

Senate Engrossed

DCS; training; child placement; management

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1821

AN ACT

AMENDING SECTIONS 8-465, 8-509, 8-514.02, 8-514.03 AND 8-802, ARIZONA
REVISED STATUTES; 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. Section 8-465, Arizona Revised Statutes, is amended to
3 read:

4 8-465. Auditor general; department audit team; duties

5 A. The auditor general shall establish an audit team to be located
6 in the department of child safety to provide ongoing performance reviews
7 and analyses.

8 B. Pursuant to an audit plan adopted after review by the joint
9 legislative audit committee, the audit team may:

10 1. Determine the validity and accuracy of information reported by
11 the department to the legislature.

12 2. Perform other reviews and analyses relating to the department.

13 3. Review a specific department function or process.

14 4. REVIEW THE MANAGEMENT OF THE CASE MANAGEMENT SYSTEM, INCLUDING
15 DATA ACCURACY AND SYSTEM ERRORS, THAT IS USED BY THE DEPARTMENT TO TRACK
16 THE PLACEMENT AND LOCATION OF CHILDREN IN THE CARE OF THE DEPARTMENT.

17 C. Pursuant to section 41-1279.04, the department shall provide the
18 auditor general access to any data from the department, including
19 electronic data, that the auditor general deems necessary to perform the
20 duties prescribed in this section. This data shall be provided in the
21 manner and format prescribed by the auditor general.

22 Sec. 2. Section 8-509, Arizona Revised Statutes, is amended to
23 read:

24 8-509. Licensing of foster homes; fingerprint waiver;
25 restricted license; renewal of license; provisional
26 license; exemption from licensure; immunization
27 requirements; administration of medication; policies
28 and procedures; definition

29 A. The department shall license and certify foster homes. Licenses
30 are valid for a period of two years.

31 B. The department shall not issue a license without satisfactory
32 proof that the foster parent or parents have completed six actual hours of
33 approved initial foster parent training as set forth in section 8-503 and
34 that each foster parent and each other adult member of the household has a
35 valid fingerprint clearance card issued pursuant to section 41-1758.07.
36 The foster parent and each other adult member of the household must
37 certify on forms that are provided by the department and that are
38 notarized whether the foster parent or other adult member of the household
39 is awaiting trial on or has ever been convicted of any of the criminal
40 offenses listed in section 41-1758.07, subsections B and C in this state
41 or similar offenses in another state or jurisdiction.

42 C. A kinship foster care parent shall apply for a fingerprint
43 clearance card pursuant to section 41-1758.07. In its discretion and for
44 good cause, the department may waive the requirement for a kinship foster
45 care parent to obtain a fingerprint clearance card. In evaluating whether

1 good cause exists, the department shall apply the criteria prescribed in
2 section 41-1758.07, subsections B and C. If the department waives the
3 requirement, the department shall issue to the kinship foster care parent
4 a restricted license that applies only to the children placed with the
5 kinship foster care parent for kinship foster care.

6 D. The department shall not renew a license without satisfactory
7 proof that the foster parent or parents have completed twelve actual hours
8 of approved ongoing foster parent training during the two-year period of
9 licensure as set forth in section 8-503.

10 E. If the department determines that completing the training
11 required in subsections B and D of this section would be a hardship to the
12 foster parent or parents, the department may issue a provisional license
13 for a period not to exceed six months. A provisional license may not be
14 renewed.

15 F. Child welfare agencies that submit foster homes for licensing
16 shall conduct an investigation of the foster home pursuant to licensing
17 rules of the department. The department shall conduct investigations of
18 all other foster homes. If the foster home meets all requirements set by
19 the department, the agency shall submit an application stating the foster
20 home's qualifications to the department. The agency may also recommend
21 the types of licensing and certification to be granted to the foster home.

22 G. The department shall accept an adoptive home certification study
23 as a licensing home study if the study has been updated within the past
24 three months to include the information necessary to determine whether the
25 home meets foster care licensing standards.

