

House Engrossed

group homes; safety; training; rights

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2611

AN ACT

AMENDING SECTIONS 8-529, 8-530.06 AND 8-530.08, ARIZONA REVISED STATUTES;
AMENDING TITLE 8, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 8-530.10; AMENDING TITLE 36, CHAPTER 10, ARTICLE 1, ARIZONA
REVISED STATUTES, BY ADDING SECTION 36-1202; RELATING TO CHILD WELFARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-529, Arizona Revised Statutes, is amended to
3 read:

4 8-529. Children in foster care and kinship foster care;
5 rights

6 A. A child WHO IS in foster care ~~and~~ OR kinship foster care has the
7 following rights:

8 1. To appropriate care and treatment in the least restrictive
9 setting available that can meet the child's needs according to the best
10 judgment of the foster parent.

11 2. To live in a safe, healthy and comfortable placement where the
12 child can receive reasonable protection from harm and appropriate privacy
13 for personal needs and where the child is treated with respect.

14 3. To be placed with a relative when such placement is in the best
15 interest of the child.

16 4. To be placed with or in close proximity to the child's siblings
17 when possible and to visit and have contact with siblings and family
18 members when ~~it~~ THE PLACEMENT, VISITATION OR CONTACT is in the best
19 interest of the child.

20 5. To know why the child is in foster care and what will happen to
21 the child and to the child's family, including siblings, and case plans.

22 6. Whenever possible, to be placed with a foster family that can
23 accommodate the child's communication needs.

24 7. To be disciplined in a manner that is appropriate to the child's
25 level of maturity and not be subjected to physical discipline methods.

26 8. To attend community, school, extracurricular and religious
27 services and activities of the child's choice to the extent that it is
28 appropriate for the child, as planned and discussed with the child's
29 placement worker and caseworker and based on caregiver ability if
30 transportation is available through a responsible party.

31 9. To go to school and receive an education that fits the child's
32 age and individual needs. If remaining in the child's current school is
33 not in the child's best interest, the child has the right to be enrolled
34 in the least restrictive school available.

35 10. To training in personal care, hygiene and grooming.

36 11. To clothing that fits comfortably and is adequate to protect the
37 child against natural elements such as rain, snow, wind, cold and sun.

38 12. To have personal possessions at home and to acquire additional
39 possessions within reasonable limits, as planned and discussed with the
40 child's foster parent, placement worker and caseworker, and based on
41 caregiver ability.

42 13. To personal space, preferably in the child's foster home bedroom
43 for storing clothing and belongings.

44 14. To healthy foods in healthy portions that are appropriate for
45 the child's age.

1 15. To comply with any approved visitation plan, and to have any
2 restrictions explained to the child in a manner and level of details
3 deemed age appropriate by the foster parent in agreement with the
4 caseworker and documented in the child's record.

5 16. If the child is six years of age or older, to receive contact
6 information for the child's caseworker, attorney or advocate and to speak
7 with them in private if necessary.

8 17. To be represented by an attorney in all proceedings initiated
9 pursuant to this title.

10 18. To participate in age appropriate child's service planning and
11 permanency planning meetings and to be given a copy or summary of each
12 service plan and service plan review. The child may request someone to
13 participate on the child's behalf or to support the child in this
14 participation.

15 19. To attend the child's court hearing and speak to the judge.

16 20. To have the child's records and personal information kept
17 private and discussed only when it is about the child's care, except **THAT**
18 the foster parent shall have full access to the records to determine ~~if~~
19 **WHETHER** the child will be successful in the home. During the foster
20 placement, if the foster parent requests to view the record on
21 experiencing problems with the child's adjustment, the full record shall
22 be made available for viewing by the foster parent.

23 21. To receive **IMMEDIATE AND UNBIASED** medical, dental, vision and
24 mental health services and to be informed about diagnoses and treatment
25 options as is developmentally appropriate.

26 22. To be free of unnecessary or excessive medication.

27 23. To receive emotional, mental health or chemical dependency
28 treatment separately from adults who are receiving services, as planned
29 and discussed with the child's placement worker and caseworker, as is
30 financially reasonable for the foster parent.

