

ARIZONA STATE SENATE

RESEARCH STAFF



TO: JOINT LEGISLATIVE HEALTH AND
HUMAN SERVICES COMMITTEE OF
REFERENCE

MICHAEL MADDEN
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HEALTH & HUMAN SERVICES COMMITTEE
Telephone: (602) 926 -3171

DATE: January 19, 2024

SUBJECT: Sunset Review of the Arizona Foster Care Review Board

Attached is the final report of the sunset review of the Arizona Foster Care Review Board, which was conducted by the Arizona Office of the Auditor General ([Report No. 23-112](#)).

This report has been distributed to the following individuals:

Governor of the State of Arizona

The Honorable Katie Hobbs

President of the Senate

Senator Warren Petersen

Speaker of the House of Representatives

Representative Ben Toma

Legislative Members

Senator Thomas Shope, Co-Chair
Senator Janae Shamp
Senator Sonny Borrelli
Senator Eva Burch
Senator Sally Gonzales
Senator Theresa Hatathlie
Senator Justine Wadsack

Representative Steve Montenegro, Co-Chair
Representative Barbara Parker
Representative Selina Bliss
Representative Patricia Contreras
Representative Matt Gress
Representative Alma Hernandez
Representative Christopher Mathis
Representative Beverly Pingerelli
Representative Amish Shah
Representative Julie Wiloughby

CC: Office of the Auditor General
Arizona Foster Care Review Board
Arizona State Library, Archives and Public Records
Senate Republican Staff
Senate Democratic Staff
Senate Research Staff
Senate Resource Center
House Republican Staff
House Democratic Staff
House Research Staff
House Chief Clerk

Arizona Foster Care Review Board Sunset Review

Background

Pursuant to [A.R.S. § 41-2953](#), the Joint Legislative Audit Committee assigned the sunset review of the Foster Care Review Board to the Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference.

FCRB was established in 1978 in the Arizona Supreme Court and consists of more than 100 local foster care review boards (local boards) as well as one State Foster Care Review Board (State Board). The primary role of FCRB, is to advise the juvenile court on progress toward achieving a permanent home for children involved in a dependency case and in out-of-home care. A local board is established in each county for every 100 children placed in out of home care. The local boards are required to review the case of each child involved in a dependency action and in out-of-home care within six months of placement and every six months thereafter. The State Board is required to: 1) meet at least twice per year; 2) review and coordinate the activities of local boards; 3) and establish training programs for local board members which must include periodic in-service training. The State Board provides recommendations to the Arizona Supreme Court, Governor and Legislature regarding foster care statutes, policies and procedures. (A.R.S. §§ [8-515.01](#); [8-515.03](#); [8-515.04](#); and [AOC](#)).

FCRB is set to terminate on July 1, 2024, unless legislation is enacted for its continuation ([A.R.S. § 41-3024.30](#)).

Sunset Review Procedure

The Joint Legislative Health and Human Services Committee of Reference conducted a public meeting on Wednesday, January 3, 2024, to review the performance audit and sunset review report prepared by the Auditor General, evaluate FCRB's responses to the sunset factors and receive public testimony.

Committee of Reference Recommendations

The Committee of Reference made the following recommendations:

1. *The Arizona Foster Care Review Board shall be continued for not more than 4 years.*
2. *The Foster Care Review Board's subsequent preliminary sunset review report, as required by A.R.S. §41-2954 (B), shall comprise the following:*
 - a) *a review by the Auditor General that is limited to the factors outlined in A.R.S. §41-2954 (D)(2), and is further limited to reviewing the Foster Care Review Board's processes for measuring, tracking, and improving its performance in the following areas:*
 - i. *providing useful information to the juvenile courts related to child dependency cases;*
 - ii. *submitting findings and recommendations reports to the juvenile courts within time frames that provide judges with up-to-date information and allow sufficient time for judicial review prior to dependency hearings;*

- iii. facilitating and increasing parent and foster parent attendance at local board reviews;
and*
- iv. ensuring its staff timely and accurately enter data about child dependency cases and local
board reviews into its data systems.*

Appendices

- A. Meeting notice
- B. Committee minutes
- C. Committee materials
- D. Chairman's letter requesting FCRB's response to the agency factors
- E. FCRB's response to the agency factors pursuant to [A.R.S. § 41-2954](#)