26 H. This section does not apply if the child is placed in a home by
27 a means other than by court order and if the home does not receive
28 compensation from this state or any political subdivision of this state.

29 I. The department may not prohibit a person operating a licensed
30 foster home from applying for or receiving compensation as a foster home
31 parent due to employment with this state.

32 J. The department shall not require a foster parent to immunize the
33 foster parent's natural or adoptive children as a condition of foster home
34 licensure.

35 K. A licensee may modify the renewal date of a license issued
36 pursuant to this section by submitting an application for modification of
37 renewal date with the department on a form prescribed by the department.
38 The licensee must specify the new month of renewal on the application.
39 The modified renewal date must be before, but not more than six months
40 earlier than, the existing renewal date.

41 L. The foster care review board shall review the cases of children
42 placed by the department in foster homes licensed pursuant to this section
43 as required by section 8-515.03.

44 M. If a group foster home is licensed pursuant to this section and
45 will be administering medication to a foster child who will be placed in

1 the group foster home, the group foster home shall develop policies and
2 procedures that identify how the group foster home will manage
3 administering medication to a foster child. The policies and procedures
4 shall include all of the following:

5 1. How the group foster home will provide a foster child with
6 qualified health care on a twenty-four hours a day, seven days a week
7 schedule.

8 2. The group foster home's process for administering medication to
9 a foster child.

10 3. The qualifications of staff members of the group foster home who
11 will be administering medication to a foster child.

12 4. The qualifications of staff members of the group foster home who
13 will be supervising a foster child's self-administration of medication.

14 5. The supervision, process and documentation of a foster child's
15 self-administration of medication.

16 6. The documentation process for ~~the administration of~~
17 **ADMINISTERING** medication, medication errors and drug reactions.

18 7. The documentation and process of notification to a foster
19 child's health care provider of a medication administration error or drug
20 reaction.

21 8. The procedures for contacting law enforcement, a health care
22 provider or a medical professional when a foster child's refusal to take
23 medication prescribed to the foster child endangers the foster child's or
24 ~~another's~~ **ANOTHER PERSON'S** health and safety and the procedures for
25 documenting the foster child's refusal to take medication prescribed to
26 the foster child.

27 N. The department may require a group foster home to employ
28 additional staff when a medically complex child is placed in the care of
29 the group foster home. The department may require a group foster home to
30 modify the group foster home's policies and procedures required by
31 subsection M of this section to accommodate the needs of a medically
32 complex child.

33 **O. THE DEPARTMENT MAY CONDUCT UNANNOUNCED VISITS AND INSPECTIONS OF**
34 **ANY GROUP FOSTER HOME THAT IS LICENSED PURSUANT TO THIS SECTION.**

35 ~~0.~~ **P.** For the purposes of this section, "medically complex child"
36 means a child who the department has determined has or is at risk for a
37 chronic physical or developmental condition and who requires
38 health-related services beyond the health-related services that are
39 required by a child in general.

40 Sec. 3. Section 8-514.02, Arizona Revised Statutes, is amended to
41 read:

42 **8-514.02. Placement of child**

43 A. The department may place a child with a parent, a relative or a
44 person who has a significant relationship with ~~a~~ **THE** child. **THE**
45 **PLACEMENT OF A CHILD WITH A PARENT, A RELATIVE OR A PERSON WHO HAS A**

1 **SIGNIFICANT RELATIONSHIP WITH THE CHILD SHALL BE THE PRIORITY PLACEMENT**
2 **FOR A CHILD.**

3 B. During an emergency situation when a child must be placed, the
4 department shall not place a child with a relative or a person who has a
5 significant relationship with the child unless each adult member of the
6 relative's or person's household consents to both of the following:

7 1. A preliminary state and federal name-based background check.

