Laws 2024, Ch. 100, §10, established 25-member vulnerable adult system study committee consisting of:

- 6 members appointed by the House Speaker, including co-chair
- 5 members appointed by the Senate President, including co-chair
- 7 members appointed by the Governor
- 1 member each from Arizona Attorney General; DES, ADHS, and AHCCCS directors; DES Long-Term Care Ombudsman; and Navajo Area Agency on Aging and Intertribal Council of Arizona executive directors

As of September 9, 2024, all except for the Governor's members had been appointed



The consultant's followup found that this recommendation was in the process of being implemented. Specifically, legislation passed during the 2024 session established a 25-member vulnerable adult system study committee, effective September 14, 2024, consisting of:

- 6 members appointed by the House Speaker, including 1 House member to serve as co-chair;
- 5 members appointed by the Senate President, including 1 Senate member to serve as co-chair;
- 7 members appointed by the Governor; and
- 1 member representing each of the following: the Arizona Attorney General; the DES, ADHS, and AHCCCS directors; the DES Long-Term Care Ombudsman; and the executive directors of the Navajo Area Agency on Aging and the Intertribal Council of Arizona.

As of September 9, 2024, implementation of the recommendation was not completed because the committee's membership had not yet been fully established. Specifically, although the Speaker of the House and Senate President had appointed all of their assigned members to the study committee, the Governor's 7 assigned members had not yet been appointed. In addition, DES had also provided the committee co-chairs with the name of the DES designee to the study committee.

Additional recommendation in process

DES APS and the working group should develop a report identifying working group's roles and responsibilities, and any authority, resources, legislation, or other action needed to ensure its success

- Law establishing study committee outlines its responsibilities
- Study committee hasn't yet met to identify any authority, resources, legislation, or other action needed because its membership is not finalized
- Study committee required to submit status update of its progress, including recommended statutory changes, to Senate and House Health and Human Services Committees by December 31, 2024



The consultant also recommended that once the working group was established, that DES APS in consultation with the working group develop a report for the Legislature that identifies the working group's roles and responsibilities and any authority, resources, legislation, or other action needed to ensure the working group's ongoing success.

As of the initial followup, this recommendation was also in process. Specifically, the 2024 legislation establishing the study committee outlined its responsibilities, including establishing a strategic direction for the adult protective services system and developing a plan for implementing the strategic direction.

Additionally, as of September 9, 2024, the study committee's membership was not yet finalized, and it had not yet met to identify any authority, resources, legislation, or other action needed to help it meet its responsibilities. However, the law establishing the study committee requires it to submit a status update of its progress, including any recommended statutory changes, to the Senate and House Health and Human Services Committees by December 31, 2024.

2 recommendations not yet applicable

DES APS and the working group should develop:

- A strategic direction to help ensure the safety of vulnerable adults and establish protocols for services during and after an investigation
- An action plan for implementing the strategic direction



The consultant also recommended that, once the roles and responsibilities and any needed authority, resources, legislation, or other action has been provided and/or approved, DES in conjunction with the working group should develop a strategic direction for Arizona's adult protective services system to help ensure the safety of vulnerable adults and establishes protocols for services during and after an investigation, and an action plan for implementing the strategic direction.

As of September 9, 2024, because the study committee's membership was not yet finalized, these 2 recommendations were not yet applicable.

Accountability mechanisms conclusions

- Adult protective services system lacks independent oversight and quality assurance processes
- DES APS and other state agencies involved with the system were not collecting information related to vulnerable adult-centered outcomes identified by experts



In the second area the consultant reviewed, it concluded that although some state agency functions within Arizona's adult protective services system have accountability mechanisms that include some independent oversight, supervisory reviews, and external quality assurance processes, the adult protective services system as a whole lacks independent oversight and quality assurance processes. For example, although State independent oversight committees exist for some populations that include vulnerable adults, they do not exist for the adult protective services system or DES APS.

Additionally, the consultant found that neither DES APS nor the other state agencies involved with the adult protective services system were collecting information related to vulnerable adult-centered outcomes identified by experts, such as data on reducing mistreatment and re-victimization and the extent to which vulnerable adult services or case plans are centered on vulnerable adults' needs and goals.

Why this matters



Performance assessment and outcome data is critical to:

1. Assessing and ensuring system effectiveness
2. Ensuring that the system is protecting vulnerable adults and reducing maltreatment



Addressing these gaps with oversight, quality assurance, and outcome data is important for demonstrating and ensuring that the adult protective services system is effectively protecting vulnerable adults and reducing maltreatment.

4 recommendations not yet applicable

DES APS and the working group should:

- Identify accountability mechanisms for Arizona's adult protective services system
- Identify and develop common, system-wide outcomes
- Identify and implement a system-wide performance reporting process and develop report identifying roles/responsibilities and needs



To address these issues, the consultant recommended that DES APS and the previously mentioned working group should:

- Identify accountability mechanisms that could be implemented for Arizona's adult protective services system, such as independent oversight and quality assurance processes.
- Identify and develop a set of common, system-wide outcomes that can be used to assess the effectiveness of Arizona's strategic direction, including identifying which entities will collect outcome data and how they will do so, and developing a quality assurance process for ensuring the outcome data is complete and accurate.
- Identify a system-wide performance reporting process that could compile performance and outcome information on an annual basis to assess the effectiveness of Arizona's strategic direction and develop and submit a report to the Legislature that identifies the authority, roles and responsibilities, and resources needed to design and implement the system-wide reporting process.
- And, once those 3 steps have been completed, take the necessary steps to implement the system wide performance reporting process.

As of September 9, 2024, because the study committee's membership was not yet finalized, these 4 recommendations were not yet applicable.

Community engagement conclusions

- DES APS community engagement activities aligned with national guidance and were similar to other state activities
- DES APS has additional opportunities to engage vulnerable adults, their families, and advocates on development of a strategic direction for Arizona's adult protective services system



In the third and final area the consultant reviewed, it found that DES APS had participated in several community engagement activities that aligned with national guidance and were similar to those found in other states, and that DES APS had additional opportunities to engage vulnerable adults, their families, and advocates in the development of a strategic direction for Arizona's adult protective services system.

