

Senate Engrossed House Bill

**FILED**

**MICHELE REAGAN**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-second Legislature  
First Regular Session  
2015

CHAPTER 183

## **HOUSE BILL 2021**

AN ACT

AMENDING SECTIONS 46-452 AND 46-459, ARIZONA REVISED STATUTES; RELATING TO  
ADULT PROTECTIVE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 "Section 1. Section 46-452, Arizona Revised Statutes, is amended to  
3 read:

4 46-452. Protective services worker; powers and duties;  
5 immunity; communications

6 A. A protective services worker shall:

7 1. Receive reports of abused, exploited or neglected vulnerable  
8 adults.

9 2. Receive from any source oral or written information regarding an  
10 adult who may be in need of protective services.

11 3. ~~Upon~~ ON receipt of such information make an evaluation to determine  
12 if the adult is in need of protective services and what services, if any, are  
13 needed.

14 4. Offer an adult in need of protective services or his guardian  
15 whatever services appear appropriate in view of the evaluation.

16 5. File petitions as necessary for the appointment of a guardian or  
17 conservator or the appointment of a temporary guardian or temporary  
18 conservator or make application for a special visitation warrant as provided  
19 for in title 14, chapter 5.

20 B. The department or a protective services worker employed by the  
21 department may not be appointed as guardian, conservator or temporary  
22 guardian.

23 C. An adult protective services worker is immune from civil liability  
24 for applying for a special visitation warrant or for filing a petition for  
25 guardianship or conservatorship unless the application or filing is done in  
26 bad faith.

27 D. FOR THE PURPOSES OF THIS CHAPTER, COMMUNICATIONS CONCERNING A  
28 PERSON WHO IS INCARCERATED IN ANY JAIL, PRISON, DETENTION CENTER OR  
29 CORRECTIONAL FACILITY OR CONCERNING A PATIENT IN THE ARIZONA STATE HOSPITAL  
30 ARE NOT REPORTS THAT REQUIRE EVALUATION BY A PROTECTIVE SERVICES WORKER.

31 Sec. 2. Section 46-459, Arizona Revised Statutes, is amended to read:

32 46-459. Adult protective services registry

33 A. The department of economic security shall maintain a registry of  
34 substantiated reports of abuse, neglect and exploitation of vulnerable adults  
35 made pursuant to section 46-458. The department shall incorporate duplicate  
36 reports on the same incident in the original report and shall not classify  
37 duplicate reports as new reports.

38 B. The registry shall contain the name and date of birth of the person  
39 determined to have abused, neglected or exploited a vulnerable adult, the  
40 nature of the allegation made and the date and description of the disposition  
41 of the allegation. The names of the vulnerable adult and reporting source  
42 shall not be reported to the registry.

43 C. The department shall maintain a report in the registry for ~~ten~~  
44 TWENTY-FIVE years after the date of entry.

1 D. The department shall annually purge reports and investigative  
2 outcomes received pursuant to the time frames prescribed in subsection C of  
3 this section.

4 E. Any person who was the subject of an adult protective services  
5 investigation may request confirmation that the department has purged  
6 information about the person pursuant to subsection D of this section. On  
7 receipt of this request, the department shall provide the person with written  
8 confirmation that the department has no record containing identifying  
9 information about that person.

10 F. Information maintained pursuant to subsection B of this section  
11 shall be made available to the public on written request AND ONLINE. The  
12 department may charge a fee for processing these WRITTEN requests.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.

Passed the House February 12, 20 15

Passed the Senate March 24, 20 15

by the following vote: 56 Ayes,

by the following vote: 28 Ayes,

1 Nays, 3 Not Voting

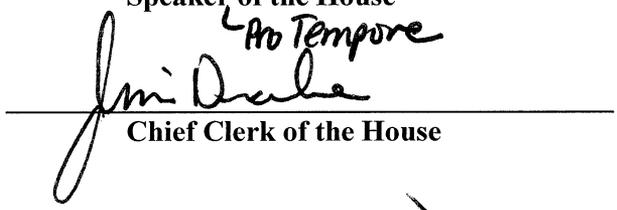
0 Nays, 2 Not Voting

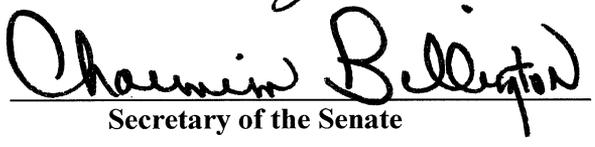


Speaker of the House



President of the Senate

  
Pro Tempore  
Chief Clerk of the House

  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

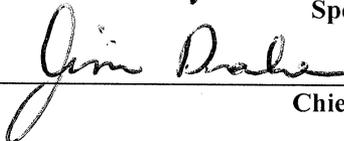
March 30, 2015,

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting



Speaker of the House



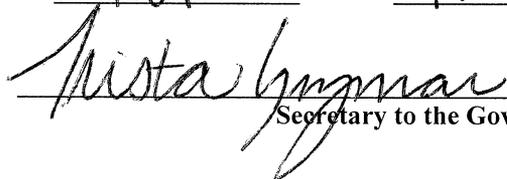
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30th day of March, 2015,

at 4:07 o'clock P. M.

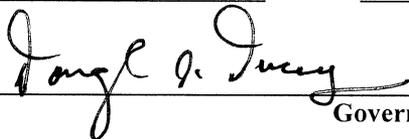


Secretary to the Governor

Approved this 1st day of

April, 2015,

at 4:57 o'clock P. M.



Governor of Arizona

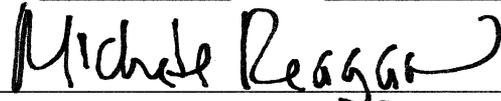
H.B. 2021

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2nd day of April, 2015,

at 4:00 o'clock P. M.



Secretary of State