Interim agendas can be obtained via the Internet at <http://www.azleg.gov/Interim-Committees>

ARIZONA STATE LEGISLATURE

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

SENATE HEALTH AND HUMAN SERVICES COMMITTEE OF REFERENCE AND HOUSE HEALTH & HUMAN SERVICES COMMITTEE OF REFERENCE

Date: Thursday, January 11, 2024

Time: ~~2:00 P.M.~~ 11:30 A.M. or Upon adjournment of the Senate Natural Resources, Energy and Water Committee of Reference and House Government Committee of Reference and House Subcommittee on Budgetary Funding Formulas

Place: HHR 1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024011024>

AGENDA

1. Call to Order
2. Roll Call
3. Introduction
4. Sunset Review of the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers
 - a. Presentation by the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers
 - b. Public Testimony
 - c. Discussion and Recommendation
5. Sunset Review of the Arizona State Board of Physical Therapy
 - a. Presentation by the Arizona State Board of Physical Therapy
 - b. Public Testimony
 - c. Discussion and Recommendation
6. Sunset Review of the Arizona Pioneers' Home, State Hospital for Miners with Disabilities
 - a. Presentation by the Arizona Pioneers' Home, State Hospital for Miners with Disabilities
 - b. Public Testimony
 - c. Discussion and Recommendation
7. Sunset Review of the Foster Care Review Board
 - a. Presentation by the Arizona Office of the Auditor General
 - b. Response by the Foster Care Review Board and the Arizona Administrative Office of the Courts.
 - c. Public Testimony
 - d. Discussion and Recommendation

8. Review of the Arizona Adult Protective Services System
 - a. Presentation by the Arizona Office of the Auditor General
 - b. Responses by the Arizona Department of Economic Security, Arizona Department of Health Services and Arizona Health Care Cost Containment System
 - c. Public Testimony
 - d. Discussion
9. Adjourn

Members:

Senator Thomas "T.J." Shope, Co-Chair
 Senator Sonny Borrelli
~~Senator Eva Burch~~
 Senator Sally Ann Gonzales
 Senator Theresa Hatathlie
 Senator Juan Mendez
 Senator Janae Shamp
 Senator Justine Wadsack

Representative Steve Montenegro, Co-Chair
 Representative Selina Bliss
 Representative Patricia Contreras
 Representative Matt Gress
 Representative Gail Griffin
 Representative Alma Hernandez
 Representative Christopher Mathis
 Representative Barbara Parker
~~Representative Beverly Pingerelli~~
 Representative Amish Shah
 Representative Julie Willoughby

01/04/2024
 01/09/2024
 hf

For questions regarding this agenda, please contact Senate Research Department.
 Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the Senate Secretary's Office: (602) 926-4231 (voice). Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE LEGISLATURE

SENATE HEALTH AND HUMAN SERVICES COMMITTEE OF REFERENCE AND HOUSE HEALTH & HUMAN SERVICES COMMITTEE OF REFERENCE

Minutes of the Meeting
January 11, 2024

11:30 A.M. or Upon adjournment of the Senate Natural Resources, Energy and
Water Committee of Reference and House Government Committee of Reference
and House Subcommittee on Budgetary Funding Formulas, HHR1

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024011024>

Members Present:

Senator Thomas "T.J." Shope, Co-Chair
Senator Sally Ann Gonzales
Senator Juan Mendez
Senator Janae Shamp
Senator Justine Wadsack

Representative Steve Montenegro, Co-Chair
Representative Selina Bliss
Representative Patricia Contreras
Representative Matt Gress
Representative Gail Griffin
Representative Alma Hernandez*
Representative Christopher Mathis
Representative Barbara Parker
Representative Julie Willoughby

Members Excused:

Senator Sonny Borrelli
Senator Theresa Hatathlie

Representative Amish Shah*

The Speaker approved the following temporary appointments:

*Representative Lupe Contreras replaced Representative Amish Shah at 4:27 p.m.

*Representative Consuelo Hernandez replaced Representative Alma Hernandez at 4:27 p.m.