Examples of engagement activities



- Public awareness information and training on DES website
- Community member training on recognizing and reporting maltreatment
- Partnering with AHCCCS, ADHS, and Governor's office to launch Speak Up AZ! to educate public and mandated reporters to recognize and report signs of abuse, neglect, and exploitation of adults
- Piloting a vulnerable adult satisfaction survey



Examples of the community engagement activities the consultant identified include:

- Posting information on DES APS' website about its role and authority in investigating reports of adult maltreatment, definitions of adult maltreatment, guidance on how and when to report cases of maltreatment, and a free, 60-minute online training on recognizing and reporting maltreatment.
- Conducting outreach and education sessions for mandated reporters and community members.
- Partnering with AHCCCS, ADHS, and the Governor's Office on a public awareness campaign called "Speak Up AZ."
- And piloting a survey conducted by DES APS quality assurance staff to collect feedback through monthly phone calls on vulnerable adults' interactions with DES APS and their level of satisfaction with APS services.

The consultant made several recommendations for DES APS to continue these efforts, all of which it were in the process of implementing as of the initial followup.

Recommendation in process



Continue community engagement efforts and ensure educational materials at a minimum include the information recommended by the federal guidelines for state APS systems

- Conducted 51 presentations for more than 1,160 community members, stakeholders, and mandated reporters between August 2023 and July 2024
- Educational materials were consistent with federal guidelines



For example, the consultant identified that DES APS continued community engagement efforts between August 2023 and July 2024, including conducting 51 presentations for more than 1,160 community members, stakeholders, and mandated reporters, such as nurses and first responders. Consistent with the federal guidelines, the DES APS educational materials presented during these events defined vulnerable adult maltreatment, provided guidance on when and how to report vulnerable adult maltreatment, and described DES APS' authority and limitations related to investigating vulnerable adult maltreatment.

Recommendation in process



Continue and expand survey to include other case participants; offer a Spanish language option; continue to use feedback from the survey to improve its processes for vulnerable adults; and consider incorporating survey responses into performance reports

- Implemented Spanish language version, communicated results to management, developed educational materials
- Has not expanded survey to include other case participants



The consultant also found that between August 2023 and July 2024, DES APS continued its monthly surveys to obtain feedback on vulnerable adults' interactions with DES APS and their level of satisfaction with APS services, including implementing a Spanish language version of the survey. In addition, DES APS communicated survey results to DES division of aging and adult services management and also developed an educational flyer explaining its authority and what its investigators do when reviewing an allegation of abuse, neglect, and/or exploitation in response to survey feedback. DES APS also reported it initiated a pilot program to have investigators provide the flyer to DES APS clients.

However, DES APS reported that due to a limited budget it did not plan to expand the survey to include other case participants, such as reporting sources, as recommended by the consultant.

Recommendation in process



DES APS, AHCCCS, and ADHS should continue to partner in community engagement activities to educate the public on recognizing and reporting signs of abuse, neglect, and exploitation of adults

- Continued collaboration on Speak Up AZ! Campaign
- Participated in presentations and/or panel discussions at the June 2024 World Elder Abuse Awareness Day Conference



Further, the consultant found that DES APS, AHCCCS, and ADHS have continued to partner in community engagement activities to educate the public. Specifically, the 3 agencies have continued to collaborate on the ongoing implementation of the Speak Up AZ! Campaign, which between June 2023 and February 2024, was featured in more than 3,500 television advertisements, nearly 3,800 radio advertisements, and in advertisements on YouTube, Facebook, and Instagram.

Additionally, DES APS, ADHS, and AHCCCS each participated in presentations and/or panel discussions at the June 2024 World Elder Abuse Awareness Day Conference. For example, DES APS participated in a panel discussion on recognizing and preventing tribal elder abuse

Recommendations not yet applicable

DES APS and the working group should:

- Incorporate community engagement efforts into strategic direction
- Obtain input from vulnerable adults in the development of strategic direction



The consultant also made 2 recommendations to DES APS and the working group related to community engagement, including:

- Incorporating community engagement efforts into the strategic direction for Arizona's adult protective services system.
- Obtaining input from vulnerable adults and their families in the development of the strategic direction for Arizona's adult protective services system.

Similar to some of the prior recommendations, because the study committee's membership was not yet finalized as of September 9, 2024, this recommendation was not yet applicable.



Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System

Special Audit: September 2023
Initial Follow-up Report: September 2024

Presenter: Jeff Gove
Date: September 26, 2024



We will conduct a 24-month followup to further assess the implementation of all 13 recommendations.

Madame and mister co-chairs and members of the Committee, this concludes my presentation. I am available to answer any questions you have.

Appendix B:

February 6, 2025

Minutes and Reference Materials

REVISED

REVISED

REVISED

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Date: Thursday, February 6, 2025

Time: 1:00 P.M.

Place: SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025021028>

AGENDA

1. Call to Order
2. Roll Call
3. Introduction of Members
4. Presentations
 - Overview of the Developmental Disabilities Group Home Monitoring Pilot Program, J.J. Rico, CEO, Disability Rights Arizona
 - Overview of Proposed Rules on Assisted Living Facility Memory Care Services, Arizona Department of Health Services
5. Work Group Liaison Updates
6. Public Testimony
7. Committee Discussion
8. Adjournment

Members:

Senator Timothy "Tim" Dunn, Co-Chair
 Senator Sally Ann Gonzales
 Karen Barno
 Misti Beaver
 Kathryn Blair
 Brendon Blake
 Joe Branco
 Toni Brown
 Dr. Liz Carr
 Jennifer Cunico
 Maria Dadgar
 Dr. Lorrie Henderson
 Jakenna Lebsock

Representative Selina Bliss, Co-Chair
~~Vacant, Co-Chair~~
 Representative Patricia Contreras
 Marlinda Littleman
 Molly McCarthy
 Zaida Dedolph Piccoro
 Lisa Pollock
 Tory Roberg
 Jaime Roberts
 Ericka Stropka
 Dave Voepel
 Steve Wagner
 Jon Scott Williams

01/31/2025
 02/05/2025
 LS

For questions regarding this agenda, please contact Senate Research Department.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Minutes of the Meeting
February 6, 2025
1:00 P.M., SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025021028>

Members Present:

Senator Timothy "Tim" Dunn, Co-Chair	Representative Patricia Contreras
Senator Sally Ann Gonzalez	Molly McCarthy
Karen Barno	Zaida Dedolph Piecoro
Brendon Blake	Lisa Pollock
Toni Brown	Tory Roberg
Dr. Liz Carr	Jaime Roberts
Jennifer Cunico	Ericka Stropka
Maria Dadgar	Dave Voepel
Jakenna Lebsock	Steve Wagner
Marlinda Littleman	Jon Scott Williams

Members Excused:

Misti Beaver	Representative Selina Bliss, Co-Chair
Kathryn Blair	Dr. Lorrie Henderson
Joe Branco	

Staff:

Michael Madden, Senate Research
Kaytie Sherman, Senate Assistant Research Analyst
Allison Okonoski, Senate Research Intern
Brooke Gartner, House Research Assistant

Co-Chair Dunn called the meeting to order at 1:04 p.m. and attendance was taken.

