

REFERENCE TITLE: group homes; safety; training; rights

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

HB 2611

Introduced by
Representative Blackman

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 or retaliation,
33 except that an appropriate level of punishment may be applied if the child
34 is proven to have maliciously or wrongfully accused the foster parent.

35 25. To be informed in writing of the name, address, telephone number
36 and purpose of the Arizona protection and advocacy system for disability
37 assistance.

38 **26. TO VOLUNTARILY PARTICIPATE IN ENRICHMENT ACTIVITIES.**

39 **27. TO BE FREE OF BULLYING OR DISCRIMINATION.**

40 ~~26.~~ **28.** To understand and have a copy of the rights listed in this
41 section.

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

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

4 2. To a transition plan that includes career planning and
5 assistance with enrolling in an educational or vocational job training
6 program.

7 3. To be informed of educational opportunities, including
8 information regarding assistance and funding for postsecondary and
9 vocational education.

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

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

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

22 7. To receive necessary personal information within thirty days
23 after leaving foster care, including the child's birth certificate,
24 immunization records and information contained in the child's education
25 portfolio and health passport.

26 8. To participate in or reenter extended foster care when the child
27 is at least eighteen and under twenty-one years of age pursuant to section
28 8-521.02.

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

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

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

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

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

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

10 8-530.06. Group foster homes: employees: random drug
11 screening

12 A. The department shall develop and implement policies and
13 procedures to conduct random quarterly drug screening of employees of a
14 group foster home. The drug screening policies and procedures shall
15 comply with title 23, chapter 2, article 14.

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

18 C. The department may conduct random drug screening of any group
19 foster home employee if the employee is involved in an accident or
20 incident in which a child ~~that~~ ~~WHO~~ lives at the group foster home is
21 injured. A group foster home shall submit the results of all random drug
22 screening to the department within forty-eight hours after receiving the
23 drug screening results.

24 D. THE DEPARTMENT SHALL TERMINATE A GROUP FOSTER HOME EMPLOYEE WHO
25 RECEIVES A POSITIVE DRUG SCREENING RESULT FROM EMPLOYMENT WITH THE GROUP
26 FOSTER HOME.

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

29 8-530.08. Congregate care; assessment; plans; definitions

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

32 1. Work with the child, if developmentally appropriate, the child's
33 attorney and the child's family and service team to do both of the
34 following:

35 (a) Establish a plan to place ~~a~~ ~~THE~~ child in an appropriate
36 family-like setting. The plan shall be specific to the child and, if
37 applicable, the child's siblings and the child's minor parent or parents.
38 The plan shall include steps to identify and recruit an appropriate
39 family-like setting for the child. In developing the plan, the department
40 shall identify and consider the placement preferences of the child.

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

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

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

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

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

B. For the purpose of this section:

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

(a) Coaches.

(b) Court appointed special advocates.

(c) Department employees.

(d) Former foster caregivers.

(e) Mentors.

(f) Teachers.

(g) A DESIGNATED ADVOCATE.

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

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

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

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

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

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

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

3. PROHIBIT GROUP FOSTER HOME EMPLOYEES FROM CARRYING WEAPONS OR USING PERSONAL CELL PHONES WHILE THE EMPLOYEE IS AT THE GROUP FOSTER HOME.

4. ESTABLISH MECHANISMS FOR REPORTING STAFF MISCONDUCT OR NEGLECT.

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

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

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

3 36-1202. Juvenile group homes; resident safety; policies;
4 rules; procedures

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

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

9 (a) SECURE ENTRY AND EXIT.

10 (b) FUNCTIONAL LOCKS.

11 (c) MONITORED COMMON AREAS.

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

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

16 4. ESTABLISH TECHNOLOGY POLICIES THAT LIMIT OR MONITOR TELEPHONE
17 USE BY RESIDENTS AND THAT PROVIDE APPROPRIATE SECURITY THROUGH THE USE OF
18 APPLICATIONS AND TECHNOLOGY.

19 5. PROHIBIT GROUP HOME EMPLOYEES FROM SHARING RESIDENTS PERSONAL
20 INFORMATION OR SCHEDULES.

21 B. FOR THE PURPOSES OF THIS SECTION, "GROUP HOME", "LICENSING
22 AUTHORITY" AND "RESIDENT" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION
23 32-1201.

24 Sec. 6. Short title

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