

REFERENCE TITLE: DCS; vaccinations; child placement

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2257

Introduced by
Representatives Fink; Keshel

AN ACT

AMENDING SECTION 8-514, ARIZONA REVISED STATUTES; 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, Arizona Revised Statutes, is amended to
3 read:

4 8-514. Placement in foster homes

5 A. Subject to the provisions of section 8-514.01, the division or a
6 licensed child welfare agency if so authorized in its license may place a
7 child in a licensed foster home for care or for adoption. Notwithstanding
8 any law to the contrary, the division or a licensed child welfare agency
9 may place a child in excess of the number of children allowed and
10 identified in a foster parent's license if the division or agency
11 reasonably believes the foster home has the ability to safely handle
12 additional children, there are no outstanding concerns, deficiencies,
13 reports or investigations known by the division regarding the foster home,
14 and the child meets any of the following criteria:

15 1. The child is part of a sibling group that currently resides in
16 the foster home.

17 2. The child is part of a sibling group that is being considered
18 for placement in a foster home but because of the maximum child limit
19 would otherwise have to be separated.

20 3. The child previously resided in the foster home.

21 4. The child is a kinship placement for the foster home.

22 B. The department shall place a child in the least restrictive type
23 of placement available, consistent with the best interests of the child.
24 The order for placement preference is as follows:

25 1. With a parent.

26 2. With a grandparent.

27 3. In kinship care with another member of the child's extended
28 family, including a person who has a significant relationship with the
29 child. A foster parent or kinship caregiver with whom a child under three
30 years of age has resided for nine months or more is presumed to be a
31 person who has a significant relationship with the child.

32 4. In licensed family foster care.

33 5. In therapeutic foster care.

34 6. In a group home.

35 7. In a residential treatment facility.

36 C. Notwithstanding subsection B of this section, the order for
37 placement preference of a Native American child is as follows:

38 1. With a member of the child's extended family.

39 2. In a licensed family foster home approved or specified by the
40 child's tribe.

41 3. In an Indian foster home licensed or approved by an authorized
42 non-Indian licensing authority.

43 4. In an institution approved by the Indian tribe or operated by an
44 Indian organization that has a program suitable to meet the Indian child's
45 needs pursuant to 25 United States Code chapter 21.

1 D. At the time of placement there shall be presented to the foster
2 parents, by the agency or division placing the child, a written summary of
3 known, unprivileged information regarding the child, including the
4 following:

- 5 1. Demographic information.
- 6 2. Type of custody and previous placement.
- 7 3. Pertinent family information including but not limited to the
8 names of family members who, by court order, may not visit the child.
- 9 4. Known or available medical history including but not limited to:
10 (a) Allergies.
11 (b) Immunizations.
12 (c) Childhood diseases.
13 (d) Physical disabilities.
14 (e) Other idiosyncrasies.
15 (f) The child's last doctor, if known.
- 16 5. A summary of the child's history of adjudication on acts of
17 delinquency, as may be public record and available in the file of the
18 clerk of the superior court.

19 E. The responsibility of the agency or the division for a child
20 placed in a foster home shall be defined in writing and accepted by the
21 person receiving the child. The agency or division shall make available
22 to the foster parents a method of acquiring emergency information that may
23 be necessary to deal with situations that may arise pursuant to their
24 responsibilities as foster parents.

25 F. Every foster home shall maintain a record of the children
26 received, which shall include facts in regard to the children and their
27 care and shall be in the form and kept in the manner prescribed by the
28 division.

29 G. In addition to any other relevant factors, the department shall
30 consider the following in determining whether a placement is in the best
31 interests of the child:

- 32 1. The caregiver is interested in providing permanence for the
33 child if reunification efforts ultimately fail.
- 34 2. The expressed wishes of the birth parent and child, if
35 applicable, unless the wishes are contrary to law.
- 36 3. The relationship of the caregiver with the child and the child's
37 family.
- 38 4. The proximity of the placement home to the parents' home and the
39 child's current school or school district.
- 40 5. The strengths and parenting style of the caregiver in relation
41 to the child's behavior and needs.
- 42 6. The caregiver's willingness to communicate and interact with the
43 birth family to support visitation and the reunification process.

1 7. The caregiver's ability and willingness to accept placement of
2 the child and all or any of the child's siblings.

3 8. If any sibling will be placed separately, the caregiver's
4 ability and willingness to provide or assist in maintaining frequent
5 visitation or other ongoing contact between the child and the child's
6 sibling.

7 9. The child's fit with the family with regard to age, gender and
8 sibling relationships.

9 10. If the child has chronic behavioral health needs:

10 (a) Whether the child's behavior will place other children in the
11 home at risk.

12 (b) The caregiver's ability to provide the necessary level of
13 supervision to prevent harm to the child or others by the child.

14 11. Whether placement in the home would comply with the placement
15 preferences prescribed by 25 United States Code section 1915, if
16 applicable.

17 H. Within thirty days after a dependent child who is at least eight
18 years of age is placed in out-of-home care, unless otherwise recommended
19 by a doctor or therapist, the department shall ensure that the child
20 receives age-appropriate and developmentally appropriate materials and
21 resources about sexual abuse, child sex trafficking and exploitation. The
22 materials and resources must include a definition of sexual abuse,
23 information about the dangers of online and in-person predators and
24 methods for reporting abuse. The materials and resources may include a
25 twenty-four-hour hotline telephone number.

26 I. THE DEPARTMENT MAY NOT REFUSE TO PLACE A CHILD IN A FOSTER HOME
27 BASED SOLELY ON THE VACCINATION STATUS OF THE CHILD OR THE VACCINATION
28 STATUS OF OTHER CHILDREN OR FOSTER CHILDREN IN THE FOSTER HOME IF THE
29 FOSTER HOME IS LICENSED AND QUALIFIED FOR PLACEMENT OF THE CHILD.