INTRODUCTION OF MEMBERS

Senator Dunn requested that the members introduce themselves.

Brendon Blake, Governor's Advisory Council on Aging, introduced himself and offered comments.

Lisa Pollock, Arizona State Long-Term Care Ombudsman, introduced herself and offered comments.

Jon Scott Williams, Public Policy Director, Christian Care Companies, introduced himself and offered comments.

Dr. Liz Carr, Senior Director of Clinical and Program Services, Copa Health, introduced herself and offered comments.

Jennifer Cunico, Director, Department of Health Services, introduced herself and offered comments.

Jakenna Lebsock, Assistant Director, Division of Managed Care Services, Arizona Health Care Cost Containment System (AHCCCS), introduced herself and offered comments.

Molly McCarthy, Deputy Director, Arizona Department of Economic Security, introduced herself and offered comments.

Jaime Roberts, CEO, Arizona LeadingAge, introduced herself and offered comments.

Karen Barno, CEO, Arizona Assisted Living Federation of Arizona, introduced herself and offered comments.

Erica Stropka, Lieutenant, Special Victims Section, Tucson Police Department, introduced herself.

Toni Brown, retired officer, Vulnerable Adult Crime Unit, City of Phoenix Police Department, introduced herself and offered comments.

Marlinda Littleman, Division of Aging and Long-Term Care Services, Navajo Nation, introduced herself.

Maria Dadgar, Executive Director, Inter-Tribal Council of Arizona (ITCA), introduced herself and offered comments.

Zaida Dedolph Piccoro, Health Policy Advisor, Arizona Governor's Office, introduced herself.

Tory Roberg, Director of Government Affairs, Alzheimer's Association Desert Southwest Chapter, introduced herself and offered comments.

Steve Wagner, Firefighter Paramedic, City of Phoenix Fire Department, introduced himself.

Dave Voepel, CEO, Arizona Health Care Association, introduced himself and offered comments.

Senators Gonzales and Dunn and Representative Contreras introduced themselves.

Senator Dunn offered comments.

PRESENTATIONS

Overview of the Developmental Disabilities Group Home Monitoring Pilot Program, J.J. Rico, CEO, Disability Rights Arizona

J.J. Rico, CEO, Disability Rights Arizona, offered comments.

Kim Dorshaw, Disability Rights Arizona, distributed and explained a PowerPoint presentation entitled "Vulnerable Adult System Study Committee Presentation" (Attachment A) and a document entitled "DRAZ/COMIT Monitoring Program Outcomes/Results" (Attachment B) and answered questions posed by the Committee.

Senator Dunn distributed a copy of SB 1356 (Attachment C) and answered questions posed by the Committee.

The Committee offered comments.

Ms. Dorshaw answered additional questions posed by the Committee.

The Committee offered comments.

Mr. Rico answered questions posed by the Committee.

Ms. Dorshaw answered additional questions posed by the Committee.

Mr. Rico answered additional questions posed by the Committee.

The Committee offered comments.

Mr. Rico answered additional questions posed by the Committee.

Ms. Dorshaw answered additional questions posed by the Committee.

Mr. Rico answered additional questions posed by the Committee.

Senator Dunn offered comments.

Overview of Proposed Rules on Assisted Living Facility Memory Care Services, Arizona Department of Health Services

Tom Salow, Assistant Director, Public Health Licensing Services, Department of Health Services, introduced himself and distributed and explained a PowerPoint presentation entitled "Memory Care Services and Health Care Institutions Rulemaking" (Attachment D). Mr. Salow answered questions posed by the Committee.

Tiffany Slater, Deputy Assistant Director, Public Health Licensing Services, Department of Health Services, answered questions posed by the Committee.

Senator Dunn offered comments.

Ms. Slater answered additional questions posed by the Committee.

The Committee offered comments.

WORK GROUP LIAISON UPDATES

Senator Dunn requested that the Elderly and Physical Disability Work Group update the Committee.

The Committee offered comments.

Senator Dunn requested that the Developmental Disability Work Group update the Committee.

The Committee offered comments.

PUBLIC TESTIMONY

Cynthia Elliott, representing self, offered comments.

Anne Ronan, representing self, offered comments.

Jon Meyers, representing self, offered comments.

Christine Scianna, representing self, offered comments.

Brandy Petrone, Arizona Association of Providers for People with Disabilities, offered comments.

COMMITTEE DISCUSSION

The Committee offered comments.

Senator Dunn offered closing comments.

There being no further business, the meeting was adjourned at 2:49 p.m.

Attached is a list noting the individuals who registered their positions on the agenda items (Attachment E).

Respectfully submitted,

Jeff Christophersen
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

ARS 36-595.03.
DEVELOPMENTAL DISABILITIES
GROUP HOME MONITORING
PROGRAM

Vulnerable Adult System
Study Committee
Presentation

February 6, 2025

DISABILITY
RIGHTS
ARIZONA



C o m p l i a n c e ,
O v e r s i g h t ,
M o n i t o r i n g , &
I n v e s t i g a t i o n s
T e a m

AGENDA

Introduction

Successes

Shortcomings

Staffing Ratios and Training

Need for Permanent Program

COMIT SUCCESSES



COMIT produces a monthly report and participates in monthly meetings with DDD to discuss findings and steps for resolution.



COMIT identified areas with significant compliance concerns and systemic gaps with recommendations for resolution.



May 2024: DDD assigned a point person to develop a strategic process for resolving COMIT-identified case concerns and recommendations.



COMIT developed a comprehensive monitoring tool based on YTD findings to collect more extensive data for finding and addressing root causes of compliance concerns.

COMIT SUCCESSES



In response to COMIT findings, DDD instituted a new requirement for Support Coordinators (Case Managers) to complete The National Committee for Quality Assurance (NCQA) Accreditation training.



