

House Engrossed

DCS; vaccinations; child placement

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2257

AN ACT

AMENDING SECTIONS 8-514 AND 8-514.03, ARIZONA REVISED STATUTES; RELATING
TO CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-514, Arizona Revised Statutes, is amended to
3 read:

4 8-514. Placement in foster homes

5 A. Subject to the provisions of section 8-514.01, the division or a
6 licensed child welfare agency if so authorized in its license may place a
7 child in a licensed foster home for care or for adoption. Notwithstanding
8 any law to the contrary, the division or a licensed child welfare agency
9 may place a child in excess of the number of children allowed and
10 identified in a foster parent's license if the division or agency
11 reasonably believes the foster home has the ability to safely handle
12 additional children, there are no outstanding concerns, deficiencies,
13 reports or investigations known by the division regarding the foster home,
14 and the child meets any of the following criteria:

15 1. The child is part of a sibling group that currently resides in
16 the foster home.

17 2. The child is part of a sibling group that is being considered
18 for placement in a foster home but because of the maximum child limit
19 would otherwise have to be separated.

20 3. The child previously resided in the foster home.

21 4. The child is a kinship placement for the foster home.

22 B. The department shall place a child in the least restrictive type
23 of placement available, consistent with the best interests of the child.
24 The order for placement preference is as follows:

25 1. With a parent.

26 2. With a grandparent.

27 3. In kinship care with another member of the child's extended
28 family, including a person who has a significant relationship with the
29 child. A foster parent or kinship caregiver with whom a child under three
30 years of age has resided for nine months or more is presumed to be a
31 person who has a significant relationship with the child.

32 4. In licensed family foster care.

33 5. In therapeutic foster care.

34 6. In a group home.

35 7. In a residential treatment facility.

36 C. Notwithstanding subsection B of this section, the order for
37 placement preference of a Native American child is as follows:

38 1. With a member of the child's extended family.

39 2. In a licensed family foster home approved or specified by the
40 child's tribe.

41 3. In an Indian foster home licensed or approved by an authorized
42 non-Indian licensing authority.

43 4. In an institution approved by the Indian tribe or operated by an
44 Indian organization that has a program suitable to meet the Indian child's
45 needs pursuant to 25 United States Code chapter 21.

1 D. At the time of placement there shall be presented to the foster
2 parents, by the agency or division placing the child, a written summary of
3 known, unprivileged information regarding the child, including the
4 following:

- 5 1. Demographic information.
- 6 2. Type of custody and previous placement.
- 7 3. Pertinent family information including but not limited to the
8 names of family members who, by court order, may not visit the child.
- 9 4. Known or available medical history including but not limited to:
10 (a) Allergies.
11 (b) Immunizations.
12 (c) Childhood diseases.
13 (d) Physical disabilities.
14 (e) Other idiosyncrasies.
15 (f) The child's last doctor, if known.
- 16 5. A summary of the child's history of adjudication on acts of
17 delinquency, as may be public record and available in the file of the
18 clerk of the superior court.

19 E. The responsibility of the agency or the division for a child
20 placed in a foster home shall be defined in writing and accepted by the
21 person receiving the child. The agency or division shall make available
22 to the foster parents a method of acquiring emergency information that may
23 be necessary to deal with situations that may arise pursuant to their
24 responsibilities as foster parents.

25 F. Every foster home shall maintain a record of the children
26 received, which shall include facts in regard to the children and their
27 care and shall be in the form and kept in the manner prescribed by the
28 division.

29 G. In addition to any other relevant factors, the department shall
30 consider the following in determining whether a placement is in the best
31 interests of the child:

- 32 1. The caregiver is interested in providing permanence for the
33 child if reunification efforts ultimately fail.
- 34 2. The expressed wishes of the birth parent and child, if
35 applicable, unless the wishes are contrary to law.
- 36 3. The relationship of the caregiver with the child and the child's
37 family.
- 38 4. The proximity of the placement home to the parents' home and the
39 child's current school or school district.
- 40 5. The strengths and parenting style of the caregiver in relation
41 to the child's behavior and needs.
- 42 6. The caregiver's willingness to communicate and interact with the
43 birth family to support visitation and the reunification process.
- 44 7. The caregiver's ability and willingness to accept placement of
45 the child and all or any of the child's siblings.

1 8. If any sibling will be placed separately, the caregiver's
2 ability and willingness to provide or assist in maintaining frequent
3 visitation or other ongoing contact between the child and the child's
4 sibling.

5 9. The child's fit with the family with regard to age, gender and
6 sibling relationships.