31 24. To report a violation of personal rights specified in this
32 section without fear of ~~punishment~~, interference, coercion, **INTIMIDATION**
33 or retaliation. ~~; except that an appropriate level of punishment may be~~
34 ~~applied if the child is proven to have maliciously or wrongfully accused~~
35 ~~the foster parent.~~ **A FOSTER PARENT, A KINSHIP CAREGIVER, A FOSTER HOME, A**
36 **GROUP FOSTER HOME, A GROUP HOME OR AN EMPLOYEE, CONTRACTOR OR AGENT OF A**
37 **HOME OR FACILITY WHERE A CHILD WHO IS IN THE CARE OF THE DEPARTMENT IS**
38 **PLACED MAY NOT TAKE, THREATEN OR CAUSE RETALIATORY ACTION AGAINST A CHILD**
39 **BECAUSE THAT CHILD REPORTS A SUSPECTED VIOLATION OF PERSONAL RIGHTS**
40 **PURSUANT TO THIS PARAGRAPH OR PARTICIPATED IN AN INQUIRY OR INVESTIGATION**
41 **OF A VIOLATION OF PERSONAL RIGHTS AND THE CHILD MADE THE REPORT OF A**
42 **VIOLATION OF PERSONAL RIGHTS OR PARTICIPATED IN AN INQUIRY OR**
43 **INVESTIGATION OF A VIOLATION OF PERSONAL RIGHTS IN GOOD FAITH OR WITH A**
44 **REASONABLE BELIEF THAT THE REPORT OF A VIOLATION OF PERSONAL RIGHTS WAS**
45 **TRUE. FOR THE PURPOSES OF THIS PARAGRAPH, "RETALIATORY ACTION":**

1 (a) MEANS AN ACTION OR OMISSION THAT WOULD DETER A REASONABLE CHILD
2 OF SIMILAR AGE AND CIRCUMSTANCES FROM MAKING A REPORT OF A VIOLATION OF
3 PERSONAL RIGHTS PURSUANT TO THIS PARAGRAPH AND THAT MATERIALLY ADVERSELY
4 AFFECTS ANY OF THE FOLLOWING FOR A CHILD:

5 (i) PLACEMENT.

6 (ii) SERVICES.

7 (iii) EDUCATION.

8 (iv) MEDICAL OR BEHAVIORAL HEALTH CARE.

9 (v) PRIVILEGES.

10 (vi) VISITATION OR CONTACT.

11 (vii) ANY OTHER CONDITIONS OF PLACEMENT.

12 (b) INCLUDES:

13 (i) INITIATING, REQUESTING, RECOMMENDING OR CAUSING A DISRUPTION IN
14 PLACEMENT, TRANSFER OR CHANGE IN LEVEL OF CARE OR SUPERVISION, INCLUDING A
15 REFERRAL TO A HIGHER LEVEL OF CARE, WITHOUT DOCUMENTED, NONRETALIATORY
16 JUSTIFICATION.

17 (ii) DENYING, RESTRICTING, DELAYING OR CONDITIONING PRIVILEGES,
18 NORMAL ACTIVITIES, VISITATION OR CONTACT, RECREATION, PARTICIPATION IN
19 EDUCATION, SERVICES OR OPPORTUNITIES TO WHICH THE CHILD IS OTHERWISE
20 ENTITLED.

21 (iii) IMPOSING DISCIPLINARY OR CORRECTIVE ACTION OR MORE RESTRICTIVE
22 CONDITIONS NOT BASED ON CONTEMPORANEOUS DOCUMENTED CONDUCT THAT IS NOT
23 RELATED TO A REPORT OF A VIOLATION OF A CHILD'S PERSONAL RIGHTS.

24 (iv) KNOWINGLY MAKING, CAUSING OR ENCOURAGING ANOTHER PERSON TO MAKE
25 A FALSE, FRAUDULENT OR MATERIALLY MISLEADING STATEMENT, INCIDENT REPORT,
26 ALLEGATION OR RECORD ABOUT THE CHILD TO RELEVANT AUTHORITIES.

27 (v) ALTERING, DESTROYING OR CONCEALING RECORDS OR EVIDENCE THAT IS
28 RELATED TO A REPORT OF A VIOLATION OF A CHILD'S PERSONAL RIGHTS.