Based on COMIT recommendation, a DDD Behavior Plan Sub-Workgroup was formed to strategize contract action processes for vendors out of compliance with Behavior Plans.



COMIT has provided feedback for DDD policy revisions (Behavior Supports Manual and Chapter 54)



COMIT developed a comprehensive monitoring tool based on YTD findings to collect more extensive data for identifying and addressing root causes of compliance concerns.



DDD delay in producing the monitoring roster for 2024

Received the roster for members with complex needs for 2024 and 2025 on April 12th, 2024



DDD vendor contact information for client movement or status updates

2 unsuccessful processes utilized before the current successful DDD Residential email contact received in July



COMIT monitoring tool data collection and reporting – additional measures to improve results

Developed a comprehensive tool, procured data collection/reporting platform due to the increase in collected data

DDD AND COMIT SHORTCOMINGS: RESOLVED

DDD AND COMIT SHORTCOMINGS: ONGOING

DDD Vendor responsiveness for scheduling visits and producing requested client records

- DDD has sent reminders to vendors regarding their need to comply with requests – the issue continues

COMIT Investigations requires significant development and resources

- Proposing a change in investigation expectations for COMIT (will be addressed in Need for Permanent Program)

COMIT access to DDD data/information to confirm vendor compliance and service request status

- Unable to verify vendor incident report submission, monthly progress reporting, and if vendor calls were placed/status for client services

Formal response/report for individual client case resolutions not received

- Have not received specifics on DDD issue resolutions/actions for client cases post monitoring review

IMPORTANCE OF GROUP HOME STAFFING LEVELS AND TRAINING

(E) the group home vendor has the number of qualified staff with the required training to meet the care needs of the client with complex needs.

STAFF-TO-MEMBER RATIOS

Staff to Member Ratios

- The number of paid staff provided to ensure client health, safety, and emotional well-being.
- Enhanced staffing ratio (ESR) additional staffing requirements to meet client needs.
- ESR requires planning team approval and documentation for parameters (within eye-sight, arms length, etc.).
- DDD Habilitation Staffing Schedules are required for group homes with any changes submitted/approved by DDD.

Clients with Complex Needs Relevance

- **92% (270/294) of the cases reviewed had clients with enhanced ratios** due to health and safety needs.
 - 53% 1:1 (1 staff for 1 client)
 - 31% 2:1 (2 staff for 1 client)
 - 5% (3 staff to 1 member)
 - 2% (1 staff to 2 members)

Not having the required number of staff compromises the safety of the client, staff, and community members.

GROUP HOME STAFF TRAINING

Staff Qualification/Training Requirements

- Prevention & Support (DDD-approved training for emergency physical intervention measures) requires a certified trainer and a current certificate
- DDD has reported that vendors are responsible for staff training and that unless notified they are unaware if staff are working without valid fingerprint clearance cards (necessary qualification requirement and safety precaution)
- Majority of required training topics do not have a standardized curriculum
- Additional review and assessment of vendor employee records and training practices is needed to ensure staff are qualified to meet client needs

Staff Training Concerns Identified

- **81% (237/294) of the cases reviewed retraining was recommended** due to staff not demonstrating the knowledge and skills to provide effective services.
 - 83% Poor and/or inconsistent documentation and completion of habilitation goals
 - 65% Incident reporting compliance concerns

Additional areas (data will be collected with new tool)

- *Article 9*
- *Behavior Tracking*
- *Medication Administration*
- *Positive Behavior Support*

NEED FOR PERMANENT PROGRAM

- Compliance concerns identified are pervasive and cannot be resolved in a limited timeframe.
- Ongoing comprehensive monitoring and the data collected will shed light on areas contributing to health and safety risks for clients and contribute to systemic improvements.
- By effectively identifying vendors and their compliance concerns and working with DDD, COMIT can ensure the necessary actions are taken to correct the concerns.
- Ensuring vendor compliance and accountability will increase client quality of care, and reduce health and safety risks

BENEFIT OF PROPOSED CHANGES

- Increased program access to additional data resources to review/assess service effectiveness and verify vendor-reported information and compliance.
- Investigation of significant compliance concerns with collaborative follow-up to ensure corrections are made/sustained or necessary contract actions are taken.
- Additional review and assessment of vendor employee records and training practices to ensure staff are qualified to meet client needs.
- The DDD quarterly report requirement will ensure DDD response/actions taken for reported issues/concerns.
- Publishing the COMIT/DDD monitoring results on a state website ensures transparency.

THANK YOU

The Arizona State Seal is a circular emblem on the left side of the slide. It features a central shield with a cactus, a sun, and a mountain. The shield is surrounded by a wreath of olive and oak branches. The outer ring of the seal contains the text 'THE GREAT SEAL OF THE STATE OF ARIZONA' and '1909'.

Memory Care Services and Health Care Institutions Rulemaking

Arizona Department of Health
Services
Division of Public Health Licensing
Services



Rulemaking Overview

RULEMAKING OVERVIEW

THE OBJECTIVE

- Amend rules in Arizona Administrative Code (A.A.C.) Title 9, Chapter 10, Articles 1 and 8 to comply with new statutory changes imposed by [Laws 2024, Chapter 100](#)
 - Implementation Deadline: From and after **June 30, 2025**

RULEMAKING OVERVIEW

LAWS 2024, CHAPTER 100

- [Laws 2024, Chapter 100](#)
 - Memory care services standards in assisted living facilities (ALF) licensed to provide directed care services
 - Minimum training standards for memory care services for staff, contractors, and managers in ALFs licensed to provide directed care services; certificates of completion; documentation requirements
 - Approval process for memory care services training programs
 - Provision of and associated fees for in-service training to HCIs (upon request) relating to regulatory compliance outside of the survey process
 - Model and fees for on-site monitoring of health care institutions (HCI) found to not be in substantial compliance with applicable licensure requirements
 - Enforcement model and considerations

RULEMAKING OVERVIEW

MEMORY CARE SERVICES

- [Arizona Revised Statutes \(A.R.S\). § 36-405.03](#)
 - “Memory care services” means services that support individuals with dementia and other progressive and neurodegenerative brain disorders, including specialized environmental features, care planning, directed care services, medication administration services, specialized accommodations, activity programming or other services required by the department in rule.”
 - Memory care services standards for ALFs that are licensed to provide directed care services
 - Minimum training standards for memory care services for staff and contractors who work in an ALF that is licensed to provide directed care services

RULEMAKING OVERVIEW

ASSISTED LIVING FACILITIES & DIRECTED CARE SERVICES

- [A.R.S. § 36-401](#)
 - “Assisted living facility” means a residential care institution, including an adult foster care home, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuous basis.”
 - “Directed care services” means programs and services, including supervisory and personal care services, that are provided to persons who are incapable of recognizing danger, summoning assistance, expressing need or making basic care decisions.”

