

Senate Engrossed

developmental disabilities; electroconvulsive therapy

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

# SENATE BILL 1596

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.