

REFERENCE TITLE: kinship foster care; TANF monies

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

## **SB 1306**

Introduced by  
Senator Brophy McGee

### **AN ACT**

AMENDING SECTION 8-514.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 153, SECTION 3; REPEALING SECTION 8-514.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 110, SECTION 2; AMENDING SECTION 8-514.04, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-514.03, Arizona Revised Statutes, as amended  
3 by Laws 2018, chapter 153, section 3, is amended to read:

4 8-514.03. Kinship foster care; requirements; investigation

5 A. The department shall establish kinship foster care services for  
6 a child who has been removed from the child's home and who is in the  
7 custody of the department. The placement of a child who is in the custody  
8 of the department shall be determined by the best interests of the child.

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. **IS ELIGIBLE TO RECEIVE** full foster care benefits, including  
30 payment if the kinship foster care parent becomes a licensed foster care  
31 home.

32 2. **IF NOT LICENSED AS A FOSTER CARE HOME, SHALL BE PROVIDED WITHOUT**  
33 **FILING AN APPLICATION** temporary assistance for needy families cash for a  
34 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:

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

13 ~~H. The department of child safety shall evaluate biannually the~~  
14 ~~performance of the kinship foster care program. On or before November 1,~~  
15 ~~the department shall submit a report to the speaker of the house of~~  
16 ~~representatives, the president of the senate and the governor and shall~~  
17 ~~provide a copy of this report to the secretary of state. The report shall~~  
18 ~~contain the following information:~~

- 19 ~~1. The demographics and number of children placed with relative~~  
20 ~~caregivers.~~
- 21 ~~2. The demographics of kinship foster caregivers.~~
- 22 ~~3. The number of relative children per kinship foster care family.~~
- 23 ~~4. The department's success at maintaining kinship foster care~~  
24 ~~placements.~~
- 25 ~~5. The type of services provided to kinship foster care families.~~
- 26 ~~6. The cost of services provided to kinship foster care families~~  
27 ~~compared to the cost of out-of-home placements.~~
- 28 ~~7. Recommendations regarding program improvement.~~

29 Sec. 2. Repeal

30 Section ~~8-514.03~~, Arizona Revised Statutes, as amended by Laws 2018,  
31 chapter 110, section 2, is repealed.

32 Sec. 3. Section 8-514.04, Arizona Revised Statutes, is amended to  
33 read:

34 ~~8-514.04.~~ Kinship care program; requirements

35 A. The kinship care program is established in the department. The  
36 program shall:

- 37 1. Streamline, expedite and coordinate existing services and  
38 referrals.
- 39 2. Preserve families.
- 40 3. Meet the protection, developmental, cultural and permanency  
41 needs of children.
- 42 4. Enable families to sustain support for a child who cannot live  
43 with the child's parents.
- 44 5. Promote the best interests of the child.

1           B. The department shall ~~adopt rules to~~ prescribe ~~application and~~  
2 ~~eligibility requirements that provide~~ an expedited process for kinship  
3 care families to receive child only temporary assistance for needy  
4 families.

5           C. The department shall use existing measures for outreach and  
6 marketing in order to facilitate community awareness regarding the  
7 program.

8           D. The department of economic security shall submit an amendment to  
9 modify the temporary assistance for needy families state plan to the  
10 United States department of health and human services. The amendment  
11 shall waive the ~~face-to-face~~ APPLICATION requirement for relative  
12 caregivers ~~applying for~~ TO RECEIVE temporary assistance for needy  
13 families, for a child only case.

14           E. Any kinship care family that ~~applies for or~~ receives cash  
15 assistance under this section on behalf of a dependent child who is under  
16 eighteen years of age shall conform to the requirements established  
17 pursuant to sections 46-292 and 46-295 and department of economic security  
18 rule unless the requirements have been modified pursuant to this section.

19           F. The department shall keep confidential information it obtains  
20 pursuant to this section.

21           Sec. 4. Appropriation; department of child safety; payment to  
22 kinship foster care parents

23           The sum of \$5,000,000 is appropriated from the federal temporary  
24 assistance for needy families block grant in fiscal year 2019-2020 to the  
25 department of child safety for the costs for temporary assistance to needy  
26 families provided to kinship foster care parents pursuant to section  
27 8-514.03, Arizona Revised Statutes, as amended by this act.