

REFERENCE TITLE: DCS; independent oversight committee; sunset

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

HB 2860

Introduced by
Representative Blackman

AN ACT

AMENDING TITLE 8, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 7; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3036.01; APPROPRIATING MONIES; RELATING TO THE DEPARTMENT OF CHILD SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 8, Arizona Revised Statutes, is amended by adding
3 chapter 7, to read:

4 CHAPTER 7. INDEPENDENT OVERSIGHT COMMITTEE

5 ARTICLE 1. GENERAL PROVISIONS

6 8-931. Definitions

7 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 1. "COMMITTEE" MEANS THE INDEPENDENT OVERSIGHT COMMITTEE ON THE
9 DEPARTMENT OF CHILD SAFETY.

10 2. "DEPARTMENT" MEANS THE DEPARTMENT OF CHILD SAFETY.

11 8-932. Independent oversight committee on the department of
12 child safety; duties; confidentiality; penalties;
13 violation; classification; definitions

14 A. THE INDEPENDENT OVERSIGHT COMMITTEE ON THE DEPARTMENT OF CHILD
15 SAFETY IS ESTABLISHED CONSISTING OF THE FOLLOWING MEMBERS:

16 1. TWO MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF
17 THE SENATE AND WHO ARE MEMBERS OF DIFFERENT POLITICAL PARTIES.

18 2. TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
19 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND WHO ARE MEMBERS OF
20 DIFFERENT POLITICAL PARTIES.

21 3. TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR AND WHO HAVE
22 DEMONSTRATED EXPERIENCE IN CHILD WELFARE ADMINISTRATION, AUDITING,
23 INVESTIGATIONS, SYSTEMS IMPROVEMENT OR PERFORMANCE MANAGEMENT.

24 4. ONE MEMBER WHO IS APPOINTED BY THE ATTORNEY GENERAL.

25 5. ONE MEMBER WHO IS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME
26 COURT AND WHO HAS EXPERIENCE IN JUVENILE LAW, DEPENDENCY OR COURT
27 ADMINISTRATION.

28 6. ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR AND WHO IS A
29 PHYSICIAN LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17.

30 7. ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR, WHO IS A MENTAL
31 HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 33 AND
32 WHO HAS EXPERIENCE IN TRAUMA-INFORMED CARE AND CHILD WELFARE.

33 8. ONE MEMBER WHO REPRESENTS A FEDERALLY RECOGNIZED INDIAN TRIBE IN
34 THIS STATE AND WHO IS APPOINTED THROUGH TRIBAL CONSULTATION THAT IS
35 FACILITATED BY AN ORGANIZATION THAT REPRESENTS TRIBES IN THIS STATE. IF A
36 MEMBER IS NOT APPOINTED WITHIN SIXTY DAYS AFTER A REQUEST FOR AN
37 APPOINTMENT, A MEMBER SHALL BE APPOINTED BY THE GOVERNOR.

38 9. ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR AND WHO REPRESENTS
39 FOSTER PARENTS.

40 10. ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR, WHO HAS EXPERIENCE
41 IN THE CHILD WELFARE SYSTEM AND WHO MAY BE A PREVIOUS CHILD WHO WAS IN THE
42 CARE AND CUSTODY OF THE DEPARTMENT.

1 11. ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR AND WHO REPRESENTS
2 A COUNTY ATTORNEY'S OFFICE, A LAW ENFORCEMENT AGENCY OR A CHILD
3 MALTREATMENT INVESTIGATIVE UNIT AND WHO HAS EXPERIENCE WITH THE CHILD
4 WELFARE SYSTEM.

5 12. ONE MEMBER WHO IS APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME
6 COURT OR A DESIGNEE OF THE CHIEF JUSTICE AND WHO REPRESENTS A
7 COURT-APPOINTED SPECIAL ADVOCATE ORGANIZATION OR VOLUNTEER ADVOCATE
8 PROGRAM.

