

REFERENCE TITLE: foster care; removal of child

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

HB 2555

Introduced by
Representatives Knaperek: Anderson, Hershberger, Norris, Senator Solomon

AN ACT

AMENDING TITLE 8, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-515.05; 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. Title 8, chapter 5, article 1, Arizona Revised Statutes, is
3 amended by adding section 8-515.05, to read:
4 8-515.05. Removal of child from foster parent's home;
5 requirements; notification; review
6 A. THE DEPARTMENT MAY REMOVE A CHILD FROM A FOSTER HOME AT THE FOSTER
7 PARENT'S REQUEST OR TO PROTECT THE CHILD FROM HARM.
8 B. IF THE FOSTER PARENT HAS NOT REQUESTED THE REMOVAL, THE DEPARTMENT
9 SHALL GIVE THE FOSTER PARENT AT LEAST FORTY-EIGHT HOURS' WRITTEN NOTICE OF:
10 1. ITS INTENT TO REMOVE THE CHILD.
11 2. ITS REASONS FOR THIS ACTION.
12 3. THE REVIEW PROCEDURE PRESCRIBED IN SUBSECTION C.
13 C. IF THE FOSTER PARENT OBJECTS TO THE REMOVAL, THE FOSTER PARENT MAY
14 CONTACT THE FOSTER CARE REVIEW BOARD BY CALLING A TELEPHONE NUMBER PROVIDED
15 IN THE NOTICE. THE BOARD SHALL HOLD AN EMERGENCY REVIEW WITHIN THREE
16 BUSINESS DAYS AFTER THE FOSTER PARENT NOTIFIES THE BOARD OF THE FOSTER
17 PARENT'S OBJECTIONS.
18 D. THE FOSTER CARE REVIEW BOARD SHALL PROVIDE THE FOSTER PARENT AND
19 THE CASE MANAGER WITH WRITTEN NOTICE OF THE DATE, TIME AND LOCATION OF THE
20 REVIEW. THE FOSTER PARENT AND THE CASE MANAGER SHALL PARTICIPATE IN THE
21 REVIEW. THE CHILD SHALL REMAIN IN THE CURRENT FOSTER HOME PENDING THE
22 BOARD'S DECISION.
23 E. IF THE BOARD FINDS THAT THE DEPARTMENT'S DECISION IS NOT IN THE
24 CHILD'S BEST INTERESTS, THE DEPARTMENT MAY NOT REMOVE THE CHILD UNLESS
25 ORDERED BY A COURT TO DO SO.