



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

May 2, 2013

The Honorable Andy Biggs
President of the Senate
Arizona State Senate
1700 W. Washington
Phoenix, Arizona 85007

Re: Senate Bill 1108 (foster home licensure; immunizations)

Dear President Biggs,

Today, I signed Senate Bill 1108. As you are aware, there are over 14,000 Arizona children in out-of-home care today. With so many children removed from unsafe and unstable environments, there is a significant shortage of foster homes for these children. While the Arizona Department of Economic Security (DES) has been diligently recruiting foster families, strengthening retention efforts, and streamlining internal processes, measures like SB1108 provide opportunities to consider innovative solutions.

Senate Bill 1108 prohibits the DES from requiring foster parents to immunize their natural or adoptive children as a condition of foster home licensure. The bill does not, however, guarantee placement of foster children in those homes.

I fully recognize that while we must provide foster children with a safe and loving home, they are only in the State's care temporarily. It is our duty to ensure they remain healthy and safe.

Accordingly, I have directed the DES to develop a placement policy that restricts the placement of young children and infants in homes where the foster parents have not immunized their own children. The DES will continue to place foster children in settings that are most appropriate for each child. Placement decisions must be made with consideration of whether the foster child is fully immunized.

It is my hope that SB1108 will allow more families to care for our foster children. With careful implementation, this legislation has the potential to provide more children with a safe and loving home.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".

Janice K. Brewer
Governor

cc: The Honorable Andy Tobin
The Honorable Nancy Barto

Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

CHAPTER 179

SENATE BILL 1108

AN ACT

AMENDING SECTION 8-509, 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 8-509, Arizona Revised Statutes, is amended to
3 read:

4 8-509. Licensing of foster homes; renewal of license;
5 provisional license; exemption from licensure;
6 immunization requirements

7 A. The division shall license and certify foster homes. Licenses are
8 valid for a period of one year.

9 B. The division shall not issue a license without satisfactory proof
10 that the foster parent or parents have completed six actual hours of approved
11 initial foster parent training as set forth in section 8-503 and that each
12 foster parent and each other adult member of the household has a valid
13 fingerprint clearance card issued pursuant to section 41-1758.07. The foster
14 parent and each other adult member of the household must certify on forms
15 that are provided by the division and that are notarized whether the foster
16 parent or other adult member of the household is awaiting trial on or has
17 ever been convicted of any of the criminal offenses listed in section
18 41-1758.07, subsections B and C in this state or similar offenses in another
19 state or jurisdiction.

20 C. The division shall not renew a license without satisfactory proof
21 that the foster parent or parents have completed six actual hours of approved
22 ongoing foster parent training as set forth in section 8-503.

23 D. Notwithstanding the requirements of subsections B and C of this
24 section, if the division determines a condition of hardship to the foster
25 parent or parents, the division may issue a provisional license for a period
26 not to exceed six months. A provisional license may not be renewed.

27 E. Child welfare agencies that submit foster homes for licensing shall
28 conduct an investigation of the foster home pursuant to licensing rules of
29 the division. The division shall conduct investigations of all other foster
30 homes. If the foster home meets all requirements set by the division, the
31 agency shall submit an application stating the foster home's qualifications
32 to the division. The agency may also recommend the types of licensing and
33 certification to be granted to the foster home.

34 F. The division shall accept an adoptive home certification study as a
35 licensing home study if the study has been updated within the past three
36 months to include the information necessary to determine whether the home
37 meets foster care licensing standards.

38 G. This section shall DOES not apply when IF the child is placed in a
39 home by a means other than by court order and when IF the home receives no
40 DOES NOT RECEIVE compensation from the THIS state or any political
41 subdivision of the THIS state.

1 H. The division shall DOES not prohibit a person operating a licensed
2 foster home from applying for or receiving compensation as a foster home
3 parent due to employment with the THIS state of Arizona.

4 I. THE DIVISION SHALL NOT REQUIRE A FOSTER PARENT TO IMMUNIZE THE
5 FOSTER PARENT'S NATURAL OR ADOPTIVE CHILDREN AS A CONDITION OF FOSTER HOME
6 LICENSURE.

7 Sec. 2. Emergency

8 This act is an emergency measure that is necessary to preserve the
9 public peace, health and safety and is operative immediately as provided by
10 law.

**EMERGENCY
NOT ENACTED**

APPROVED BY THE GOVERNOR MAY 2, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2013.

ON RECONSIDERATION

Passed the House April 23, 2013,

by the following vote: 33 Ayes,

24 Nays, 3 Not Voting
without Emergency
[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 21, 2013,

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting
with Emergency
[Signature]
President of the Senate

Charmain Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2013,

at 2:00 o'clock P M.

Mikhaila Howard
Secretary to the Governor

Approved this 2nd day of

May, 2013,

at 2:41 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2nd day of May, 2013,

at 4:55 o'clock P M.

[Signature]
Secretary of State

S.B. 1108