9 B. THE MEMBERS OF THE COMMITTEE SHALL ANNUALLY SELECT A
10 CHAIRPERSON. THE CHAIRPERSON MAY NOT BE A CURRENT EMPLOYEE OF THE
11 DEPARTMENT. ANY MEMBER OF THE COMMITTEE WHO IS A CURRENT EMPLOYEE OF THE
12 DEPARTMENT OR WHO IS A VENDOR WITH DIRECT RESPONSIBILITY FOR DEPARTMENT
13 BUSINESS MAY NOT BE A VOTING MEMBER. COMMITTEE MEMBERS SHALL SERVE
14 THREE-YEAR TERMS. MEMBERS MAY BE REAPPOINTED FOR ONE SUBSEQUENT FULL
15 TERM.

16 C. A MEMBER MAY BE REMOVED BY THE MEMBER'S APPOINTING AUTHORITY FOR
17 ANY OF THE FOLLOWING:

- 18 1. NEGLIGENCE OF DUTY.
- 19 2. MISCONDUCT.
- 20 3. INABILITY TO COMPLETE MEMBERSHIP OBLIGATIONS.
- 21 4. UNEXCUSED ABSENCES FROM THREE CONSECUTIVE COMMITTEE MEETINGS.

22 D. COMMITTEE MEMBERS SERVE WITHOUT COMPENSATION EXCEPT FOR
23 REASONABLE TRAVEL EXPENSES. REIMBURSEMENT PURSUANT TO THIS SUBSECTION
24 SHALL BE MADE FROM MONIES THAT ARE APPROPRIATED TO THE INDEPENDENT
25 OVERSIGHT COMMITTEE ON THE DEPARTMENT OF CHILD SAFETY FUND ESTABLISHED BY
26 SECTION 8-933.

27 E. THE COMMITTEE SHALL EMPLOY AN EXECUTIVE DIRECTOR WHO SERVES AT
28 THE PLEASURE OF THE COMMITTEE. THE EXECUTIVE DIRECTOR MAY NOT BE AN
29 EMPLOYEE OF THE DEPARTMENT. THE EXECUTIVE DIRECTOR MAY EMPLOY EXPERTS AND
30 ADMINISTRATIVE STAFF AND MAY CONTRACT WITH EXPERTS.

31 F. COMMITTEE MEMBERS SHALL DISCLOSE ALL ACTUAL AND POTENTIAL
32 CONFLICTS OF INTEREST AND SHALL RECUSE THEMSELVES FROM ANY MATTER THE
33 COMMITTEE IS CONSIDERING IN WHICH A MEMBER HAS A CONFLICT OF INTEREST OR
34 MAY HAVE A CONFLICT OF INTEREST.

35 G. THE COMMITTEE SHALL MEET AT LEAST MONTHLY. A MAJORITY OF THE
36 MEMBERS CONSTITUTES A QUORUM FOR THE TRANSACTION OF BUSINESS. THE
37 COMMITTEE IS SUBJECT TO TITLE 38, CHAPTER 3, ARTICLE 3.1 EXCEPT THAT
38 COMMITTEE MEMBERS SHALL MEET IN EXECUTIVE SESSION WHEN DISCUSSING
39 PROTECTED INFORMATION. RECORDS RECEIVED BY THE COMMITTEE THAT CONTAIN
40 PROTECTED INFORMATION ARE CONSIDERED CONFIDENTIAL AND ARE NOT SUBJECT TO
41 TITLE 39, CHAPTER 1, ARTICLE 2 EXCEPT IN DE-IDENTIFIED AND AGGREGATE FORM
42 THAT IS CONSISTENT WITH APPLICABLE STATE AND FEDERAL LAW. THE COMMITTEE
43 SHALL ADOPT WRITTEN PROCEDURES FOR ALL OF THE FOLLOWING:

- 44 1. SECURE HANDLING, STORAGE AND TRANSMISSION OF PROTECTED
45 INFORMATION.

1 2. TRAINING FOR COMMITTEE MEMBERS AND STAFF REGARDING
2 CONFIDENTIALITY REQUIREMENTS.

3 3. DE-IDENTIFICATION STANDARDS FOR PUBLIC REPORTING.

4 4. RECEIVING, TRIAGING AND RESPONDING TO COMPLAINTS AND
5 WHISTLEBLOWER COMMUNICATION.

