

REFERENCE TITLE: independent oversight committee; developmental disabilities

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

# SB 1231

Introduced by  
Senator Barto

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 UP TO THIRTY DAYS TO REVIEW NEW  
4 POLICIES AND MAJOR POLICY CHANGES BEFORE THE DIVISION SUBMITS THE POLICIES  
5 OR CHANGES FOR PUBLIC COMMENT.