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REFERENCE TITLE: **children in foster care**

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

HB 2259

Introduced by
Representative Johnson

AN ACT

AMENDING SECTION 8-519, ARIZONA REVISED STATUTES; RELATING TO CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1

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

2 Section 1. Section 8-519, Arizona Revised Statutes, is amended to
3 read:

4 8-519. Records and reports; access; full disclosure; violation;
5 classification

6 A. Each child welfare agency shall keep ACCURATE records regarding the
7 children in its care as the division prescribes and shall furnish to the
8 division, upon request, such additional information as the division requires.

9 B. ~~Upon~~ ON the request of a foster care review board, any record
10 pertaining to a case assigned to ~~such~~ THAT board, kept by the division or a
11 child welfare agency, shall be furnished to the board.

12 C. All ~~records and information~~ NAMES in the possession of the foster
13 care review board regarding children and their parents or relatives shall be
14 deemed confidential, and shall be disclosed only pursuant to this article or
15 by order of court.

16 D. A child welfare agency shall furnish a report of each placement or
17 withdrawal of each child to the division.

18 E. EACH CHILD WELFARE AGENCY AND CASE MANAGER SHALL FURNISH THE
19 PRIMARY CARE GIVER, FOSTER PARENTS AND BIRTH PARENTS WITH COPIES OF, AND
20 ACCESS TO, ALL INFORMATION KEPT IN THE CHILD'S FILE WITH ALL NAMES REDACTED,
21 INCLUDING INFORMATION RELATING TO HOME VISITS, CASE CONFERENCES OR STAFFINGS,
22 COURT HEARINGS, ASSESSMENTS, INVESTIGATIONS, POLICE REPORTS, CASE NOTES,
23 COMMUNICATIONS, OBSERVATIONS AND ALL FINDINGS PERTAINING TO THE CARE GIVER,
24 FOSTER PARENT AND BIRTH PARENT AND THE CHILD.

25 F. THE CHILD WELFARE AGENCY AND CASE MANAGER MUST PROVIDE UNRESTRICTED
26 ACCESS TO ALL DOCUMENTS, WITH ALL NAMES REDACTED, RELATING TO A CHILD IN
27 STATE CUSTODY TO THE CHILD'S PRIMARY CARE GIVER, FOSTER PARENT AND BIRTH
28 PARENT WITHIN TWO WEEKS AND PROVIDE COPIES OF THIS INFORMATION TO THEM BY
29 CERTIFIED MAIL WITHIN TWO WEEKS AFTER RECEIVING A WRITTEN REQUEST FOR THIS
30 INFORMATION.

31 G. IF A PRIMARY CARE GIVER, FOSTER PARENT OR BIRTH PARENT DISAGREES
32 WITH THE OPINIONS AND FINDINGS IN THE CHILD'S FILE, THAT PERSON MAY SUBMIT
33 THE PERSON'S OPINIONS AND FINDINGS IN WRITING BY CERTIFIED MAIL TO THE CHILD
34 WELFARE AGENCY OR CASE MANAGER FOR PERMANENT PLACEMENT IN THE FILE. THIS
35 INFORMATION HAS THE SAME PRIORITY IN THE CHILD'S FILE AS THE ORIGINAL
36 DOCUMENTATION. THE CHILD WELFARE AGENCY AND CASE MANAGER HAVE FIVE BUSINESS
37 DAYS AFTER RECEIVING THE CERTIFIED MAILING TO MERGE THE INFORMATION INTO THE
38 CHILD'S FILE AND MUST DO SO BEFORE A COURT MAY HOLD ANY HEARING ON THE CHILD.

39 H. A CHILD WELFARE AGENCY EMPLOYEE OR CASE MANAGER WHO CHANGES,
40 MANIPULATES OR DELETES ANY STATEMENT, INFORMATION OR DOCUMENT SUBMITTED
41 PURSUANT TO THIS SECTION IS GUILTY OF A CLASS 2 MISDEMEANOR