6 H. THE COMMITTEE IS INDEPENDENT FROM THE DEPARTMENT FOR PURPOSES OF
7 OVERSIGHT, CRITICAL INCIDENT REVIEW, COMPLAINT TREND ANALYSIS AND
8 PERFORMANCE EVALUATION. THE COMMITTEE SHALL DO ALL OF THE FOLLOWING:

9 1. REVIEW AND ANALYZE THE DEPARTMENT'S PERFORMANCE MEASURES,
10 INCLUDING ALL OF THE FOLLOWING:

- 11 (a) CHILD SAFETY OUTCOMES.
- 12 (b) THE RECURRENCE OF MALTREATMENT.
- 13 (c) DEPARTMENT RESPONSE TIMES TO CHILD WELFARE ALLEGATIONS.
- 14 (d) CHILD PLACEMENT STABILITY.
- 15 (e) TIMELINES FOR PERMANENCY PLACEMENT.
- 16 (f) INCIDENTS OF RUNAWAY CHILDREN WHO ARE IN THE CARE OF THE
17 DEPARTMENT.

- 18 (g) THE USE OF CONGREGATE CARE.
- 19 (h) RATES OF REENTRY.
- 20 (i) ANY OTHER INDICATORS THAT ARE IDENTIFIED BY THE COMMITTEE.
- 21 2. REVIEW DEPARTMENT POLICIES AND PRACTICES RELATED TO ALL OF THE
22 FOLLOWING:

- 23 (a) HOTLINE SCREENING.
- 24 (b) INVESTIGATIONS.
- 25 (c) SAFETY PLANNING.
- 26 (d) REMOVAL OF A CHILD FROM THE CHILD'S HOME.
- 27 (e) REUNIFICATION OF A CHILD WITH THE CHILD'S PARENT OR GUARDIAN.
- 28 (f) GUARDIANSHIP.
- 29 (g) ADOPTION.
- 30 (h) CARE OF A CHILD AFTER THE CHILD LEAVES THE CUSTODY OF THE
31 DEPARTMENT.

32 3. REVIEW DEPARTMENT STAFFING LEVELS, CASELOAD RATIOS, VACANCIES,
33 TRAINING, RETENTION, WORKER SAFETY AND SUPERVISION PRACTICES.

34 4. REVIEW VENDOR PERFORMANCE, VENDOR CONTRACT COMPLIANCE, INCIDENT
35 REPORTING, SERVICE AVAILABILITY AND BILLING INTEGRITY.

36 5. CONDUCT SYSTEMIC REVIEWS THAT ARE FOCUSED ON HIGH-RISK AREAS,
37 INCLUDING RURAL AND TRIBAL ACCESS, MULTIDISCIPLINARY COORDINATION AND
38 TIMELINESS OF COURT-REQUIRED ACTION.

39 6. REVIEW CRITICAL INCIDENTS AND PATTERNS OF CRITICAL INCIDENTS,
40 INCLUDING ROOT CAUSE ANALYSIS AND SYSTEMIC CONTRIBUTING FACTORS.

41 7. EVALUATE COMPLIANCE WITH APPLICABLE STATE AND FEDERAL
42 REQUIREMENTS, INCLUDING CONFIDENTIALITY, DUE PROCESS REQUIREMENTS AND
43 CHILD WELFARE MANDATES.

44 8. MAINTAIN A COMPLIANT INTAKE PROCESS AND EVALUATE TRENDS TO
45 IDENTIFY SYSTEMIC ISSUES.

1 9. ISSUE WRITTEN FINDINGS AND RECOMMENDATIONS AND TRACK CORRECTIVE
2 ACTION IMPLEMENTATION.

3 I. THE COMMITTEE MAY DO ANY OF THE FOLLOWING:

4 1. REQUEST BRIEFINGS FROM THE DEPARTMENT AND VENDORS.

5 2. CONDUCT SITE VISITS, INCLUDING VISITS OF REGIONAL DEPARTMENT
6 OFFICES AND CONTRACTED FACILITIES, AND PROGRAM REVIEWS.

7 3. CONVENE EXPERT PANELS AND CONSULT WITH MEDICAL, BEHAVIORAL
8 HEALTH AND CHILD WELFARE SPECIALISTS.

9 4. REQUEST INDEPENDENT AUDITS OR EVALUATIONS.