8 2. Within fifteen calendar days ~~from~~ **AFTER** the date the name-based
9 background check is conducted, the submission of a full set of the
10 person's fingerprints to obtain a state and federal criminal records check
11 pursuant to section 41-1750 and Public Law 92-544. The department of
12 public safety may exchange this fingerprint data with the federal bureau
13 of investigation.

14 C. Except for a placement pursuant to section 8-861, before a child
15 who has been in out-of-home care is placed with a parent, the department
16 shall conduct a background check pursuant to section 41-1750 of all adult
17 household members and all adults who have been identified as having
18 caregiving responsibilities of the child in the home. The results of this
19 background check shall be considered when making a safety assessment of
20 the placement.

21 D. The department shall immediately remove a child from a home if
22 any adult household member fails to provide fingerprints as provided in
23 subsection B of this section. If placement of the child in the home was
24 ordered by the court, the department shall immediately request a change of
25 physical custody from the court.

26 E. Unless approved in writing by the department, the parent, ~~or~~
27 relative **OR PERSON WHO HAS A SIGNIFICANT RELATIONSHIP WITH THE CHILD** shall
28 not allow the child to:

29 1. Be placed with any other person.

30 2. Have any contact with the allegedly abusive or neglectful
31 parent, guardian or custodian or other person designated by the
32 department.

33 3. Leave this state.

34 F. If a child is placed with a parent, ~~or~~ relative **OR PERSON WHO**
35 **HAS A SIGNIFICANT RELATIONSHIP WITH THE CHILD** pursuant to this section,
36 the department shall inform the parent, ~~or~~ relative **OR PERSON WHO HAS A**
37 **SIGNIFICANT RELATIONSHIP WITH THE CHILD** about available financial and
38 nonfinancial services and eligibility requirements and shall assist the
39 parent, ~~or~~ relative **OR PERSON WHO HAS A SIGNIFICANT RELATIONSHIP WITH THE**
40 **CHILD** to complete the necessary applications.

41 Sec. 4. Section 8-514.03, Arizona Revised Statutes, is amended to
42 read:

43 **8-514.03. Kinship foster care; requirements; investigation**

44 A. The department shall establish kinship foster care services for
45 a child who has been removed from the child's home and who is in the

1 custody of the department. The program shall promote the placement of the
2 child with the child's relative or a person with a significant
3 relationship with the child for kinship foster care.

4 B. A kinship foster care parent applicant who is not a licensed
5 foster care parent shall be at least eighteen years of age. The applicant
6 and each member of the applicant's household who is at least eighteen
7 years of age shall submit a full set of fingerprints to the department of
8 child safety for the purpose of obtaining a state and federal criminal
9 records check pursuant to section 41-1750 and Public Law 92-544. The
10 department of public safety may exchange this fingerprint data with the
11 federal bureau of investigation. The department of child safety shall
12 determine if the applicant is able to meet the child's health and safety
13 needs by conducting one or more home visits and interviewing the
14 applicant. The department of child safety may interview other household
15 members, review the applicant's personal and professional references and
16 conduct department of child safety central registry checks.

17 C. If the department determines that a kinship foster care
18 placement is not in the best interest of the child, the department shall
19 provide written notification to the applicant within fifteen business
20 days. The notice shall include the specific reason for denial, the
21 applicant's right to appeal and the process for reviewing the decision.

22 D. A kinship foster care parent may be eligible to receive the
23 following financial services for the child:

24 1. Full foster care benefits, including payment if the kinship
25 foster care parent becomes a licensed foster care home or if the kinship
26 foster care parent obtains a restricted license pursuant to section 8-509,
27 subsection C.

28 2. Temporary assistance for needy families cash assistance payments
29 for a child only case and supplemental financial support.

30 E. The department shall establish procedures for child welfare
31 workers to inform kinship foster care families about available financial
32 and nonfinancial services and eligibility requirements and shall assist
33 the families in completing the necessary application.