RULEMAKING OVERVIEW

HEALTH CARE INSTITUTIONS

- Licensed HCIs impacted
 - 27 HCI classes/subclasses
 - ~7,600+ HCI facilities
 - 1717 assisted living homes
 - 1702 directed care services
 - 328 assisted living centers
 - 293 directed care services
 - 25 adult foster care homes
 - 25 directed care services

RULEMAKING OVERVIEW

THE PROCESS

- Approval from Governor's Office (GO) to initiate rulemaking activities obtained
- Notice of rulemaking docket opening filed and published in Register
- Rulemaking drafts shared for informal public review/comment
- Notice of proposed rulemaking filed and published in Register
- Oral proceeding and close of record
 - Notice of supplemental proposed rulemaking, if applicable (i.e. substantial change) - adds ~ 3 mo. to timeline
- Rule submission for review; approval from GO to submit final rulemaking package to Governor's Regulatory Review Council (GRRC)
- Final rulemaking package (includes economic impact statement) to GRRC for review and approval
- Approved rule filed and published in Register by Secretary of State

Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

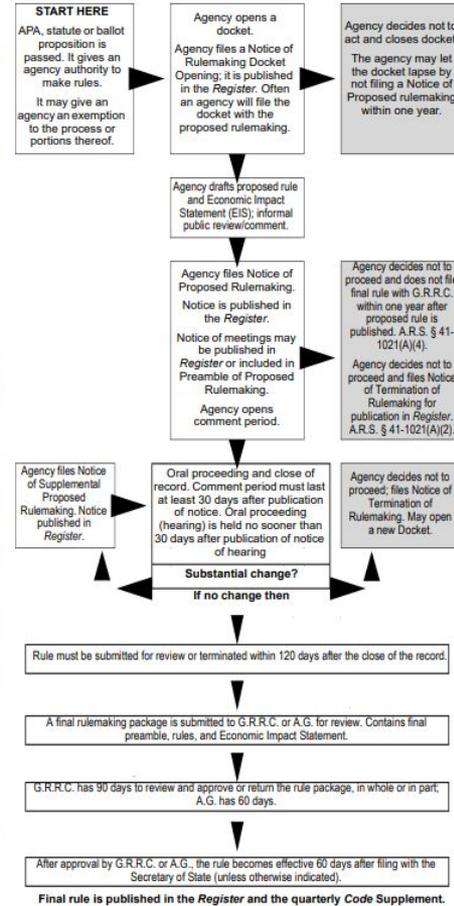
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



RULEMAKING OVERVIEW

THE PROCESS - STAKEHOLDER ENGAGEMENT

- Rulemaking drafts shared and feedback solicited
 - Drafts
 - December 9, 2024
 - January 3, 2025
 - January 29, 2025
 - Online surveys
 - December 10 - 22, 2024 (20 comments received)
 - December 27, 2024 - January 19, 2025 (35 comments received)
 - January 29 - 31, 2025 (19 comments received)
 - Formal stakeholder meetings
 - December 19, 2024 (11 attendees)
 - January 9, 2025 (20 attendees)
 - January 21, 2025 (21 attendees)
 - January 28, 2025 (25 attendees)
 - Additional stakeholder feedback opportunities (i.e. meetings, phone calls, emails, etc.)
- Stakeholder comments reviewed and incorporated, as applicable, in the rulemaking draft

RULEMAKING OVERVIEW

THE PROCESS - STAKEHOLDER FEEDBACK

- Common feedback topics
 - Definitions needed for immediate jeopardy and elopement
 - Training should not be limited to in-person only
 - Prescriptive training topics including the requirement to be evidence-based
 - Memory care services trainer qualifications
 - Mitigating and aggravating factors for civil money penalty (CMP) amounts
 - Enforcement model should include a matrix with specified CMP amounts for specific violations
 - Matrix should include levels of severity that include both enforcements and non-enforcement strategies depending on the level of harm
 - Concerns regarding staffing acuity
 - Ambiguity of monitoring visits and monitoring fees



Questions?



Thank you!

Appendix C:

September 24, 2025

Minutes and Reference Materials

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Date: Wednesday, September 24, 2025

Time: 1:00 P.M.

Place: SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025091000>

AGENDA

1. Call to Order
2. Roll Call
3. Work Group Updates
4. Review of Draft Recommendations
5. Public Testimony
6. Committee Discussion
7. Adoption of Recommendations
8. Other Discussion
9. Adjournment

Members:

Senator Timothy "Tim" Dunn, Co-Chair
Senator Sally Ann Gonzales
Karen Barno
Misti Beaver
Kathryn Blair
Brendon Blake
Toni Brown
Dr. Liz Carr
Jennifer Cunico
Maria Dadgar
Shane Ham
Dr. Lorrie Henderson
Jakenna Lebsock

Representative Selina Bliss, Co-Chair
Representative Patricia Contreras
Molly McCarthy
Zaida Dedolph Piecoro
Lisa Pollock
Tory Roberg
Jaime Roberts
Ericka Stropka
Dave Voepel
Steve Wagner
Jon Scott Williams

09/18/2025
hf

For questions regarding this agenda, please contact Senate Research Department.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Minutes of the Meeting
September 24, 2025
1:00 P.M., SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025091000>

Members Present:

Senator Timothy "Tim" Dunn, Co-Chair	Representative Selina Bliss, Co-Chair
Karen Barno	Representative Patricia Contreras
Misti Beaver	Molly McCarthy
Brendon Blake	Zaida Dedolph Piecoro
Toni Brown	Lisa Pollock
Dr. Liz Carr	Tory Roberg
Jennifer Cunico	Ericka Stropka
Shane Ham	Steve Wagner
Jakenna Lebsock	Jon Scott Williams

Members Excused:

Senator Sally Ann Gonzales
Kathryn Blair
Maria Dadgar
Dr. Lorrie Henderson
Jaime Roberts
Dave Voepel

Staff:

Kaytie Sherman, Senate Assistant Research Analyst
Ahjahna Graham, House Senior Research Analyst
Tasja McMaster, House Assistant Research Analyst

Co-Chair Dunn called the meeting to order at 1:04 p.m. and attendance was taken.