10 5. ENTER INTO CONTRACTS FOR ANY SERVICES THAT ARE NECESSARY TO
11 COMPLETE COMMITTEE BUSINESS.

12 6. IF THE COMMITTEE IDENTIFIES AN IMMINENT SYSTEMIC RISK THAT
13 PRESENTS A SUBSTANTIAL RISK TO CHILD SAFETY, THE COMMITTEE MAY ISSUE AN
14 URGENT NOTIFICATION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE
15 SPEAKER OF THE HOUSE OF REPRESENTATIVES IN A MANNER THAT PROTECTS THE
16 CONFIDENTIALITY OF THE DEPARTMENT INFORMATION THAT IDENTIFIED THE
17 SUBSTANTIAL THREAT.

18 7. COORDINATE WITH APPROPRIATE LAW ENFORCEMENT AGENCIES, TRIBAL
19 GOVERNMENTS, LICENSING AGENCIES AND CHILD FATALITY OR MULTIDISCIPLINARY
20 REVIEW ENTITIES TO REDUCE DUPLICATION.

21 8. ENTER INTO MEMORANDUMS OF UNDERSTANDING WITH APPROPRIATE
22 AGENCIES TO FACILITATE THE SHARING OF CONFIDENTIAL INFORMATION.

23 J. IF THE COMMITTEE IDENTIFIES CREDIBLE EVIDENCE OF CRIMINAL
24 CONDUCT, CIVIL RIGHTS VIOLATIONS OR SYSTEMIC VIOLATIONS OF LAW, THE
25 COMMITTEE MAY REFER THE MATTER TO THE APPROPRIATE LAW ENFORCEMENT AGENCY.
26 A REFERRAL PURSUANT TO THIS SUBSECTION MAY INCLUDE A DE-IDENTIFIED SUMMARY
27 OF THE ALLEGATION, IF REQUESTED BY THE RECEIVING LAW ENFORCEMENT AGENCY,
28 AND MAY INCLUDE PROTECTED INFORMATION ONLY TO THE EXTENT ALLOWED BY
29 APPLICABLE STATE OR FEDERAL LAW, SUBJECT TO RULES ADOPTED BY THE
30 COMMITTEE. A REFERRAL TO A FEDERAL LAW ENFORCEMENT AGENCY PURSUANT TO
31 THIS SUBSECTION MAY BE MADE WITHOUT PRIOR APPROVAL OF THE DEPARTMENT IF
32 THE COMMITTEE REASONABLY BELIEVES THE REFERRAL IS NECESSARY TO PROTECT
33 CHILD SAFETY OR PRESERVE EVIDENCE. THE COMMITTEE MAY ADOPT RULES TO
34 IMPLEMENT PROCEDURES THAT GOVERN REFERRALS PURSUANT TO THIS SUBSECTION.

35 K. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT SHALL PROVIDE
36 COMMITTEE MEMBERS AND STAFF WITH ACCESS TO ALL DEPARTMENT RECORDS, DATA
37 AND INFORMATION THAT ARE NECESSARY TO PERFORM THE COMMITTEE'S DUTIES,
38 INCLUDING PROTECTED INFORMATION, SUBJECT TO THE REQUIREMENTS OF THIS
39 SECTION AND APPLICABLE STATE AND FEDERAL LAW. THE DEPARTMENT SHALL
40 PROVIDE REQUESTED INFORMATION IN DE-IDENTIFIED FORM AND IN A FORMAT THAT
41 IS REASONABLY REQUESTED BY THE COMMITTEE. EACH DEPARTMENT VENDOR SHALL
42 COOPERATE WITH COMMITTEE REQUESTS RELATED TO SERVICES PROVIDED BY THE
43 VENDOR UNDER DEPARTMENT AUTHORITY OR THROUGH A VENDOR CONTRACT WITH THE
44 DEPARTMENT. IF A VENDOR BELIEVES THAT INFORMATION REQUESTED BY THE
45 COMMITTEE MAY NOT BE DISCLOSED, THE DEPARTMENT OR THE VENDOR WITHIN FIVE