29 25. To be informed in writing of the name, address, telephone number
30 and purpose of the Arizona protection and advocacy system for disability
31 assistance.

32 26. TO VOLUNTARILY PARTICIPATE IN ENRICHMENT ACTIVITIES.

33 27. TO BE FREE OF BULLYING OR DISCRIMINATION.

34 ~~26.~~ 28. To understand and have a copy of the rights listed in this
35 section.

36 B. A child WHO IS in foster care or kinship foster care AND who is
37 at least fourteen years of age has the following rights:

38 1. To attend preparation for adult living classes and activities as
39 appropriate to the child's case plan, as is financially reasonable for the
40 foster parent.

41 2. To a transition plan that includes career planning and
42 assistance with enrolling in an educational or vocational job training
43 program.

1 3. To be informed of educational opportunities, including
2 information regarding assistance and funding for postsecondary and
3 vocational education.

4 4. To assistance in obtaining an independent residency when the
5 child is too old to remain in foster care from the child's caseworker,
6 attorney or advocate.

7 5. To request a court hearing for a court to determine ~~if~~ **WHETHER**
8 the child has the capacity to consent to medical care that is directly
9 related to an illness, disease, deformity or other physical malady.

10 6. To receive help with obtaining a driver license, social security
11 number, birth certificate or state identification card and credit reports
12 with assistance in interpreting the reports and resolving inaccuracies in
13 the report. The foster parent shall have discretion to determine ~~if~~
14 **WHETHER** the child is responsible and mature enough to become a licensed
15 driver.

16 7. To receive necessary personal information within thirty days
17 after leaving foster care, including the child's birth certificate,
18 immunization records and information contained in the child's education
19 portfolio and health passport.

20 8. To participate in or reenter extended foster care when the child
21 is at least eighteen and under twenty-one years of age pursuant to section
22 8-521.02.

23 C. The department shall provide information regarding a child's
24 rights pursuant to this section and assistance in understanding and
25 enforcing these rights to each child who enters foster care or kinship
26 foster care or when there is a change in the child's foster care plan.
27 The information shall also include the telephone number and email address
28 of the department, the child's assigned case manager, the department's
29 office of the ombudsman and the ombudsman-citizens aide. A copy of these
30 rights shall be posted in a conspicuous place in all foster ~~care~~ **HOMES** and
31 group **FOSTER** homes.

32 D. If a child who is in foster care or kinship foster care believes
33 that the child's rights under this section have been violated, the child
34 or the child's representative may:

35 1. File a complaint with the department, the department's office of
36 the ombudsman or the ombudsman-citizens aide pursuant to section 41-1376.
37 A formal grievance may be initiated with the ombudsman at any time.

38 2. Notify the juvenile court in the child's ongoing dependency,
39 severance or adoption proceeding, either orally or in writing, that the
40 child's rights are being violated and request appropriate equitable
41 relief. The court shall act on the notification as necessary within ~~its~~
42 **THE COURT'S** discretion to promote the best interest of the child.

43 E. The rights provided in this section do not establish an
44 independent cause of action.

1 Sec. 2. Section 8-530.06, Arizona Revised Statutes, is amended to
2 read:

3 8-530.06. Group foster homes; employees; random drug
4 screening; reporting of results; confirmation;
5 employee termination

6 A. The department shall develop and implement policies and
7 procedures to conduct random quarterly drug screening of employees of a
8 group foster home. The drug screening policies and procedures shall
9 comply with title 23, chapter 2, article 14. A GROUP FOSTER HOME SHALL
10 SUBMIT TO THE DEPARTMENT VERIFICATION OF THE COMPLETION OF THE RANDOM
11 QUARTERLY DRUG SCREENING THAT IS CONDUCTED PURSUANT TO THIS SUBSECTION AND
12 THE RESULTS OF THE SCREENINGS. THE DEPARTMENT SHALL REPORT ALL RESULTS,
13 INCLUDING THE FOLLOWING:

- 14 1. POSITIVE RESULTS.
- 15 2. NEGATIVE RESULTS.
- 16 3. THE REFUSAL OF AN EMPLOYEE TO SUBMIT TO A RANDOM DRUG SCREENING.
- 17 4. ANY INCIDENT OF TAMPERING WITH A DRUG SCREENING SPECIMEN OR
18 RESULT.