34 F. If a family declines to apply for financial services, the family
35 shall sign a statement indicating that the family declined services. The
36 statement does not prevent the family from ~~making application~~ APPLYING FOR
37 FINANCIAL SERVICES in the future. The worker shall provide a copy of the
38 statement to the family.

39 G. The department shall provide nonfinancial services for a kinship
40 foster care parent through existing means or referral. Nonfinancial
41 services may include:

- 42 1. Family assessment.
- 43 2. Case management.
- 44 3. Child day care.
- 45 4. Housing search and relocation.

- 1 5. Parenting skills training.
- 2 6. Supportive intervention and guidance counseling.
- 3 7. Transportation.
- 4 8. Emergency services.
- 5 9. Parent aid services.
- 6 10. Respite services.
- 7 11. Additional services that the department determines are
- 8 necessary to meet the needs of the child and family.

9 H. THE DEPARTMENT MAY CONDUCT UNANNOUNCED VISITS AND INSPECTIONS OF
10 A HOME WHERE A CHILD WHO IS IN THE CARE AND CUSTODY OF THE DEPARTMENT IS
11 PLACED IN A KINSHIP FOSTER CARE SETTING PURSUANT TO THIS SECTION.

12 Sec. 5. Section 8-802, Arizona Revised Statutes, is amended to
13 read:

14 8-802. Child safety worker; fingerprint clearance cards;
15 interview requirements; temporary custody limit;
16 cooperation and coordination; alteration of files;
17 violation; classification

18 A. The department shall employ child safety workers. All persons
19 who are employed as child safety workers shall have a valid fingerprint
20 clearance card that is issued pursuant to section 41-1758.07 or shall
21 apply for a fingerprint clearance card within seven working days after
22 employment. A child safety worker shall certify on forms that are
23 provided by the department and that are notarized whether the worker is
24 awaiting trial on or has ever been convicted of any of the criminal
25 offenses listed in section 41-1758.07, subsections B and C in this state
26 or similar offenses in another state or jurisdiction.

27 B. A worker shall not interview a child without the prior written
28 consent of the parent, guardian or custodian of the child unless either:

- 29 1. The child initiates contact with the worker.
- 30 2. The child who is interviewed is the subject of or is the sibling
31 of or living with the child who is the subject of an abuse or abandonment
32 investigation pursuant to section 8-456.

33 3. The interview is conducted pursuant to the terms of the
34 protocols established pursuant to section 8-817.

35 C. A child shall not remain in temporary custody for a period
36 exceeding seventy-two hours, excluding Saturdays, Sundays and holidays,
37 unless a dependency petition is filed.

38 D. All child safety workers shall be trained and demonstrate
39 competency in:

- 40 1. The duty to protect the legal rights of children and families
41 from the time of the initial contact through treatment. The training
42 shall include knowledge of a child's rights as a victim of crime.
- 43 2. The legal rights of parents.

1 3. Impact and intervention practices related to adverse childhood
2 experiences, culturally and linguistically appropriate service delivery,
3 domestic violence, family engagement, communication with special
4 populations and trauma informed responses.

5 E. THE DEPARTMENT SHALL REQUIRE EACH NEWLY HIRED CHILD SAFETY
6 WORKER TO SPEND AT LEAST ONE YEAR WORKING AND TRAINING UNDER THE
7 SUPERVISION OF AN EXPERIENCED CHILD SAFETY WORKER.

8 ~~F.~~ F. All child safety workers shall cooperate and coordinate with
9 the office of child welfare investigations to carry out the purposes of
10 section 8-471.

11 ~~F.~~ G. All child safety workers and child welfare investigations
12 workers shall cooperate and coordinate with the inspections bureau to
13 carry out the purposes of section 8-458.

14 ~~G.~~ H. All child welfare investigations workers and inspections
15 bureau workers shall cooperate and coordinate with the rest of the
16 department to achieve the purposes of this title.

17 ~~H.~~ I. A person who alters a client file for the purpose of fraud
18 or misrepresentation is guilty of a class 2 misdemeanor.