BUSINESS DAYS SHALL PROVIDE THE COMMITTEE WITH A WRITTEN EXPLANATION FOR THE DEPARTMENT'S OR VENDOR'S BELIEF THAT THE REQUESTED INFORMATION MAY NOT BE DISCLOSED. THE WRITTEN EXPLANATION SHALL CITE ANY LEGAL AUTHORITY THAT SUPPORTS THE DEPARTMENT'S OR VENDOR'S POSITION. THE DEPARTMENT SHALL PROVIDE BOTH OF THE FOLLOWING:

1. CRITICAL INCIDENT RECORDS AS SOON AS PRACTICABLE BUT NOT LATER THAN SEVENTY-TWO HOURS AFTER THE REQUEST OF THE COMMITTEE.

2. ANY OTHER REQUESTED RECORDS NOT LATER THAN TEN BUSINESS DAYS AFTER THE REQUEST OF THE COMMITTEE. THE COMMITTEE MAY AGREE IN WRITING TO AN EXTENSION FOR GOOD CAUSE.

L. IF THE COMMITTEE DETERMINES THAT THE DEPARTMENT OR A VENDOR HAS NOT PROVIDED ACCESS TO DEPARTMENT INFORMATION IN THE TIME FRAMES REQUIRED BY SUBSECTION K OF THIS SECTION OR HAS FAILED TO COOPERATE IN GOOD FAITH, THE COMMITTEE MAY REFER THE FAILURE TO PROVIDE THE INFORMATION TO THE ATTORNEY GENERAL. THE ATTORNEY GENERAL SHALL EXPEDITE REFERRALS FROM THE COMMITTEE PURSUANT TO THIS SUBSECTION. THE COMMITTEE MAY BE AWARDED ATTORNEY FEES AND COSTS RELATED TO ENFORCEMENT EFFORTS TAKEN PURSUANT TO THIS SUBSECTION. THE ATTORNEY GENERAL MAY:

1. REQUEST COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION THROUGH WRITTEN DEMAND.

2. REQUEST A COURT ORDER THAT COMPELS COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

M. THE COMMITTEE SHALL ESTABLISH A CONFIDENTIAL PROCESS TO RECEIVE COMPLAINTS AND CONCERNS FROM THE PUBLIC AND DEPARTMENT EMPLOYEES. THE CONFIDENTIAL PROCESS SHALL DO ALL OF THE FOLLOWING:

1. DISTINGUISH BETWEEN INDIVIDUAL DEPARTMENT CASE CONCERNS AND OVERALL SYSTEM ISSUES.

2. ALLOW FOR THE REFERRAL OF INDIVIDUAL DEPARTMENT CASE CONCERNS TO THE OFFICE OF OMBUDSMAN-CITIZENS AIDE ESTABLISHED BY SECTION 41-1375, OTHER APPROPRIATE DEPARTMENT UNITS, AN APPROPRIATE LAW ENFORCEMENT AGENCY OR ANY OTHER STATE AGENCY.

3. ENSURE THAT SYSTEMIC PATTERNS IDENTIFIED THROUGH COMPLAINTS THAT ARE RECEIVED BY THE COMMITTEE ARE SELECTED FOR SYSTEMIC REVIEW.

N. A PERSON MAY REPORT INFORMATION TO THE COMMITTEE PURSUANT TO THE PROCESS ESTABLISHED PURSUANT TO SUBSECTION M OF THIS SECTION. THE DEPARTMENT OR A DEPARTMENT VENDOR MAY NOT ENGAGE IN RETALIATION AGAINST A PERSON MAKING A REPORT PURSUANT TO THIS SUBSECTION, REPORTING IN GOOD FAITH TO THE COMMITTEE, PARTICIPATING IN A COMMITTEE REVIEW OR PROVIDING TESTIMONY TO THE COMMITTEE. A PERSON WHO BELIEVES RETALIATION HAS OCCURRED MAY SUBMIT A COMPLAINT REGARDING THE RETALIATION TO THE COMMITTEE. THE COMMITTEE MAY REFER THE RETALIATION COMPLAINT TO AN APPROPRIATE LAW ENFORCEMENT AGENCY FOR INVESTIGATION.