19 B. An employee of a group foster home may not have contact with any
20 child living at the group foster home before an initial drug screening.

21 C. The department ~~may~~ SHALL conduct ~~random~~ drug screening of any
22 group foster home employee if the employee is involved in an accident or
23 incident in which a child ~~that~~ WHO lives at the group foster home is
24 injured. A group foster home shall submit the results of all ~~random~~ drug
25 screening THAT IS REQUIRED BY THIS SUBSECTION to the department within
26 forty-eight hours after receiving the drug screening results. A GROUP
27 FOSTER HOME SHALL REPORT A POSITIVE DRUG SCREENING RESULT, AN EMPLOYEE'S
28 REFUSAL TO SUBMIT TO A DRUG SCREENING OR THE TAMPERING WITH A DRUG
29 SCREENING SPECIMEN OR RESULT TO THE DEPARTMENT WITHIN FORTY-EIGHT HOURS
30 AFTER RECEIVING THE POSITIVE RESULT OR AFTER THE REFUSAL OR INCIDENT OF
31 TAMPERING.

32 D. ON RECEIVING AN EMPLOYEE'S POSITIVE DRUG SCREENING RESULT OR
33 NONNEGATIVE DRUG SCREENING RESULT, ON AN EMPLOYEE'S REFUSAL TO SUBMIT TO A
34 DRUG SCREENING OR ON AN INCIDENT OF TAMPERING WITH A DRUG SCREENING
35 SPECIMEN OR DRUG SCREENING RESULT, A GROUP FOSTER HOME SHALL IMMEDIATELY
36 REMOVE THAT EMPLOYEE FROM ALL CONTACT WITH ANY CHILD WHO IS A RESIDENT AT
37 THE GROUP FOSTER HOME UNTIL ADDITIONAL CONFIRMATORY DRUG SCREENING AND
38 REVIEW OF THE ADDITIONAL CONFIRMATORY DRUG SCREENING BY A MEDICAL
39 PROFESSIONAL OCCURS. IF THE CONFIRMATORY TESTING RESULTS IN A POSITIVE
40 RESULT FOR THE PRESENCE OF AN ILLEGAL OR UNAUTHORIZED SUBSTANCE, THE GROUP
41 FOSTER HOME SHALL TERMINATE THE EMPLOYEE FROM EMPLOYMENT WITH THE GROUP
42 FOSTER HOME.

1 Sec. 3. Section 8-530.08, Arizona Revised Statutes, is amended to
2 read:

3 8-530.08. Congregate care; assessment; plans; definitions

4 A. Within thirty days after placing a child in a congregate care
5 setting, the department shall do the following:

6 1. Work with the child, if developmentally appropriate, the child's
7 attorney and the child's family and service team to do both of the
8 following:

9 (a) Establish a plan to place ~~a~~ THE child in an appropriate
10 family-like setting. The plan shall be specific to the child and, if
11 applicable, the child's siblings and the child's minor parent or parents.
12 The plan shall include steps to identify and recruit an appropriate
13 family-like setting for the child. In developing the plan, the department
14 shall identify and consider the placement preferences of the child.

15 (b) As part of the plan established pursuant to subdivision (a) of
16 this paragraph, develop a child-specific congregate care implementation
17 plan to ensure that the child's needs are appropriately met while the
18 child is placed in a congregate care setting.

19 2. Conduct an on-site visit of a group home within forty-eight
20 hours after placing a medically complex child in a group home to ensure
21 that all staff members who will have contact or care responsibilities for
22 a medically complex child have proper training.

23 3. Document both of the following in the child's case plan:

24 (a) The plan for placement of ~~a~~ THE child in an appropriate
25 family-like setting and the child-specific congregate care implementation
26 plan pursuant to paragraph 1, ~~subdivisions (a) and (b)~~ of this subsection.

27 (b) The results and findings of the group home on-site ~~survey~~
28 VISIT, if applicable, pursuant to paragraph 2 of this subsection.

29 B. For the purpose of this section:

30 1. "Family and service team" includes any of the following:

31 (a) Coaches.

32 (b) Court appointed special advocates.

33 (c) Department employees.