Staff:

Michael Madden, Senate Health and Human Services Research Analyst
Kaytie Sherman, Senate Health and Human Services Assistant Research Analyst
Dhaky Mullangi, Senate Health and Human Services Research Intern
Ahjahna Graham, House Health and Human Services Research Analyst
Montserrat Torres, House Health and Human Services Assistant Research Analyst
Kayla Thackeray, House Health and Human Services Research Intern

Co-Chair Shope called the meeting to order at 2:40 p.m. and attendance was noted.

INTRODUCTION

Senator Shope offered opening comments.

SUNSET REVIEW OF THE FOSTER CARE REVIEW BOARD

Presentation by the Arizona Office of the Auditor General

Jeff Gove, Office of the Auditor General, distributed and explained a PowerPoint presentation entitled "Arizona Foster Care Review Board, Performance Audit and Sunset Review" (Attachment A).

Response by the Foster Care Review Board and the Arizona Administrative Office of the Courts

Caroline Lutt-Owens, Director, Dependent Children Services Division, Administrative Office of the Courts, gave an overview of the Foster Care Review Board (FCRB), distributed and explained a PowerPoint presentation entitled "Foster Care Review Board, Advocating for Arizona's Most Vulnerable Citizens" (Attachment B).

Ms. Lutt-Owens answered questions posed by the Committee.

Public Testimony

Anna Young, Judge, Yavapai County Superior Court, gave an overview of the court process, the use of the Foster Care Review Board (FCRB) reports and answered questions posed by the Committee.

Kris Jacober, representing self, testified in support of continuation of the FCRB and answered questions posed by the Committee.

Kari Hancock Handley, representing self, testified in opposition to the continuation of the FCRB and answered questions posed by the Committee.

Peter Bartolini, representing self, testified in opposition to the continuation of the FCRB.

Arlene Willes, representing self, testified in opposition to the continuation of the FCRB and submitted a copy of her testimony (Attachment C).

Anika Robinson, representing self, testified in opposition to the continuation of the FCRB.

Bruce Brannan, representing self, testified in support of continuation of the FCRB and answered questions posed by the Committee.

Crystal Nuttle, representing self, testified on the foster care system and submitted a copy off her testimony (Attachment D).

Dan Crane, representing self, testified in support of continuation of the FCRB.

Kristy Dupree, representing self, testified in support of continuation of the FCRB.

Linda Bohling, representing self, testified in support of continuation of the FCRB.

Mr. Crane answered questions posed by the Committee.

Judge Young answered additional questions posed by the Committee.

Discussion and Recommendation

Representative Montenegro displayed on the screen and read Recommendation 2 for the Foster Care Review Board Sunset Review (Attachment E).

Lindsey Perry, Auditor General, answered questions posed by the Committee.

Representative Montenegro offered comments.

Representative Montenegro moved that the Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference approve the recommendations for the Arizona Foster Care Review Board (Attachment E) as presented on January 11, 2024 at 4:14 p.m.

Representative Parker offered a substitute motion that the Arizona Foster Care Review Board be terminated and all authority, duties, responsibilities and funding be transferred to the Casa of Arizona Office to further the purpose of the court appointed special advocate program. The motion FAILED with a roll call vote of 2-12-3-0 (Attachment 1).

Representative Montenegro's original motion CARRIED with a roll call vote of 13-1-3-0 (Attachment 2).

Representative Parker explained her vote.

RECESS

At 4:20 p.m. the Co-Chair Shope recessed the meeting to the sound of the gavel.

RECONVENE

At 4:27 p.m. the Co-Chair Shope called the meeting to order.

Representative Lupe Contreras replaced Representative Amish Shah.
Representative Consuelo Hernandez replaced Representative Alma Hernandez.

Daniel Butters, representing self, testified in support of continuation of the FCRB.

Morgan Butters representing self, testified in support of continuation of the FCRB.

The Committee offered comments.

SUNSET REVIEW OF THE BOARD OF NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS

Presentation by the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers

Jack Confer, Executive Director, Nursing Care Board, gave an overview of the Board, distributed and explained a PowerPoint presentation entitled "Joint Health and Human Services Committee" (Attachment F) and answered questions posed by the Committee.

Public Testimony

Marie Isaacson, Arizona Leading Age, testified in support of the continuation of the Board of Nursing Care Institution Administrators (NCIA) and Assisted Living Facility Managers.

