

REFERENCE TITLE: developmental disabilities; electroconvulsive therapy

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1596

Introduced by
Senator Wadsack: Representative Hernandez C

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 pursuant to title 36, chapter 5.1.

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

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

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

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

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

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

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

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, **INCLUDING THE USE OF ELECTROCONVULSIVE THERAPY,**
5 before the division submits the policies or changes for public comment.