Co-Chair Dunn provided opening remarks.

Co-Chair Bliss and Representative Contreras offered comments.

WORK GROUP UPDATES

Toni Brown, Developmental Disability Work Group, introduced herself and offered comments.

Brendon Blake, Elderly and Physical Disability Work Group, introduced himself and offered comments.

REVIEW OF DRAFT RECOMMENDATIONS

Ahjahna Graham, House Senior Research Analyst, read and explained the Vulnerable Adults System Study Committee Final Recommendations (Attachment A).

PUBLIC TESTIMONY

No public testimony was offered.

COMMITTEE DISCUSSION

The Committee offered comments.

ADOPTION OF RECOMMENDATIONS

Representative Bliss moved that the Committee adopt Committee Recommendation #1 – Improve Interagency Communication & Collaboration as distributed. (Attachment A). Recommendation #1 CARRIED by voice vote.

Senator Dunn offered comments.

Representative Bliss moved that the Committee adopt Committee Recommendation #2 – Aligning Compliance Requirements as distributed. (Attachment A). Recommendation #2 CARRIED by voice vote.

Representative Bliss moved that the Committee adopt Committee Recommendation #3 – Training & Prevention as distributed. (Attachment A). Recommendation #3 CARRIED by voice vote.

Mr. Blake offered comments and answered questions posed by the Committee.

The Committee offered comments.

Representative Bliss moved that the Committee adopt Recommendation #4 – Staffing & Workforce Development with the revision on bullet item #3, strike "currently", insert "in". (Attachment A). Recommendation #4 CARRIED by voice vote.

The Committee offered comments.

Representative Bliss moved that the Committee adopt Committee Recommendation #5 – Data Collection & Sharing as distributed. (Attachment A). Recommendation #5 CARRIED by voice vote.

The Committee offered comments.

Mr. Williams answered questions posed by the Committee.

The Committee offered additional comments.

Representative Bliss moved that the Committee adopt Committee Recommendation #6 – Miscellaneous as distributed. (Attachment A). Recommendation #6 CARRIED by voice vote.

Ms. Brown offered comments.

Ms. Barno offered comments.

Senator Dunn offered comments.

Representative Bliss moved that the Committee adopt Committee Recommendation #7 – Electronic Monitoring as distributed. (Attachment A). Recommendation #7 CARRIED by voice vote.

Vulnerable Adults System Study Committee Final Recommendations as amended (Attachment B).

OTHER DISCUSSION

Senator Dunn noted that Jaime Roberts, excused Committee member, submitted a note in favor of all the recommendations.

There being no further business, the meeting was adjourned at 2:44 p.m.

Respectfully submitted,

Jackson Cooper
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)

Vulnerable Adults System Study Committee Final Recommendations

RECOMMENDATION #1 – IMPROVE INTERAGENCY COMMUNICATION & COLLABORATION

The Legislature should:

- Remove barriers to inter-agency collaboration between law enforcement, state agencies, boards, and other regulatory bodies involved in investigating abuse, neglect, and exploitation.
- Invest in state data technology infrastructure to streamline reporting and investigation of vulnerable adult abuse, neglect, and exploitation by creating a new, easy-to-use, online form to be utilized by state agencies, law enforcement, industry staff, and the public, which will automate cross-reporting to the necessary agencies.
- Centralize resources and referral processes by creating a state Standard Operating Procedure for reporting Abuse, Neglect, and Exploitation for law enforcement agencies.

RECOMMENDATION #2 - ALIGNING COMPLIANCE REQUIREMENTS

The Legislature should:

- Work with stakeholders and relevant state agencies to establish an online database for which the entries for abuse, neglect, and exploitation are stored, cross-referenced and connected to be followed-up on by any relevant state agencies, including law enforcement, regulatory agencies, and relevant licensure boards.

RECOMMENDATION #3 - TRAINING & PREVENTION

The Legislature should:

- Increase prevention of abuse, neglect and exploitation through more support and services and increase public awareness and information resources on guardianship.
- Work with stakeholders and relevant state agencies to create a central repository for all training within the elder care/developmental disability community.

RECOMMENDATION #4 - STAFFING & WORKFORCE DEVELOPMENT

The Legislature should:

- Create an apprenticeship (or similar) pathway to train and provide professional development to new employees who provide care.

- Establish a stakeholder group to include direct care staff from various facilities to determine how to better retain, promote, and recruit staff.
- Collaborate with State and County workgroups in developing standardized training curriculums, including the Arizona Department of Health Services' Alzheimer's Disease and Dementia Statewide Plan and the BOLD Grant, the Maricopa County Healthy Brain Initiative Coalition, and representatives from the Vulnerable Adult System Study Committee.
- Establish a stakeholder group to examine the streamlining and coordination of training, licensure, and certifications of paid care providers (i.e. Direct Care Workers, Certified Nursing Assistants, Paid Caregivers, etc).
- Review the current preadmission screening for eligibility for Arizona Health Care Cost Containment System/Arizona Long Term Care System services for the Elderly and/or Physically Disabled, including the tool, staffing levels, and training requirements.
- Create a registry for paid care providers for regulators, employers, and the public to reference.

RECOMMENDATION #5 - DATA COLLECTION & SHARING

The Legislature should:

- Work with stakeholders and relevant state agencies to collect and analyze data related to involuntary discharges/evictions from health care institutions.

RECOMMENDATION #6 - MISCELLANEOUS

The Legislature should:

- Work with the judicial branch to create a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) Program in Arizona.
- Require assisted living facilities to include the rights of residents on any discharge or eviction notice given to them.
- Extend the sunset date of the Vulnerable Adult System Study Committee to December 31st, 2026.

RECOMMENDATION #7 – ELECTRONIC MONITORING

Before December 31st 2025, the Vulnerable Adult System Study Committee should:

- Hold another public meeting of the study committee to discuss and receive public testimony on the issue of electronic monitoring within assisted living facilities.

- Issue an addendum to its October 1st, 2025 Committee Report with the Committee's recommendations on the use of electronic monitoring within assisted living facilities.