Karen Barno, Arizona Assisted Living Federation of America, testified in support of the continuation of the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers.

Becky Hill, Family Representative, NCIA Board, testified in support of the continuation of the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers.

Senator Gonzales submitted a letter from Maria Gomez Murphy (Attachment G).

Discussion and Recommendation

Representative Montenegro moved that the Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference recommends that the Board of Nursing Care Institution Administrators and Assisted Living Facility Managers be continued for 8 years until July 1, 2032. The motion CARRIED with a roll call vote 13-0-4-0 (Attachment 3).

Senator Shamp and Representative Griffin explained their vote.

SUNSET REVIEW OF THE ARIZONA STATE BOARD OF PHYSICAL THERAPY

Presentation by the Arizona State Board of Physical Therapy

Judy Chepeus, Executive Director, Arizona State Board of Physical Therapy, distributed and explained a PowerPoint presentation entitled "Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference" (Attachment H) and answered questions posed by the Committee.

Public Testimony

Tom Dorn, Arizona Physical Therapy Association, testified in support of the continuation of the Arizona State Board of Physical Therapy.

Discussion and Recommendation

Representative Montenegro moved that the Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference recommends that the Arizona State Board of Physical Therapy be continued for 8 years until July 1, 2032. The motion CARRIED with a roll call vote 13-0-4-0 (Attachment 4).

SUNSET REVIEW OF THE ARIZONA PIONEERS' HOME, STATE HOSPITAL FOR MINERS WITH DISABILITIES

Presentation by the Arizona Pioneers' Home, State Hospital for Miners with Disabilities

Jessica Sullivan, Superintendent, State of Arizona Pioneers' Home, distributed and explained a packet of information entitled "Arizona Pioneers' Home, State of Arizona" (Attachment I).

Public Testimony

No public testimony took place.

Discussion and Recommendation

Representative Montenegro moved that the Senate Health and Human Services Committee of Reference and House Health and Human Services Committee of Reference recommends that the Arizona Pioneers' Home, State Hospital for Miners with Disabilities be continued for 8 years until July 1, 2032. The motion CARRIED with a roll call vote 13-0-4-0 (Attachment 5).

Representatives Bliss and Griffin explained their vote.

REVIEW OF THE ARIZONA ADULT PROTECTIVE SERVICES SYSTEM

Presentation by the Arizona Office of the Auditor General

Lindsey Perry, Auditor General, provided background information on the audit requirements of the Arizona Adult Protective Services System.

Senator Shope offered comments.

Michel Lahti, LeCroy & Milligan, distributed and explained a PowerPoint presentation entitled "Senate and House Health and Human Services Committees of Reference: Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System" (Attachment J).

Representative Gress offered comments.

Responses by the Arizona Department of Economic Security, Arizona Department of Health Services and Arizona Health Care Cost Containment System

Molly McCarthy, Assistant Director, Aging and Adult Services, Arizona Department of Economic Security, distributed and explained a PowerPoint presentation entitled "Response - Adult Protective Services System Audit" (Attachment K) and answered questions posed by the Committee.

Jekenna Lebsock, Assistant Director, Division of Health Care Services, Arizona Health Care Cost Containment System, responded to the Auditor General's report.

Tom Salow, Assistant Director, Arizona Department of Health Services, responded to the Auditor General's Report and answered questions posed by the Committee.

Public Testimony

No public testimony took place.

Discussion

No discussion took place.

Attached are forms noting the individual who submitted a Speaker slip on the agenda items (Attachment L).

Attached is a list noting the individuals who registered their position on the agenda items (Attachment M).

There being no further business, the meeting was adjourned at 6:46 p.m.

