



# ARIZONA HOUSE OF REPRESENTATIVES

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Senate: HHS DPA 6-0-1-0 | 3rd Read 29-0-1-0

House: HHS DP 9-0-0-1 | 3rd Read 43-14-2-0-1

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## **SB 1067: DCS; group homes; investigations**

**Sponsor: Senator Shope, LD 16**

**Transmitted to the Governor**

### **Overview**

Expands the definition of *abuse* to include physical injury or serious emotional damage of a child caused by an employee of a child welfare agency where a child is placed that is licensed by and contracted with the Arizona Department of Child Safety (DCS). Directs a DCS centralized intake hotline worker to prepare a report if the identity of the person who is suspected of abuse is an employee of a child welfare agency and meets the outlined criteria.

### **History**

*Abuse* is the infliction or allowing of physical injury, impairment of bodily function or disfigurement or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior and which emotional damage is diagnosed by a medical doctor or psychologist and is caused by the acts or omissions of an individual who has the care, custody and control of a child. Additionally, *abuse* includes inflicting or allowing sexual abuse, sexual conduct with a minor, sexual assault, molestation of a child, commercial sexual exploitation of a minor, incest or child sex trafficking. It also includes any physical injury that results from allowing a child to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purpose of manufacturing a dangerous drug and unreasonable confinement of a child ([A.R.S. § 8-201](#)).

DCS is required to operate and maintain a centralized intake hotline to protect children by receiving, at all times, communications concerning suspected abuse or neglect. The hotline is the first step in the safety assessment and investigation process. A hotline worker is required to prepare a DCS report if the identity or current location of the child victim, the child's family or the person suspected of abuse and neglect is known or can be reasonably ascertained and all outlined criteria are met. A DCS report must include, if available, all of the following:

- 1) the name, address or contact information for the person making the communication;
- 2) the name, address and other location or contact information for the parent, guardian or custodian of the child or other adult member of the child's household who is suspected of committing the abuse or neglect;
- 3) the name, address and other location or contact information for the child;
- 4) the nature and extent of the indications of the child's abuse or neglect, including any indication of physical injury; and
- 5) any information regarding possible prior abuse or neglect, including reference to any communication or DCS report involving the child, the child's siblings or the person suspected of committing the abuse or neglect ([A.R.S. § 8-455](#)).

**Provisions**

1. Modifies the definition of *abuse* to include physical injury or serious emotional damage of a child caused by an employee of a child welfare agency where a child is placed that is licensed by and contracted with DCS. (Sec. 1)
2. Requires a DCS hotline worker to prepare a report if the identity of the person who is suspected of abuse is an employee of a child welfare agency and both of the following apply:
  - a) the child victim is placed with the agency; and
  - b) the agency is licensed by and contracted with DCS. (Sec. 2)
3. Requires a DCS report to include the name, address and other location or contact information of an employee of a child welfare agency who is suspected of committing abuse if both of the following apply:
  - a) the child victim is placed with the agency; and
  - b) the agency is licensed by and contracted with DCS. (Sec. 2)
4. Requires an investigator, after receiving a DCS report from the centralized intake hotline, to make a prompt and thorough investigation that evaluates and determines the nature, extent, and cause of any condition created by an employee of a child welfare agency where the child is placed that is licensed by and contracted with DCS. (Sec. 3)
5. Requires a child safety worker on initial contact of a child welfare agency employee who is under investigation to inform them of their rights. (Sec. 4)
6. Requires an administrative law judge to determine if probable cause exists to sustain DCS's findings that the employee of a child welfare agency where the child was placed at the time abused the child. (Sec. 5)
7. Makes technical and conforming changes. (Sec. 1-5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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