



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1091

prisoners; transition services; noncontracted entities

Purpose

Requires the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) to allow noncontracted entities to provide eligible inmates with transition program services and outlines requirements the noncontracted behavioral health services provider must fulfill in order to provide services to eligible inmates.

Background

ADCRR is required to contract with private and nonprofit entities that provide eligible inmates with transition services in the community for up to 90 days. Rules adopted for the implementation of this program must include: 1) eligibility criteria for inmates; 2) a requirement that each contracted entity train mentors or certify the mentors are trained; 3) a requirement that services offered to an inmate include psychoeducational counseling and case management services; and 4) a requirement that an inmate may only be released to the transition program after the victim has been provided notice and an opportunity to be heard. In awarding contracts for transition services, ADCRR must also: 1) conduct annual studies on recidivism rates for inmates who receive transition services; 2) submit a report of its recidivism findings that contains prescribed information; and 3) provide information about transition services to all inmates who may be eligible ([A.R.S. § 31-281](#)).

To be considered eligible for transition services, an inmate must: 1) not be convicted of sexual offenses or violent crimes as outlined; 2) not have any felony detainers; 3) agree in writing to provide specific information after the inmate is released to be used for recidivism reports; 4) have made satisfactory progress by complying with all programming on the inmate's individualized corrections plan; 5) be classified as minimum or medium custody; and 6) not have been found in violation of any major violent rule during the inmate's current period of incarceration or in violation of any other major rule within the previous six months ([A.R.S. § 31-281](#)).

A contracted entity must establish a network that may include community and faith-based organizations to make mentoring services and assistance available to eligible inmates. Contracted entities may provide certain types of assistance, including basic academic education and assistance in finding employment and health insurance ([A.R.S. § 31-282](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires ADCRR to allow noncontracted private or nonprofit behavioral health service providers that meet outlined requirements to provide eligible inmates with transition services, at the election of the eligible inmate.
2. Adds, to the rules that the Director of ADCRR (Director) must adopt to implement transition services, a requirement that an inmate must use a contracted entity to provide transition services unless the eligible inmate chooses a noncontracted private or nonprofit behavioral health services provider to provide services.
3. Requires ADCRR to allow an eligible inmate to choose to receive transition services from a private or nonprofit behavioral health services provider that is not contracted with ADCRR if the provider:
  - a) has a service capacity of at least 200 individuals;
  - b) provides transition services to an eligible person;
  - c) is licensed by the Department of Health Services;
  - d) trains mentors or certifies that mentors are trained;
  - e) provides case management and inreach to an eligible person before the person becomes eligible for transition services;
  - f) provides services to an eligible person that include psychoeducational counseling and case management services;
  - g) provides physical health and wellness education and services; and
  - h) provides information to ADCRR to allow it to conduct its annual study to determine the recidivism rate of eligible persons who receive transition services.
4. Specifies that the counseling and services may include substance abuse treatment, anger management, cognitive behavioral therapy, psychosocial rehabilitation services, parenting skills and family reunification training, further education and job placement.
5. Requires the entity providing transition services to also provide:
  - a) employment, employment assistance and career counseling services;
  - b) basic academic education, general equivalency diploma preparation and postsecondary education job training;
  - c) transitional needs, including housing, food or treatment services; and
  - d) assistance in finding health insurance coverage for the eligible person and, if applicable, medical assistance including assistance in finding necessary medication.
6. Requires ADCRR to require an eligible person to receive transition services from a contracted entity if a noncontracted provider does not comply with outlined requirements.
7. Requires a noncontracted behavioral health services provider to be given an opportunity to come back into compliance if ADCRR determines that the noncontracted behavioral health services provider does not comply with outlined requirements.
8. Makes technical and conforming changes.
9. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Requires ADCRR to require an eligible person to receive transition services from a contracted entity if a noncontracted entity does not comply with outlined requirements.
2. Requires a noncontracted entity to be given an opportunity to come back into compliance if ADCRR determines that the noncontracted entity does not comply with outlined requirements.

Amendments Adopted by Committee of the Whole

- Makes technical corrections.

Amendments Adopted by the House of Representatives

1. Specifies that a noncontracted private or nonprofit behavioral health services provider, rather than a noncontracted private or nonprofit entity, may provide transition services at the election of the eligible inmate.
2. Requires a noncontracted private or nonprofit behavioral health services provider to have a service capacity of at least 200 individuals in order to provide transition services.
3. Adds psychosocial rehabilitation services as a service that may be incorporated as a part of the transition services offered by a provider.
4. Makes technical and conforming changes.

Senate Action

JUD            2/9/23        DPA    7-0-0  
3<sup>rd</sup> Read        2/21/23                    22-7-1

House Action

MAPS            3/13/23        DPA    15-0-0-0  
3<sup>rd</sup> Read        4/6/23                    49-8-3

Prepared by Senate Research

April 10, 2023

ZD/sr