

House Engrossed

child services; abuse reporting; jurisdiction

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HOUSE BILL 2647

AN ACT

AMENDING SECTION 8-455, 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 8-455, Arizona Revised Statutes, is amended to
3 read:

4 8-455. Centralized intake hotline; purposes; report of
5 possible crime; DCS report; risk assessment tools;
6 access to information; public awareness; definitions

7 A. The department shall operate and maintain a centralized intake
8 hotline to protect children by receiving at all times communications
9 concerning suspected abuse or neglect. If a person communicates suspected
10 abuse or neglect to a department employee other than through the hotline,
11 the employee shall refer the person or communication to the hotline.

12 B. The hotline is the first step in the safety assessment and
13 investigation process and must be operated to:

14 1. Record communications made concerning suspected abuse or
15 neglect.

16 2. Immediately take steps necessary to identify and locate prior
17 communications and DCS reports related to the current communication using
18 the department's data system and the central registry system of this
19 state.

20 3. Quickly and efficiently provide information to a law enforcement
21 agency or prepare a DCS report as required by this section.

22 4. Determine the proper initial priority level of investigation
23 based on the report screening assessment and direct the DCS report to the
24 appropriate part of the department based on this determination.

25 C. If a communication provides a reason to believe that a criminal
26 offense has been committed and the communication does not meet the
27 criteria for a DCS report, the hotline worker shall immediately provide
28 the information to the appropriate law enforcement agency.

29 D. A hotline worker shall prepare a DCS report if the identity or
30 current location of the child victim, the child's family or the person
31 suspected of abuse or neglect is known or can be reasonably ascertained
32 and all of the following are alleged:

33 1. The suspected conduct would constitute abuse or neglect.

34 2. The suspected victim of the conduct is under eighteen years of
35 age.

36 3. The suspected victim of the conduct is a resident of or present
37 in this state.

38 4. The person suspected of committing the abuse or neglect is the
39 parent, guardian or custodian of the victim or an adult member of the
40 victim's household.

41 E. IF THE DEPARTMENT PREPARES A DCS REPORT PURSUANT TO SUBSECTION D
42 OF THIS SECTION REGARDING AN INDIAN CHILD WHO RESIDES OR IS DOMICILED ON
43 AN INDIAN RESERVATION, THE DEPARTMENT MAY TRANSFER THE DCS REPORT TO THE
44 APPROPRIATE TRIBAL SOCIAL SERVICES AGENCY WITH JURISDICTION OVER THE
45 RESERVATION ON WHICH THE CHILD RESIDES OR IS DOMICILED.

1 ~~F.~~ F. Except for criminal conduct allegations, the department is
2 not required to prepare a DCS report if all of the following apply:

3 1. The suspected conduct occurred more than three years before the
4 communication to the hotline.

5 2. There is no information or indication that a child is currently
6 being abused or neglected.

7 ~~F.~~ G. Investigations of DCS reports shall be conducted as provided
8 in section 8-456 except for investigations containing allegations of
9 criminal conduct, which shall be conducted as provided in section 8-471.

10 H. THE DEPARTMENT IS NOT REQUIRED TO PREPARE A DCS REPORT
11 CONCERNING ALLEGED ABUSE OR NEGLECT IF THE ALLEGED ACT OR ACTS OCCURRED IN
12 A FOREIGN COUNTRY AND THE CHILD IS IN THE CUSTODY OF THE FEDERAL
13 GOVERNMENT.

14 ~~G.~~ I. The department shall develop and train hotline workers to
15 use uniform risk assessment tools to determine:

16 1. Whether the suspected conduct constitutes abuse or neglect and
17 the severity of the suspected abuse or neglect.

18 2. Whether the suspected abuse or neglect involves criminal
19 conduct, even if the communication does not result in the preparation of a
20 DCS report.

21 3. The appropriate investigative track for referral based on the
22 risk to the child's safety.

23 ~~H.~~ J. A DCS report must include, if available, all of the
24 following:

25 1. The name, address or contact information for the person making
26 the communication.

27 2. The name, address and other location or contact information for
28 the parent, guardian or custodian of the child or other adult member of
29 the child's household who is suspected of committing the abuse or neglect.

30 3. The name, address and other location or contact information for
31 the child.

32 4. The nature and extent of the indications of the child's abuse or
33 neglect, including any indication of physical injury.

34 5. Any information regarding possible prior abuse or neglect,
35 including reference to any communication or DCS report involving the
36 child, the child's siblings or the person suspected of committing the
37 abuse or neglect.

38 ~~I.~~ K. Information gathered through the hotline must be made
39 available to an employee of the department in order to perform the
40 employee's duties. The office of child welfare investigations and the
41 inspections bureau must have immediate access to all records of the
42 hotline.

43 ~~J.~~ L. A representative of the:

44 1. Office of child welfare investigations must be embedded in the
45 hotline to carry out the purposes of section 8-471.

- 1 2. Inspections bureau must be embedded in the hotline to carry out
2 the purposes of section 8-458.
- 3 ~~K.~~ M. The department shall publicize the availability and the
4 purposes of the centralized intake hotline.
- 5 ~~L.~~ N. For the purposes of this section:
- 6 1. "Centralized intake hotline" means the system developed pursuant
7 to this section regardless of the communication methods or technologies
8 used to implement the system.
- 9 2. "Criminal offense" means an allegation of conduct against a
10 child by a person other than a parent, guardian or custodian of the child
11 victim or another adult member of the child's household that, if true,
12 would constitute a felony offense.