

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1247
(Reference to Senate engrossed bill)

1 Page 10, between lines 26 and 27, insert:

2 "Sec. 6. Independent oversight committee on behavioral health
3 residential facilities that provide services to
4 migrant children; membership; duties; reports;
5 delayed repeal

6 A. The independent oversight committee on behavioral health
7 residential facilities that provide services to migrant children is
8 established. The department of health services shall provide staff support
9 to the independent oversight committee.

10 B. The independent oversight committee shall consist of the
11 following members:

12 1. Two members of the house of representative who are appointed by
13 the speaker of the house of representatives, one from each political party.
14 The speaker of the house of representatives shall designate one of the
15 members as vice chairperson of the committee. The chairperson and the vice
16 chairperson shall be from different political parties.

17 2. Two members of the senate who are appointed by the president of
18 the senate, one from each political party. The president of the senate
19 shall designate one of the members as chairperson of the committee. The
20 chairperson and the vice chairperson shall be from different political
21 parties.

22 3. The chairperson of the board of fingerprinting or the
23 chairperson's designee.

1 4. The following members who are appointed by the governor:

2 (a) One member representing an organization that provides legal
3 services to immigrant children and youth.

4 (b) One member representing an organization that provides advocacy
5 for children's rights.

6 (c) One member representing an organization that provides counseling
7 to children or youth.

8 (d) One member who is a licensed social worker and who has
9 experience working with immigrant children or youth.

10 (e) Two members who have valid teaching certificates and who have at
11 least five years' experience in teaching. At least one of these members
12 must have an endorsement in bilingual education, English as a second
13 language or structured English immersion.

14 (f) One member who has experience in psychology.

15 (g) One member who has law enforcement experience.

16 (h) One member who is or was, in the last five years, employed with
17 United States immigration and customs enforcement, the United States
18 customs and border protection or the United States citizenship and
19 immigration services.

20 (i) One member who is a licensed pediatrician in this state.

21 (j) One member who has experience or knowledge in the needs of
22 children in foster care placements and who is not a state employee.

23 (k) One member who represents one of the consulate offices for
24 Mexico or one of the countries in Central America.

25 C. The independent oversight committee shall:

26 1. Recommend improvements to the delivery of services in behavioral
27 health residential facilities, as described in section 36-418, Arizona
28 Revised Statutes, as added by this act, that provide services to migrant
29 children, including medical care, counseling, case management, education,
30 legal representation and recreation.

1 2. Review facility records, including employee records, complaints
2 filed and records of services provided to children in the facilities and
3 data relating to the length of stay.

4 3. Make recommendations to the director of the department of health
5 services and the legislature regarding laws, rules, policies, procedures
6 and practices to ensure the protection of the rights of children in these
7 residential care facilities.

8 D. On or before December 31, 2019 and December 31, 2020, the
9 independent oversight committee shall issue a report with the committee's
10 recommendations to the governor, the president of the senate, the speaker
11 of the house of representatives and the chairpersons of the health and
12 human services committees in the senate and the house of representatives,
13 or their successor committees, and the director of the department of health
14 services, and shall provide a copy of the report to the secretary of state.

15 E. Subject to federal law, the independent oversight committee
16 members shall:

17 1. Have access to review:

18 (a) Employee information and records, including applications,
19 reviews, employee investigations and outcomes relating to employee
20 complaints, and any reports filed with the department or a law enforcement
21 agency relating to employees working at the facility.

22 (b) Records regarding services and lengths of stay for children in
23 the facility.

24 2. Have the ability to tour a facility with reasonable notice
25 provided to each facility.

26 F. Any information relating to a child in the facility shall be
27 released to the independent oversight committee without the designation of
28 personally identifiable information unless it is required for the official
29 purposes of the committee. For purposes of this subsection, "personally
30 identifiable information" means a person's name, address, date of birth,
31 school identification number or other assigned number, and country of
32 birth, the names and addresses of the person's parents or next of kin or

1 any other distinguishing characteristic that tends to identify a particular
2 person.

3 G. The independent oversight committee members are not eligible to
4 receive compensation, but members appointed by the governor are eligible
5 for reimbursement of expenses pursuant to title 38, chapter 4, article 2,
6 Arizona Revised Statutes.

7 H. This section is repealed from and after June 30, 2021."

8 Renumber to conform

9 Amend title to conform

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C: mh