7 10. If the child has chronic behavioral health needs:

8 (a) Whether the child's behavior will place other children in the
9 home at risk.

10 (b) The caregiver's ability to provide the necessary level of
11 supervision to prevent harm to the child or others by the child.

12 11. Whether placement in the home would comply with the placement
13 preferences prescribed by 25 United States Code section 1915, if
14 applicable.

15 H. Within thirty days after a dependent child who is at least eight
16 years of age is placed in out-of-home care, unless otherwise recommended
17 by a doctor or therapist, the department shall ensure that the child
18 receives age-appropriate and developmentally appropriate materials and
19 resources about sexual abuse, child sex trafficking and exploitation. The
20 materials and resources must include a definition of sexual abuse,
21 information about the dangers of online and in-person predators and
22 methods for reporting abuse. The materials and resources may include a
23 twenty-four-hour hotline telephone number.

24 I. THE DEPARTMENT MAY NOT REFUSE TO PLACE A CHILD IN A FOSTER HOME
25 BASED SOLELY ON THE VACCINATION STATUS OF THE CHILD OR THE VACCINATION
26 STATUS OF OTHER CHILDREN OR FOSTER CHILDREN IN THE FOSTER HOME IF THE
27 FOSTER HOME IS LICENSED AND QUALIFIED FOR PLACEMENT OF THE CHILD.

28 Sec. 2. Section 8-514.03, Arizona Revised Statutes, is amended to
29 read:

30 8-514.03. Kinship foster care; requirements; investigation

31 A. The department shall establish kinship foster care services for
32 a child who has been removed from the child's home and who is in the
33 custody of the department. The program shall promote the placement of the
34 child with the child's relative or a person with a significant
35 relationship with the child for kinship foster care.

36 B. A kinship foster care parent applicant who is not a licensed
37 foster care parent shall be at least eighteen years of age. The applicant
38 and each member of the applicant's household who is at least eighteen
39 years of age shall submit a full set of fingerprints to the department of
40 child safety for the purpose of obtaining a state and federal criminal
41 records check pursuant to section 41-1750 and Public Law 92-544. The
42 department of public safety may exchange this fingerprint data with the
43 federal bureau of investigation. The department of child safety shall
44 determine if the applicant is able to meet the child's health and safety
45 needs by conducting one or more home visits and interviewing the

1 applicant. The department of child safety may interview other household
2 members, review the applicant's personal and professional references and
3 conduct department of child safety central registry checks.

4 C. If the department determines that a kinship foster care
5 placement is not in the best interest of the child, the department shall
6 provide written notification to the applicant within fifteen business
7 days. The notice shall include the specific reason for denial, the
8 applicant's right to appeal and the process for reviewing the decision.

9 D. A kinship foster care parent may be eligible to receive the
10 following financial services for the child:

11 1. Full foster care benefits, including payment if the kinship
12 foster care parent becomes a licensed foster care home or if the kinship
13 foster care parent obtains a restricted license pursuant to section 8-509,
14 subsection C.

15 2. Temporary assistance for needy families cash assistance payments
16 for a child only case and supplemental financial support.

17 E. The department shall establish procedures for child welfare
18 workers to inform kinship foster care families about available financial
19 and nonfinancial services and eligibility requirements and shall assist
20 the families in completing the necessary application.

21 F. If a family declines to apply for financial services, the family
22 shall sign a statement indicating that the family declined services. The
23 statement does not prevent the family from making application in the
24 future. The worker shall provide a copy of the statement to the family.

25 G. The department shall provide nonfinancial services for a kinship
26 foster care parent through existing means or referral. Nonfinancial
27 services may include:

28 1. Family assessment.

29 2. Case management.

30 3. Child day care.

31 4. Housing search and relocation.

32 5. Parenting skills training.

33 6. Supportive intervention and guidance counseling.

34 7. Transportation.

35 8. Emergency services.

36 9. Parent aid services.

37 10. Respite services.

38 11. Additional services that the department determines are
39 necessary to meet the needs of the child and family.

40 H. THE DEPARTMENT MAY NOT REFUSE TO PLACE A CHILD WITH A KINSHIP
41 FOSTER CARE PARENT BASED SOLELY ON THE VACCINATION STATUS OF THE CHILD OR
42 THE VACCINATION STATUS OF OTHER CHILDREN IN THE KINSHIP FOSTER CARE HOME
43 IF THE KINSHIP FOSTER CARE HOME IS QUALIFIED FOR PLACEMENT OF THE CHILD.