

House Engrossed Senate Bill

independent oversight committee; developmental disabilities

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 159

SENATE BILL 1231

AN ACT

AMENDING SECTION 41-3801, ARIZONA REVISED STATUTES; RELATING TO
INDEPENDENT OVERSIGHT COMMITTEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-3801, Arizona Revised Statutes, is amended to
3 read:

4 41-3801. Independent oversight committee on persons with
5 developmental disabilities

6 A. The independent oversight committee on persons with
7 developmental disabilities is established in the department of
8 administration to promote the rights of clients who are receiving
9 developmental disabilities services ~~from the department~~ pursuant to title
10 36, chapter 5.1.

11 B. The committee shall be organized pursuant to this section and
12 the requirements of section 41-3804.

13 C. The director of the department ~~of~~ may establish additional
14 committees for each district office established pursuant to section
15 41-1961 or to oversee the activities of any service provider.

16 D. Each independent oversight committee established pursuant to
17 this section shall consist of at least seven and not more than fifteen
18 members appointed by the director of the department with expertise in at
19 least one of the following areas:

- 20 1. Psychology.
- 21 2. Law.
- 22 3. Medicine.
- 23 4. Education.
- 24 5. Special education.
- 25 6. Social work.
- 26 7. Criminal justice.

27 E. Each independent oversight committee shall include at least two
28 parents of children who receive services from the division of
29 developmental disabilities.

30 F. The division of developmental disabilities shall provide to each
31 independent oversight committee information regarding incidents of:

- 32 1. Possible abuse or neglect or violations of rights.
- 33 2. Physical abuse, sexual abuse and other abuse.
- 34 3. Accidental injury.
- 35 4. Missing clients.
- 36 5. Behavioral emergency measures.
- 37 6. Medication errors, including theft of medication or missing
38 medication.
- 39 7. Death.
- 40 8. Suicide attempts.
- 41 9. Hospitalizations.
- 42 10. Incarcerations.
- 43 11. Theft of client property or money.
- 44 12. Property destruction.

1 G. THE DIVISION OF DEVELOPMENTAL DISABILITIES IN THE DEPARTMENT OF
2 ECONOMIC SECURITY MUST ALLOW THE INDEPENDENT OVERSIGHT COMMITTEE ON
3 PERSONS WITH DEVELOPMENTAL DISABILITIES THIRTY DAYS TO REVIEW NEW POLICIES
4 AND MAJOR POLICY CHANGES BEFORE THE DIVISION SUBMITS THE POLICIES OR
5 CHANGES FOR PUBLIC COMMENT.

APPROVED BY THE GOVERNOR APRIL 19, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2022.