O. A COMMITTEE MEMBER, COMMITTEE EMPLOYEE OR COMMITTEE CONTRACTOR MAY NOT DISCLOSE PROTECTED INFORMATION EXCEPT AS PROVIDED IN THIS SECTION. THE COMMITTEE SHALL PUBLISH COMMITTEE REPORTS ONLY IN DE-IDENTIFIED,

1 AGGREGATE FORM AND SHALL ENSURE THAT INFORMATION IS PROVIDED IN A MANNER
2 THAT IS DESIGNED TO PREVENT THE IDENTIFICATION OF A CHILD OR A FAMILY.
3 COMMITTEE MEMBERS AND STAFF SHALL COMPLETE TRAINING ON CONFIDENTIALITY AND
4 RECORD HANDLING BEFORE ACCESSING PROTECTED INFORMATION.

5 P. DISCLOSURE OF PROTECTED INFORMATION TO A LAW ENFORCEMENT AGENCY
6 PURSUANT TO THIS SECTION IS AN AUTHORIZED DISCLOSURE OF PROTECTED
7 DEPARTMENT INFORMATION IF THE DISCLOSURE IS BOTH OF THE FOLLOWING:

8 1. LIMITED TO THE MINIMUM DISCLOSURE OF PROTECTED INFORMATION THAT
9 IS REQUIRED.

10 2. TRANSMITTED USING SECURE METHODS THAT ARE ESTABLISHED BY THE
11 COMMITTEE.

12 Q. NOT LATER THAN SIXTY DAYS AFTER RECEIVING A WRITTEN REPORT OF
13 FINDINGS AND RECOMMENDATIONS FROM THE COMMITTEE, THE DEPARTMENT SHALL
14 PROVIDE A WRITTEN RESPONSE THAT DOES ALL OF THE FOLLOWING INFORMATION:

15 1. IDENTIFIES EACH RECOMMENDATION THAT IS ACCEPTED, PARTIALLY
16 ACCEPTED OR REJECTED.

17 2. IF A RECOMMENDATION IS REJECTED, PROVIDES THE REASON FOR THE
18 REJECTION.

19 3. IF A RECOMMENDATION IS ACCEPTED OR PARTIALLY ACCEPTED, INCLUDES
20 A CORRECTIVE ACTION PLAN WITH MEASURABLE MILESTONES, TARGET COMPLETION
21 DATES AND WHO WITHIN THE DEPARTMENT IS RESPONSIBLE FOR COMPLETING THE
22 RECOMMENDATION.

23 R. THE DEPARTMENT SHALL PROVIDE QUARTERLY PROGRESS UPDATES ON A
24 FORM PRESCRIBED BY THE COMMITTEE ON EACH CORRECTIVE ACTION PLAN CREATED
25 PURSUANT TO SUBSECTION Q OF THIS SECTION. THE COMMITTEE SHALL TRACK ALL
26 CORRECTIVE ACTION PLANS AND MAY PUBLISH DE-IDENTIFIED PROGRESS SUMMARIES
27 IN A QUARTERLY OR ANNUAL REPORT PURSUANT TO SUBSECTION S OF THIS SECTION.

28 S. THE COMMITTEE SHALL SUBMIT THE FOLLOWING:

29 1. QUARTERLY REPORTS TO THE GOVERNOR, THE PRESIDENT OF THE SENATE,
30 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE CHIEF JUSTICE OF THE
31 SUPREME COURT THAT SUMMARIZE THE COMMITTEE'S OVERSIGHT ACTIVITIES, MAJOR
32 FINDINGS AND CORRECTIVE ACTION PLANS IN DE-IDENTIFIED FORM.

33 2. ON OR BEFORE DECEMBER 1 OF EACH YEAR, A REPORT TO THE GOVERNOR,
34 THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
35 AND THE CHIEF JUSTICE OF THE SUPREME COURT THAT INCLUDES ALL OF THE
36 FOLLOWING:

37 (a) KEY PERFORMANCE INDICATORS AND TRENDS.

38 (b) A SUMMARY OF CRITICAL INCIDENT PATTERN REVIEWS AND SYSTEMIC
39 CONTRIBUTING FACTORS.

40 (c) DEPARTMENT VENDOR PERFORMANCE AND SYSTEMIC SERVICE GAPS.

