



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1048

child fatality review teams; duties

Purpose

Modifies the membership and duties of the State Child Fatality Review Team (State CFR Team) and local child fatality review teams (local review teams). Grants the chairperson of the State CFR Team or a local review team access to all information and records regarding a child fatality or near fatality under review.

Background

The State CFR Team is established within the Department of Health Services (DHS), consisting of the head, or designee, of 11 various state offices and entities, as well as 10 additional outlined members appointed by the Director of DHS who serve staggered 3-year terms. Duties of the State CFR Team include but are not limited to: 1) developing a child fatalities data collection system; 2) providing training to cooperating agencies, individuals and local review teams on the use of the child fatalities data system; 3) conducting and submitting an annual statistical report on the incidence and causes of child fatalities in Arizona during the past fiscal year; 4) developing standards and protocols for local review teams and providing training and technical assistance to these teams; 5) developing protocols for child fatality investigations; 6) educating the public regarding the incidence and causes of child fatalities, as well as the public's role in preventing these deaths; and 7) informing the Governor and Legislature of the need for specific recommendations regarding unexplained infant death ([A.R.S. § 36-3501](#)).

In addition to the State CFR Team, local review teams may also be organized. If organized, the local review team must abide by the standards and protocols developed by the State CFR Team and must have prior authorization from the State CFR Team to conduct fatality reviews. Local review teams are composed of the heads of the applicable county medical examiner's office, county health department and the Department of Child Safety, or their designees, as well as six additional members appointed by the chairperson of the State CFR Team, including: 1) a domestic violence specialist; 2) a psychiatrist or psychologist in the state; 3) a licensed pediatrician; 4) a person from a local law enforcement agency; 5) a person from a local prosecutor's office; and 6) a parent. If a local review team is authorized, it must designate a chairperson to review the death certificates of all children who die within the team's jurisdiction, assist the State CFR Team in collecting data and submit written reports to the State CFR Team ([A.R.S. § 36-3502](#)).

The chairperson of the State CFR Team or a local review team, upon request and as necessary to carry out the team's duties, must be provided access within five days to information and records regarding a child whose death is being reviewed by the team or regarding the child's family and records of a maternal fatality associated with pregnancy. This information must be provided by a provider of medical, dental or mental health care or from the state or a political

subdivision thereof. No member of the State CFR Team or a local review team may contact, interview or obtain information, by request or subpoena, from a member of a deceased child's family unless the member is a public officer or employee who may engage the family member as part of the public officer or employee's other official duties ([A.R.S. § 36-3503](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Modifies membership of the State CFR Team, as follows:
 - a) removes the head of the DHS Office of Planning and Health Status Monitoring;
 - b) merges the heads of the Administrative Office of the Courts (AOC) and the Parent Assistance Office of the Supreme Court into one position, the head of AOC's Parent Assistance Program;
 - c) replaces the head of the Governor's Office for Children with the head of the Governor's Office of Youth, Faith and Family; and
 - d) replaces the DHS-appointed public member with a member of a local review team.
2. Removes the stipulation that DHS-appointed members of the State CFR Team serve staggered three-year terms.
3. Requires the State CFR Team's annual statistical report on the incidence and causes of child fatalities in the state to include data from the past year, rather than fiscal year.
4. Directs the State CFR Team, beginning January 1, 2025, to conduct an annual statistical report on the incidence and causes of child fatalities and near fatalities identified by the Department of Child Safety within the past year and submit a copy of the report and its recommendations for action to the Governor, President of the Senate and the Speaker of the House of Representatives by November 15 of each year.
5. Requires recommendations made to a state agency, board or commission by the State CFR Team to require a written response indicating whether the agency is capable of implementing the recommendations within its existing authority and resources, including any applicable implementation plan, to be submitted to the Governor, President of the Senate, Speaker of the House of Representatives and the State CFR Team within 60 days of submittal of an annual statistical report by the State CFR Team.
6. Requires the State CFR Team to inform the Governor and Legislature of the need for recommendations regarding sudden unexpected infant death, rather than unexplained infant death.
7. Requires the organization of local review teams.
8. Replaces the psychiatrist or psychologist member of a local review team with a mental health specialist.
9. Requires local review teams to designate a chairperson to review the death certificates of all women who die within the team's jurisdiction and call a team meeting when necessary.

10. Grants the chairperson of the State CFR Team or a local review team access to all information and records regarding a child fatality or near fatality under review from a person or institution providing medical, dental, nursing or mental health care.
11. Allows a member of the State CFR Team, a local review team or a member's designee to contact, interview or obtain information by request from a family member of a child or woman who dies within the team's jurisdiction.
12. Requires the State CFR Team to establish a process for approving any contact, interview or request before any team member or designee engages with a family member of a deceased child or woman.
13. Requires any policies established relating to contact with the family member of a child or woman who dies within the team's jurisdiction to require any individual engaging with the family to be trained in trauma informed interview techniques and educated on support services available to the family member.
14. Renames the *Child Fatality Review Team* as the *State Child Fatality Review Team*.
15. Makes technical and conforming changes.
16. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Requires annual statistical reports prepared by the State CFR Team to include available information regarding plans for or progress toward implementation of recommendations.
2. Removes the ability of the Chair of the State CFR Team or a local review team to access information regarding a child fatality or near fatality from a health care insurer.
3. Clarifies that the Chair of the State CFR Team or a local review team may only contact the family of women or children that die within the team's jurisdiction.
4. Makes technical changes.

Senate Action

HHS 1/30/24 DPA 7-0-0

Prepared by Senate Research

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MM/slp