Appendix D:

December 10, 2025

Minutes and Reference Materials

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Date: Wednesday, December 10, 2025

Time: 1:00 P.M.

Place: SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025121001>

AGENDA

1. Call to Order
2. Roll Call
3. Electronic Monitoring in Group Homes & Intermediate Care Facilities, Senate Staff
4. Committee Discussion
5. Public Testimony
6. Adoption of Supplemental Recommendations
7. Next Steps
8. Adjournment

Members:

Senator Timothy "Tim" Dunn, Co-Chair
Senator Sally Ann Gonzales
Karen Barno
Misti Beaver
Kathryn Blair
Brendon Blake
Toni Brown
Dr. Liz Carr
Jennifer Cunico
Maria Dadgar
Shane Ham
Dr. Lorrie Henderson
Jakenna Lebsock

Representative Selina Bliss, Co-Chair
Representative Patricia Contreras
Molly McCarthy
Zaida Dedolph Piecoro
Lisa Pollock
Tory Roberg
Jaime Roberts
Ericka Stropka
Dave Voepel
Steve Wagner
Jon Scott Williams

12/03/2025
hf

For questions regarding this agenda, please contact Senate Research Department.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

VULNERABLE ADULT SYSTEM STUDY COMMITTEE

Minutes of the Meeting
December 10, 2025
1:00 P.M., SHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2025121001>

Members Present:

Senator Timothy "Tim" Dunn, Co-Chair	Representative Selina Bliss, Co-Chair
Senator Sally Ann Gonzales	Representative Patricia Contreras
Karen Barno	Zaida Dedolph Picoro
Brendon Blake	Lisa Pollock
Toni Brown	Tory Roberg
Dr. Liz Carr	Jaime Roberts
Jennifer Cunico	Ericka Stropka
Shane Ham	Dave Voepel
Jakenna Lebsock	Steve Wagner
Molly McCarthy	Jon Scott Williams

Members Excused:

Misti Beaver
Kathryn Blair
Maria Dadgar
Dr. Lorrie Henderson

Staff:

Michael Madden, Senate Research Analyst
Kaytie Sherman, Senate Assistant Research Analyst
Samuel Rosenberg, Senate Assistant Research Analyst
Tasja McMaster, House Assistant Research Analyst

Co-Chair Dunn called the meeting to order at 1:07 p.m. and attendance was taken.

Co-Chair Dunn provided opening remarks.

ELECTRONIC MONITORING IN GROUP HOMES & INTERMEDIATE CARE FACILITIES, SENATE STAFF

Kaytie Sherman, Senate Assistant Research Analyst, distributed and explained a PowerPoint presentation entitled "Electronic Monitoring in DDD Group Homes & Intermediate Care Facilities" (Attachment A) and answered questions posed by the Committee.

Molly McCarthy, Deputy Director, Arizona Department of Economic Security, answered questions posed by the Committee.

The Committee offered comments.

Ms. Sherman answered additional questions posed by the Committee.

COMMITTEE DISCUSSION

Co-Chair Bliss offered comments.

Brendon Blake, Governor's Advisory Council on Aging, answered questions posed by the Committee.

Jaime Roberts, CEO, Arizona LeadingAge, answered questions posed by the Committee.

Karen Barno, CEO, Arizona Assisted Living Federation of Arizona, answered questions posed by the Committee.

The Committee offered comments.

Steve Wagner, President/Founder, RightCare Organization, answered questions posed by the Committee.

The Committee offered comments.

Molly McCarthy answered questions posed by the Committee.

Shane Ham, Elder Abuse and Complex Litigation Unit, Arizona Attorney General's Office, answered questions posed by the Committee.

The Committee offered comments.

PUBLIC TESTIMONY

Co-Chair Bliss read a letter from Representative Quang Nguyen (Attachment B) and offered comments.

Dana Kennedy, AARP Arizona, offered testimony and answered questions posed by the Committee.

Holly Lawder, representing self, offered testimony.

Jennifer Rockrich-Arena, representing self, offered testimony and answered questions posed by the Committee.

Representative Nguyen, Legislative District 1, offered testimony.

Akela Brown, representing self, offered testimony and answered questions posed by the Committee.

The Committee offered comments.

Kris Silverman, representing self, offered testimony and answered questions posed by the Committee.

Debbie Gross, representing self, offered testimony and answered questions posed by the Committee.

Marie Isaacson, Arizona LeadingAge, offered testimony and answered questions posed by the Committee.

Jake Hinman, Arizona Assisted Living Federation of America, offered testimony and answered questions posed by the Committee.

Stuart Goodman, AARP, offered testimony and answered questions posed by the Committee.

Tawnya Williams Christensen, representing self, offered testimony and answered questions posed by the Committee.

ADOPTION OF SUPPLEMENTAL RECOMMENDATIONS

Co-Chair Dunn offered comments and proposed new language to be added to the recommendations and answered questions posed by the Committee.

The Committee offered comments.

Co-Chair Dunn answered additional questions posed by the Committee.

The Committee offered comments.

Senator Dunn moved that the Committee recommends that the Legislature consider adopting legislation that provides residents living in long-term care facilities with the statutory authority to utilize privately funded and maintained electronic monitoring devices and internet services in their private living space if requested by the resident or their authorized representative while the Department of Economic Security, the Arizona Health Care Cost Containment System and the Department of Health Services commissions and the Legislature analyzes a report examining real-world data from assisted living facilities, skilled nursing facilities, DDD group homes, nursing-supported group homes and intermediate care facilities that already allow electronic monitoring and internet services in their private living space to inform our policy, including but not limited to: whether the presence of cameras or other electronic monitoring devices have an impact on changes in complaints, resident rights and autonomy, injuries and falls, Adult Protective Services involvement, and staffing. The Committee shall appoint a work group to facilitate the data collection and distribution. The motion CARRIED by voice vote.

NEXT STEPS

Co-Chair Dunn offered closing remarks.

Attached is a list noting the individuals who registered their positions on the agenda items (Attachment C).