34 (d) Former foster caregivers.

35 (e) Mentors.

36 (f) Teachers.

37 (g) A DESIGNATED ADVOCATE.

38 ~~(g)~~ (h) Any other individuals who have knowledge of the child.

39 2. "Medically complex child" means a child who the department has
40 determined has or is at risk for a chronic physical or developmental
41 condition and who requires health-related services beyond the
42 health-related services that are required by a child in general.

1 Sec. 4. Title 8, chapter 4, article 4, Arizona Revised Statutes, is
2 amended by adding section 8-530.10, to read:

3 8-530.10. Group foster homes; safety; employee screening;
4 rules; policies; procedures

5 THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT RULES, POLICIES AND
6 PROCEDURES IN GROUP FOSTER HOMES THAT DO ALL OF THE FOLLOWING:

7 1. REQUIRE COMPREHENSIVE BACKGROUND CHECKS THAT INCLUDE A COMPLETE
8 CRIMINAL HISTORY CHECK, SUBSTANCE USE SCREENING AND VERIFICATION OF
9 REFERENCES FOR ALL GROUP FOSTER HOME EMPLOYEES.

10 2. REQUIRE MANDATORY TRAINING IN TRAUMA-INFORMED CARE, MENTAL
11 HEALTH CRISIS MANAGEMENT AND FIRST AID FOR ALL GROUP FOSTER HOME
12 EMPLOYEES.

13 3. PROHIBIT GROUP FOSTER HOME EMPLOYEES FROM USING PERSONAL CELL
14 PHONES WHILE THE EMPLOYEE IS AT THE GROUP FOSTER HOME.

15 4. ESTABLISH MECHANISMS FOR REPORTING STAFF MISCONDUCT OR NEGLECT.

16 5. REQUIRE THE GROUP FOSTER HOME TO DOCUMENT AND VERIFY THAT A
17 CHILD WHO IS LIVING IN A GROUP FOSTER HOME ATTENDS MEDICAL AND MENTAL
18 HEALTH CARE APPOINTMENTS.

19 6. ESTABLISH REPORTING AND FOLLOW-UP POLICIES TO PREVENT MEDICAL
20 NEGLECT AND ENSURE THE CONTINUITY OF CARE FOR A CHILD WHO IS LIVING IN A
21 GROUP FOSTER HOME.

22 Sec. 5. Title 36, chapter 10, article 1, Arizona Revised Statutes,
23 is amended by adding section 36-1202, to read:

24 36-1202. Juvenile group homes; resident safety; policies;
25 rules; procedures; definitions

26 A. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT RULES, POLICIES AND
27 PROCEDURES FOR GROUP HOMES THAT DO ALL OF THE FOLLOWING:

28 1. REQUIRE MINIMUM SECURITY STANDARDS FOR GROUP HOMES THAT INCLUDE
29 ALL OF THE FOLLOWING:

30 (a) SECURE ENTRY AND EXIT.

31 (b) FUNCTIONAL LOCKS.

32 (c) MONITORED COMMON AREAS.

33 2. ESTABLISH TRAUMA-INFORMED SAFETY PROTOCOLS THAT PREVENT GROOMING
34 AND EXPLOITATION OF AND UNAUTHORIZED EXITS BY THE RESIDENTS.

35 3. ALLOW UNANNOUNCED INSPECTIONS AND INDEPENDENT AUDITS BY THE
36 GROUP HOME'S LICENSING AUTHORITY.

37 4. ESTABLISH TECHNOLOGY POLICIES THAT LIMIT OR MONITOR TELEPHONE
38 USE BY RESIDENTS AND THAT PROVIDE APPROPRIATE SECURITY THROUGH THE USE OF
39 APPLICATIONS AND TECHNOLOGY.

40 5. PROHIBIT GROUP HOME EMPLOYEES FROM SHARING RESIDENTS PERSONAL
41 INFORMATION OR SCHEDULES.

1 B. FOR THE PURPOSES OF THIS SECTION, "GROUP HOME", "LICENSING
2 AUTHORITY" AND "RESIDENT" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION
3 32-1201.

4 Sec. 6. Short title

5 This act may be cited as the "Youth Safety, Rights and Mental Health
6 Protection Act".