41 (d) DEPARTMENT STAFFING AND CASELOAD TRENDS.

42 (e) THE STATUS OF DEPARTMENT CORRECTIVE ACTION PLANS.

43 (f) COMMITTEE RECOMMENDATIONS FOR STATUTORY, BUDGETARY AND
44 ADMINISTRATIVE CHANGES.

1 T. SUBJECT TO AVAILABLE RESOURCES AND CONFIDENTIALITY REQUIREMENTS,
2 THE COMMITTEE SHALL DEVELOP AND MAINTAIN A PUBLICLY ACCESSIBLE DASHBOARD
3 OF AGGREGATE, DE-IDENTIFIED CHILD SAFETY PERFORMANCE MEASURES.

4 U. A PERSON WHO KNOWINGLY DISCLOSES PROTECTED INFORMATION IS GUILTY
5 OF A CLASS 1 MISDEMEANOR.

6 V. FOR THE PURPOSE OF THIS SECTION:

7 1. "CRITICAL INCIDENT" MEANS A CHILD DEATH, NEAR DEATH, SERIOUS
8 INJURY, SEXUAL EXPLOITATION OR OTHER EVENT INVOLVING A CHILD WHO IS
9 ALLEGED TO BE THE VICTIM OF ABUSE OR NEGLECT OR WHO IS IN THE CARE OF THE
10 DEPARTMENT.

11 2. "DE-IDENTIFIED" MEANS INFORMATION THAT HAS BEEN DE-IDENTIFIED IN
12 ACCORDANCE WITH 45 CODE OF FEDERAL REGULATIONS SECTION 164.514(b).

13 3. "PROTECTED INFORMATION":

14 (a) MEANS INFORMATION THAT IS MADE CONFIDENTIAL BY STATE LAW,
15 FEDERAL LAW, A COURT ORDER OR RULE.

16 (b) INCLUDES CHILD SAFETY CASE RECORDS, PERSONALLY IDENTIFYING
17 INFORMATION, MEDICAL RECORDS, BEHAVIORAL HEALTH RECORDS, EDUCATIONAL
18 RECORDS AND INFORMATION THAT IS PROTECTED BY THE HEALTH INSURANCE
19 PORTABILITY AND ACCOUNTABILITY ACT (P.L. 104-191) AND THE FAMILY
20 EDUCATIONAL RIGHTS AND PRIVACY ACT (P.L. 93-380).

21 4. "SYSTEMIC REVIEW" MEANS AN EXAMINATION OF POLICIES, PRACTICES,
22 WORKFLOWS, STAFFING, TRAINING, CONTRACTING AND PERFORMANCE MEASURES THAT
23 AFFECT CHILD SAFETY OUTCOMES ACROSS MULTIPLE CASES.

24 5. "VENDOR" MEANS A CONTRACTOR, SUBCONTRACTOR, PROVIDER, PLACEMENT,
25 FACILITY OR ENTITY THAT FURNISHES SERVICES TO THE DEPARTMENT OR TO
26 CHILDREN AND FAMILIES UNDER CONTRACT, AGREEMENT OR AUTHORIZATION OF THE
27 DEPARTMENT.

28 8-933. Independent oversight committee on the department of
29 child safety fund

30 A. THE INDEPENDENT OVERSIGHT COMMITTEE ON THE DEPARTMENT OF CHILD
31 SAFETY FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS,
32 GRANTS, GIFTS AND DONATIONS. THE INDEPENDENT OVERSIGHT COMMITTEE ON THE
33 DEPARTMENT OF CHILD SAFETY SHALL ADMINISTER THE FUND. MONIES IN THE FUND
34 ARE SUBJECT TO LEGISLATIVE APPROPRIATION.

35 B. MONIES IN THE FUND MAY BE USED FOR ANY OF THE FOLLOWING:

36 1. COMMITTEE STAFFING AND OPERATIONS.
37 2. INDEPENDENT AUDITS, EVALUATIONS AND EXPERT CONSULTATIONS.
38 3. SECURE DATA SYSTEMS AND CONFIDENTIALITY COMPLIANCE.
39 4. COMMITTEE TRAVEL AND SITE VISITS THAT ARE REQUIRED FOR COMMITTEE
40 BUSINESS.

