



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: HHS DP 8-1-0-0 | 3rd Read 54-5-1-0
Senate: HHS DP 7-0-1-0 | 3rd Read 30-0-0-0

HB 2399: department of child safety; fees
Sponsor: Representative Cobb, LD 5
Senate Engrossed

Overview

Allows the Department of Child Safety (DCS) to establish and collect fees from noncontracting licensees and establishes the Child Welfare Licensing Fee Fund (Fund).

History

The primary purpose of DCS is to protect children and focus on: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse or neglect; 3) working cooperatively with law enforcement regarding reports that include criminal conduct allegations; and 4) without compromising child safety, coordinating services to achieve and maintain permanency on behalf of the child, strengthening the family and providing prevention, intervention and treatment services ([A.R.S. § 8-451](#)).

DCS is required to maintain a central registry of reports of child abuse and neglect that are substantiated and include the outcome of the investigation of these reports. Licensees that do not contract with Arizona, that contract with the federal government, that receive only federal monies and that employ persons who provide direct services to children in a licensed behavioral health residential facility must submit to DCS information necessary to conduct central registry background checks ([A.R.S. § 8-804](#)).

Provisions

1. Allows DCS to establish and collect fees from noncontracting licensees to cover costs of licensing and supervising noncontracting licensees. (Sec. 1)
2. Requires DCS to deposit all monies collected from noncontracting license fees in the Fund. (Sec. 1)
3. Establishes the Fund to be administered by DCS and consist of all fees collected by DCS from noncontracting licensees and monies appropriated by the Legislature. (Sec. 1)
4. States that monies in the Fund are subject to legislative appropriation and exempt from lapsing. (Sec. 1)
5. Requires the State Treasurer, on notice from the Director of DCS (Director), to invest and divest monies in the Fund and credit monies earned from investments to the Fund. (Sec. 1)
6. Requires Fund monies to be used to pay the costs incurred by DCS for both of the following:
 - a) The issuance of licenses to noncontracting licensees; and
 - b) The inspection, examination, suspension, denial, revocation or change of licenses of noncontracting licensees. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------

7. States that any fee that is authorized by law or rule and that is deposited in the Fund is held in trust. (Sec. 1)
8. Requires monies in the Fund to be used only for purposes prescribed in statute and prohibits monies in the Fund from being appropriated to the state General Fund. (Sec. 1)
9. Allows DCS to charge licensees that do not contract with Arizona, receive federal monies and that employ persons who provide direct services to children in a licensed behavioral health residential facility a fee to conduct central registry background checks. (Sec. 2)
10. Defines *noncontracting licensee*. (Sec. 1)
11. Makes technical and conforming changes. (Sec. 2)

Senate Amendments

1. Adds an emergency clause.