Respectfully submitted,

Tracey Gardner
Committee Secretary

(Audio recordings and attachments are on file in the Secretary of the Senate's Office/Resource Center, Room 115. Audio archives are available at <http://www.azleg.gov>)



Arizona Foster Care Review Board Performance Audit and Sunset Review

Presenter: Jeff Gove

Date: January 11, 2024



Presentation Overview



- Background information
- Shortcomings identified
- What issues led to the shortcomings
- Why the issues matter
- Key recommendations
- Additional recommendations
- Information from questions and answers

Arizona Foster Care Review Board



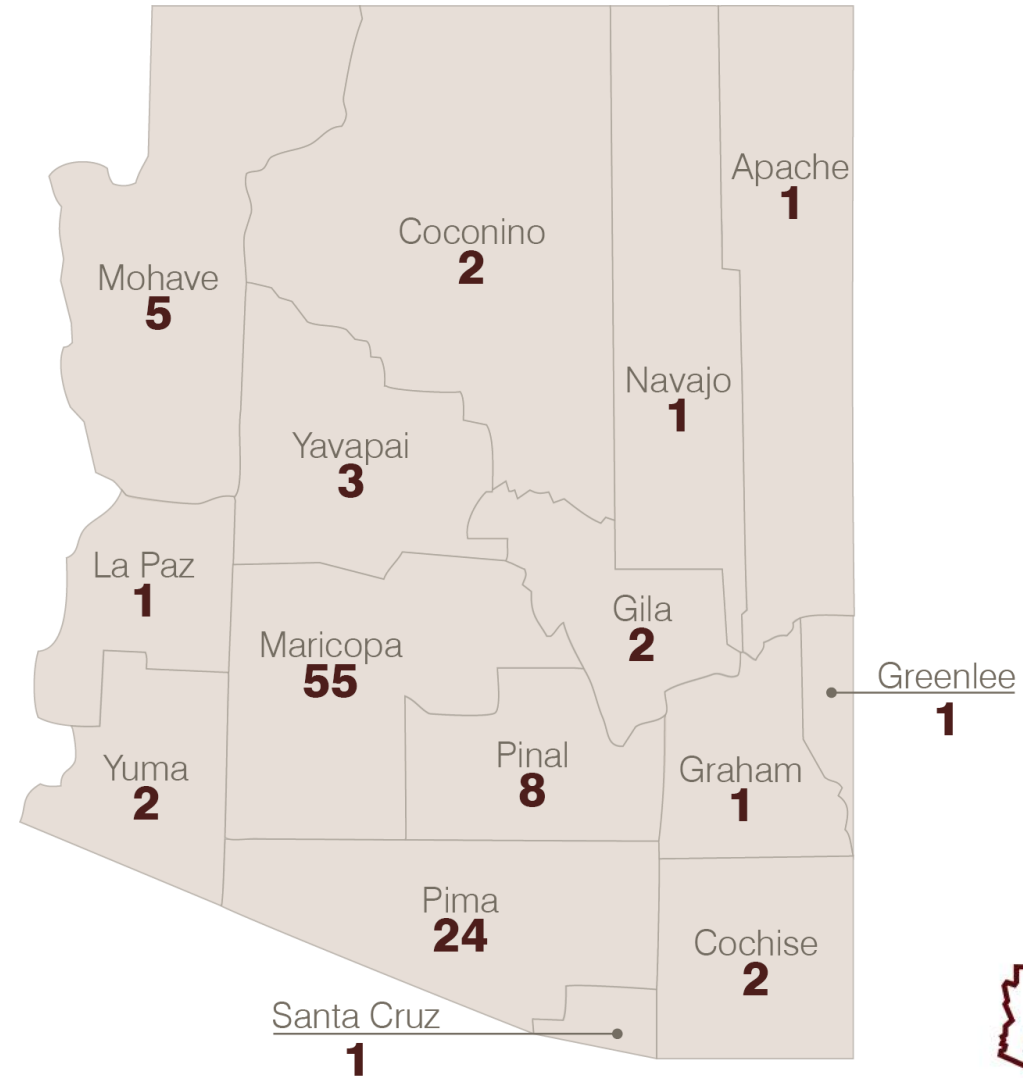
- Established in 1978
- State Board and more than 100+ local boards
- David Byers serves as AOC administrative director
- Auditor General conducted FCRB's 2015 sunset review

Local boards by county



As of June 2023:

- 109 local boards State-wide
- 409 local board volunteers



FCRB reviews cases of children in out-of-home care

Local boards statutorily required to:

- Review Arizona Department of Child Safety (DCS) efforts toward achieving permanent placement for children in out-of-home care at least every 6 months
- Provide findings and recommendations reports to the courts within 30 days of local board reviews