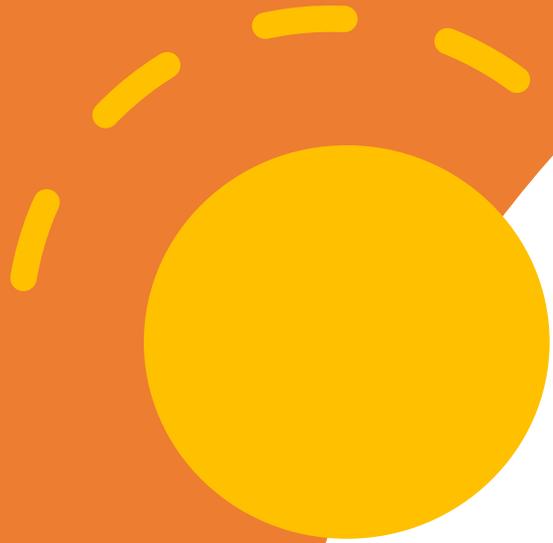
Attached is a form noting the individual who submitted a Speaker slip on the agenda items (Attachment D).

There being no further business, the meeting was adjourned at 5:29 p.m.

Respectfully submitted,

Jackson Cooper
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



Electronic Monitoring in DDD Group Homes & Intermediate Care Facilities

Prepared for the Vulnerable Adult System Study Committee

December 10, 2025

Overview

- A.R.S. § 36-568
 - Established by Laws 2019, Chapter 226 and further amended by Laws 2021, Chapter 60 and Laws 2022, Chapter 234.
- DES Division of Developmental Disabilities Provider Manual: Chapter 42; Electronic Monitoring in Program Settings
- CMS Guidance
 - S&C: 11-34-ICF/MR (2011)
 - Provides guidance on the use of video cameras in common areas of intermediate care facilities for individuals with intellectual disabilities.
 - S&C: 15-23-ICF/IID (2015)
 - Provides guidance on the use of audio surveillance devices in common areas of intermediate care facilities for individuals with intellectual disabilities.

Laws 2019, Chapter 226

- H.B. 2117 developmental homes; monitoring (Rep. Barto)
 - Established the initial framework for allowing electronic monitoring in group homes and intermediate care facilities for individuals with intellectual disabilities (ICF-IIDs).
 - Allows a service provider to install, oversee and monitor electronic monitoring devices in **common areas** of the group home or ICF-IID, including hallways.
 - Requires the Director of DES to adopt rules regarding the use of electronic monitoring devices, as prescribed.
 - Defines *electronic monitoring device* as a video surveillance camera or audio device that is installed in a common area, including a hallway, of a group home or ICF-IID.
 - *Electronic monitoring device* does **not** include an electronic, mechanical or other device that is specifically used for the nonconsensual interception of wire or electronic communications.

Laws 2021, Chapter 60

- S.B. 1085 nursing-supported group homes; licensure (Sen. Pace)
 - Added nursing-supported group homes for persons with intellectual disabilities to the list of DDD facilities that may install, oversee and monitor electronic monitoring devices in common areas.
 - Added the requirement that DDD contracted nursing-supported group homes be licensed by the Department of Health Services.
 - Defined *nursing-supported group home* as a health care institution that is a community residential setting for no more than six persons with developmental disabilities, that is operated by a service provider under contract with DES and that provides room and board, daily habilitation and continuous nursing support and intervention.



Laws 2022, Chapter 234

- S.B. 1542 group homes; electronic monitoring (Sen. Barto)
 - This is the electronic monitoring statute as we know it today.
 - Adds the stipulation that there must be no objections to the installation of electronic monitoring devices by a client or the client's responsible person.
 - Allows the service provider to require cost sharing for the electronic monitoring devices, only with the consent of responsible persons.
 - Prohibits a service provider from preventing clients' responsible persons from installing electronic monitoring devices when each client or client's responsible person agrees to install and pay for the cost of the devices.
 - Requires responsible persons who install and pay for electronic monitoring devices to be responsible for maintaining and repairing the devices and prohibits a service provider from accessing the electronic record of electronic monitoring devices that are installed by a client's responsible person, unless the responsible person provides access.

Laws 2022, Chapter 234 (continued)

- Requires DES rules relating to electronic monitoring to ensure access to the electronic record by the service provider, client or the client's responsible person unless the electronic record contains evidence of a suspected criminal offense.
- Exempts electronic monitoring devices installed by clients' responsible persons from DES rules relating to electronic monitoring.
- Restricts DES rules relating to electronic monitoring from prohibiting cost sharing between service providers and clients' responsible persons for electronic monitoring devices.

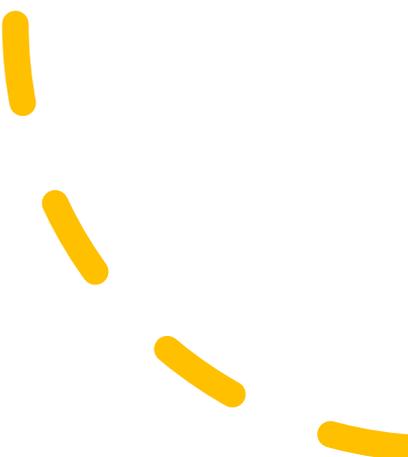
DES Division of Developmental Disabilities Provider Manual: Chapter 42; Electronic Monitoring in Program Settings

- Outlines minimum policies and procedures that a qualified vendor must adopt regarding the use of electronic monitoring devices, including but not limited to policies relating to: 1) HIPAA compliance; 2) electronic record retention; 3) personnel training; and 4) maintenance of electronic monitoring devices.
- Requires qualified vendors to submit electronic monitoring policies to the DDD's Provider Network Support Unit for approval.
- Specifies that the qualified vendor may only use electronic monitoring devices in common areas of the service setting.





DES Division of Developmental Disabilities Provider Manual: Chapter 42; Electronic Monitoring in Program Settings (continued)

- Defines ***common area*** as a room, including a hallway, that is designed for use by multiple individuals, including residents. *Common area* does not include bedrooms, toileting areas and bathing areas.
 - Outlines notification and consent requirements relating to the use of electronic monitoring devices.
 - Outlines policies regarding electronic monitoring devices installed and paid for by members' responsible persons as well as cost sharing policies.
- 

References

- [A.R.S. § 36-568](#)
- [CMS S&C: 11-34-ICF/MR](#)
- [CMS S&C: 15-23-ICF/IID](#)
- [DES Division of Developmental Disabilities Provider Manual: Chapter 42; Electronic Monitoring in Program Settings](#)
- [Laws 2019, Chapter 226](#)
- [Laws 2021, Chapter 60](#)
- [Laws 2022, Chapter 234](#)

Questions?