41 C. THE COMMITTEE MAY NOT ACCEPT A GRANT, GIFT OR DONATION THAT MAY
42 CREATE A CONFLICT OF INTEREST.

1 Sec. 2. Title 41, chapter 27, article 2, Arizona Revised Statutes,
2 is amended by adding section 41-3036.01, to read:

3 41-3036.01. Independent oversight committee on the department
4 of child safety; termination July 1, 2036

5 A. THE INDEPENDENT OVERSIGHT COMMITTEE ON THE DEPARTMENT OF CHILD
6 SAFETY TERMINATES ON JULY 1, 2036.

7 B. TITLE 8, CHAPTER 7 AND THIS SECTION ARE REPEALED ON JANUARY 1,
8 2037.

9 Sec. 3. Appropriation; independent oversight committee on the
10 department of child safety fund; intent; exemption

11 A. The sum of \$2,200,000 is appropriated from the general fund in
12 fiscal year 2026-2027 to the independent oversight committee on the
13 department of child safety fund established by section 8-933, Arizona
14 Revised Statutes, as added by this act, and is appropriated from the fund
15 to the independent oversight committee on the department of child safety.

16 B. The monies appropriated pursuant to subsection A of this section
17 shall be allocated as follows:

18 1. \$900,000 for personal services, employee-related expenses,
19 committee executive and supporting staff salaries.

20 2. \$600,000 for operating expenses.

21 3. \$300,000 for contracting services, including audits, expert
22 reviews and specialized evaluations.

23 4. \$300,000 for start-up and secure infrastructure costs, hardware
24 and dashboard development.

25 5. \$100,000 for contingency and oversight needs.

26 C. The legislature intends that beginning in fiscal year 2027-2028,
27 and each fiscal year thereafter, the legislature appropriate \$1,800,000 to
28 the independent oversight committee on the department of child safety fund
29 for continued committee operations.

30 D. The appropriation made in subsection A of this section is exempt
31 from the provisions of section 35-190, Arizona Revised Statutes, relating
32 to lapsing of appropriations.

33 Sec. 4. Initial terms of members of the independent oversight
34 committee on the department of child safety

35 A. Notwithstanding section 8-932, Arizona Revised Statutes, as
36 added by this act, the initial terms of members of the independent
37 oversight committee on the department of child safety are:

38 1. Five terms ending January __, 2027.

39 2. Five terms ending January __, 2028.

40 3. Five terms ending January __, 2029.

41 B. The appropriate official shall make all subsequent appointments
42 as prescribed by statute.

1 Sec. 5. Purpose

2 Pursuant to section 41-2955, subsection E, Arizona Revised Statutes,
3 the legislature establishes the independent oversight committee on the
4 department of child safety to improve transparency, strengthen
5 accountability, enhance public confidence and support improvement in the
6 child welfare system.

7 Sec. 6. Severability

8 If a provision of this act or its application to any person or
9 circumstance is held invalid, the invalidity does not affect other
10 provisions or applications of the act that can be given effect without the
11 invalid provision or application, and to this end the provisions of this
12 act are severable.

13 Sec. 7. Legislative findings

14 A. The legislature finds that:

15 1. This state has a compelling interest in protecting children from
16 abuse and neglect and ensuring lawful, timely and effective child welfare
17 interventions.

18 2. Independent oversight improves transparency, strengthens
19 accountability, enhances public confidence and supports continuous
20 improvement in systems that are charged with child protection.

21 3. Oversight must preserve the confidentiality of child and family
22 information while allowing meaningful review of systemic performance and
23 critical incidents.

24 4. Effective oversight requires timely access to records,
25 independent staffing and clear reporting and response obligations.

26 B. The purpose of this act is to establish an independent oversight
27 body to do the following:

28 1. Evaluate the policies, practices and performance of the
29 department of child safety.

30 2. Review critical incidents and systemic risks.

31 3. Receive complaints and whistleblower information.

32 4. Refer credible evidence of criminal or civil violations to
33 appropriate authorities, including federal authorities when applicable.

34 5. Provide regular public reporting and recommendations to improve
35 child safety outcomes and compliance with state and federal law.