ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

HB 2213: TPT; exemption; utilities; residential customers
S/E: case management; remote access; requirements
Sponsor: Representative Griffin, LD 19
Committee on Government

Summary of the Strike-Everything Amendment to HB 2213

Overview
Requires the Department of Child safety (DCS) to provide direct remote access (Access) to its automated case management systems (Systems) to the various state agencies. Outlines additional requirements.

History
Currently, to provide oversight of DCS, DCS must provide access to case file information to the following persons if the information is necessary to perform official duties:
1) federal or state auditors;
2) persons conducting any accreditation deemed necessary by DCS;
3) a standing committee of the Arizona Legislature or a committee appointed by the President of the Senate or the Speaker of the House of Representatives;
4) a legislator who requests DCS information in the regular course of the legislator's duties;
5) a citizen review panel, a child fatality review team and the Office of Ombudsman-Citizens Aid;
6) an independent oversight committee; and
7) the Governor (A.R.S. § 8-807).

Provisions
Department of Child Safety
1. Requires DCS to provide the Supreme Court Access to all Systems that are used by DCS for the Supreme Court (Court) to use in assisting a local foster care review board (Board) in performing the Board's duties. (Sec. 1)

2. Stipulates that if information is not available through DCS' Systems, DCS must provide the Court with a hard copy of all records kept by DCS for the Court to use in assisting a Board in performing it's duties. (Sec. 1)

3. Repeals statute that required DCS to provide information necessary for a Board to perform its statutory duties through an automated information exchange. (Sec. 2)

4. Repeals statute that required DCS and the administrative office of the courts, on behalf of the state Board, to enter into a data sharing agreement to govern the parameters of the automated information exchange. (Sec. 2)

5. Requires DCS to provide information necessary for Boards to perform their statutory duties through direct remote online access to all DCS information identified by the Board as necessary for the performance of the board's duties. (Sec. 2)

6. Stipulates that if the information contained in the record is not available in a System used by DCS, DCS must provide a hard copy record to a Board as necessary for the performance of the board's duties. (Sec. 2)

7. Requires DCS to keep all its information separate within its case management information system. (Sec. 4)

8. Requires DCS information to be kept in the following categories:
    a) information and records that are protected by attorney-client privilege;
    b) information and records that are considered attorney work products; and
    c) except for background check information that is independently verified by DCS, background check information that is obtained from DPS or the FBI. (Sec. 4)

9. Repeals statute that states DCS information includes all information it gathers during the course of an investigation conducted from the time a file is opened until it is closed. (Sec. 4)

10. Repeals statute that states DCS information does not include information that is contained in child welfare agency licensing records. (Sec. 4)

Office of the Ombudsman-Citizens Aide

11. Stipulates it is the public policy of Arizona that the Office of the Ombudsman-Citizens Aide (OOCA) has direct remote access to all DCS information within DCS' System unless explicitly prohibited by law. (Sec. 4)

12. States any person or entity charged with interpreting DCS or the OOCA statutes must act in favor of open access for the OOCA. (Sec. 4)

13. Stipulates that nothing will restrict or permit DCS to restrict the access of OOCA to DCS' System or any DCS information. (Sec. 4)

14. Stipulates public disclosure is prohibited as outlined in statute. (Sec. 4)

15. Defines *DCS Information* (Sec. 3)

16. Makes technical and conforming changes (Sec. 2, 3, 4)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note