CHAPTER 85

HOUSE BILL 2084

AN ACT

AMENDING SECTION 8-509, ARIZONA REVISED STATUTES; AMENDING SECTION 8-514.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 110, SECTION 2; REPEALING SECTION 8-514.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 153, SECTION 3; RELATING TO CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 8-509, Arizona Revised Statutes, is amended to read:

8-509. Licensing of foster homes; fingerprint waiver; restricted license; renewal of license; provisional license; exemption from licensure; immunization requirements

A. The department shall license and certify foster homes. Licenses are valid for a period of two years.

B. The department shall not issue a license without satisfactory proof that the foster parent or parents have completed six actual hours of approved initial foster parent training as set forth in section 8-503 and that each foster parent and each other adult member of the household has a valid fingerprint clearance card issued pursuant to section 41-1758.07. The foster parent and each other adult member of the household must certify on forms that are provided by the department and that are notarized whether the foster parent or other adult member of the household is awaiting trial on or has ever been convicted of any of the criminal offenses listed in section 41-1758.07, subsections B and C in this state or similar offenses in another state or jurisdiction.

C. A KINSHIP FOSTER CARE PARENT SHALL APPLY FOR A FINGERPRINT CLEARANCE CARD PURSUANT TO SECTION 41-1758.07. IN ITS DISCRETION AND FOR GOOD CAUSE, THE DEPARTMENT MAY WAIVE THE REQUIREMENT FOR A KINSHIP FOSTER CARE PARENT TO OBTAIN A FINGERPRINT CLEARANCE CARD. IN EVALUATING WHETHER GOOD CAUSE EXISTS, THE DEPARTMENT SHALL APPLY THE CRITERIA PRESCRIBED IN SECTION 41-1758.07, SUBSECTIONS B AND C. IF THE DEPARTMENT WAIVES THE REQUIREMENT, THE DEPARTMENT SHALL ISSUE A RESTRICTED LICENSE TO THE KINSHIP FOSTER CARE PARENT THAT APPLIES ONLY TO THE CHILDREN PLACED WITH THE KINSHIP FOSTER CARE PARENT FOR KINSHIP FOSTER CARE.

D. The department shall not renew a license without satisfactory proof that the foster parent or parents have completed twelve actual hours of approved ongoing foster parent training during the two-year period of licensure as set forth in section 8-503.

E. If the department determines that completing the training required in subsections B and D of this section would be a hardship to the foster parent or parents, the department may issue a provisional license for a period not to exceed six months. A provisional license may not be renewed.

F. Child welfare agencies that submit foster homes for licensing shall conduct an investigation of the foster home pursuant to licensing rules of the department. The department shall conduct investigations of all other foster homes. If the foster home meets all requirements set by the department, the agency shall submit an application stating the foster home's qualifications to the department. The agency
may also recommend the types of licensing and certification to be granted
to the foster home.

F. The department shall accept an adoptive home certification
study as a licensing home study if the study has been updated within the
past three months to include the information necessary to determine
whether the home meets foster care licensing standards.

G. This section does not apply if the child is placed in a home
by a means other than by court order and if the home does not receive
compensation from this state or any political subdivision of this state.

H. The department may not prohibit a person operating a
licensed foster home from applying for or receiving compensation as a
foster home parent due to employment with this state.

I. The department shall not require a foster parent to immunize
the foster parent’s natural or adoptive children as a condition of foster
home licensure.

J. A licensee may modify the renewal date of a license issued
pursuant to this section by submitting an application for modification of
renewal date with the department on a form prescribed by the department.
The licensee must specify the new month of renewal on the
application. The modified renewal date must be before, but not more than
six months earlier than, the existing renewal date.

K. The foster care review board shall review the cases of
children placed by the department in foster homes licensed pursuant to
this section as required by section 8-515.03.

Sec. 2. Section 8-514.03, Arizona Revised Statutes, as amended by
Laws 2018, chapter 110, section 2, is amended to read:

8-514.03. Kinship foster care; requirements; investigation
A. The department shall establish kinship foster care services for
a child who has been removed from the child's home and who is in the
custody of the department. The program shall promote the placement of the
child with the child's relative or a person with a significant
relationship with the child for kinship foster care.

B. A kinship foster care parent applicant who is not a licensed
foster care parent shall be at least eighteen years of age. The applicant
and each member of the applicant's household who is at least eighteen
years of age shall submit a full set of fingerprints to the department of
child safety for the purpose of obtaining a state and federal criminal
records check pursuant to section 41-1750 and Public Law 92-544. The
department of public safety may exchange this fingerprint data with the
federal bureau of investigation. The department of child safety shall
determine if the applicant is able to meet the child's health and safety
needs by conducting one or more home visits and interviewing the
applicant. The department of child safety may interview other household
members, review the applicant's personal and professional references and
conduct department of child safety central registry checks.
C. If the department determines that a kinship foster care placement is not in the best interest of the child, the department shall provide written notification to the applicant within fifteen business days. The notice shall include the specific reason for denial, the applicant's right to appeal and the process for reviewing the decision.

D. A kinship foster care parent may be eligible to receive the following financial services for the child:
   1. Full foster care benefits, including payment if the kinship foster care parent becomes a licensed foster care home OR IF THE KINSHIP FOSTER CARE PARENT OBTAINS A RESTRICTED LICENSE PURSUANT TO SECTION 8-509, SUBSECTION C.
   2. Temporary assistance for needy families cash assistance payments for a child only case and supplemental financial support.

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

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

G. The department shall provide nonfinancial services for a kinship foster care parent through existing means or referral. Nonfinancial services may include:
   1. Family assessment.
   2. Case management.
   3. Child day care.
   4. Housing search and relocation.
   5. Parenting skills training.
   6. Supportive intervention and guidance counseling.
   7. Transportation.
   8. Emergency services.
  10. Respite services.
  11. Additional services that the department determines are necessary to meet the needs of the child and family.

Sec. 3. Repeal

Section 8-514.03, Arizona Revised Statutes, as amended by Laws 2018, chapter 153, section 3, is repealed.

APPROVED BY THE GOVERNOR MARCH 30, 2022.