FCRB met requirements for cases we reviewed

Our review of more than 100 cases found FCRB:

- Reviewed cases of children in out-of-home care every 6 months
- Submitted most reports to courts within 30 days

Judges reported some information in FCRB's reports is useful



- 25 of 28 interviewed judges reported they review local board reports prior to dependency hearings
- 24 judges indicated that some information in local board reports assists their reviews of child dependency cases

Report content could be improved to help better advise judges



- Few reports contained statements from parents and foster parents
- Several judges reported the standard determinations report section is not helpful or could be improved

Report timeliness could be improved to help better advise judges



- 47% of reports reviewed were 61 days or older by the time of the court hearing
- 15% of reports reviewed were provided on the day of or after the court hearing

Why this matters



Ensuring board reports provide useful and timely information:

- May help better inform judges' decisions on children's progress toward permanent placement
- Is important for FCRB's efficient and effective resource use

Key recommendations



- Establish a workgroup to consider other state practices, determine what changes should be made to local board reports, and make recommendations regarding:
 - Most valuable information local boards can provide judges
 - Frequency of local board case reviews
 - Timeline for submitting board reports to judges after local board reviews

Key recommendations



- Establish a process for regularly soliciting and implementing feedback from judges
- Continue to work with DCS to ensure addresses for parents and foster parents are accurate, and develop and implement a written plan to improve parent and foster parent attendance at local board reviews
- Develop and implement written procedures or guidance for supervisors to monitor whether staff are timely submitting board reports to courts

Additional recommendations



- Prioritize recruiting efforts for boards with 1 and 2 members
- Continue to implement its new attendance sheet tracking policy
- Compile information on and review DCS' planned implementation of all local boards' recommendations

Questions and answers section



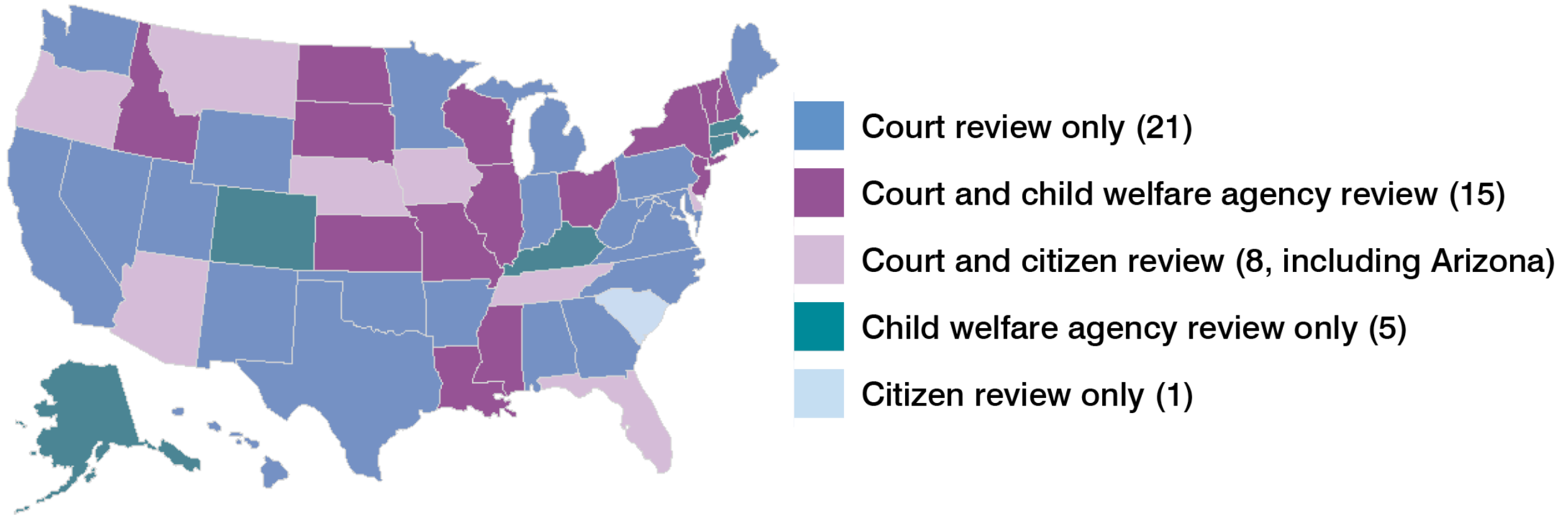
Eight questions and answers related to:

- How other states meet FCRB's statutory objective and purpose to review cases of children in out-of-home care

Federal requirements for reviewing cases of children in out-of-home care

- Administrative or court reviews must occur at least once every 6 months using:
 - Administrative: citizen volunteers, such as FCRB's local boards, or child welfare agencies
 - Court: judicial entity
- State child welfare agencies must report how they complied with review requirements as part of the nationwide Child & Family Services Review (CFSR) assessment

States take various approaches to case reviews of children in out-of-home care



States' case review approaches do not correlate with better permanency outcomes

- 2015-2018 CFPSR assessed states' permanency outcomes:
 - Whether children have permanency and stability in their living situations
 - Whether the continuity of family relationships and connections is preserved for children
- No states received a rating of substantial conformity in either outcome area



Arizona Foster Care Review Board Performance Audit and Sunset Review

Presenter: Jeff Gove

Date: January 11, 2024



FOSTER CARE REVIEW BOARD

ADVOCATING FOR ARIZONA'S MOST VULNERABLE CITIZENS



JANUARY 2024

BENEFITS OF THE FOSTER CARE REVIEW BOARD

- Provides a forum at which every interested party is asked their input
- Allows more time than what is usually possible in other settings
- Provides a non-threatening/less intimidating setting
- Interested parties can attend virtually or can call in statements prior to the review, if needed
- Focus is on family reunification, whenever possible
- Every child's case is reviewed by its boards every six months, or more if directed by the Court
- Serves as a referral resource for parents, when needed
- Serves in a system oversight capacity
- Each board has an assigned staff who is trained and has a related background to facilitate the review and provide support and information to the board

WHO ARE THE FOSTER CARE REVIEW BOARD MEMBERS?

- Independent, neutral reviewers
- Everyday citizens who represent their communities
- Background checked
- Trained and required to comply with continuing education requirements each year
- An average of 7.75 years tenure serving on the boards, with many serving 10, 15, 20 years. There are even a few who have been with the program since its inception – 40 years ago.

WHO ARE THE FCRB BOARD MEMBERS

Board Member Occupation (As of January 5, 2024)	
Current Occupation	
Admin/Mgmt	15.63%
Attorney	6.49%
Banking	2.16%
Clerical	1.44%
Counselor/Therapist	5.05%
Education	19.47%
Homemaker	4.57%
Human Services	4.81%
Law Enforcement	1.20%
Medical	7.69%
Ministry	.96%
Other	10.10%
Probation Officer	2.40%
Real Estate	1.68%
Retired	9.13%
Sales	.96%
Self-Employed	3.13%
Student	.24%
Technical	2.40%
Not Available	.48%

Board Member Education (As of January 5, 2024)	
High School or GED	0.96%
Tech Degree/Certificate	1.20%
Some College	11.54%
Associates Degree	4.33%
BA/BS Degree	31.25%
Master's Degree	33.89%
Doctoral	16.35%
Not Available	0.48%

TWELVE RECOMMENDATIONS

- Three **Completed**
- Three in **Final Stages of Completion**
- Two **On-Going**
- Four **In-Progress**

RECOMMENDATIONS: COMPLETED/IMPLEMENTED

Recommendation 7: *Implemented*

Continue to implement its new attendance sheet tracking policy, including written guidance, to help ensure staff consistently and accurately track board meeting attendance.

Implementation Strategy:

- This was implemented in January 2023; and new process of tracking written in Policy and Procedures.

Recommendation 9: *Implemented*

Implement its new conflict-of-interest form for local board members, including developing a process to help ensure all local board members sign the new conflict-of-interest form, including upon appointment.

Implementation Strategy:

- Implemented; all board members asked to complete new form; written Policy and Procedures updated
- Will include form on the board member portal with the Substantial Interest form (recommendation 10)

Recommendation 11: *Implemented*

Revise its process for preparing State board meeting minutes to include the location of the board meeting

Implementation Strategy:

- The State board meeting minutes template has been updated to include a field to specify where the meeting took place.

RECOMMENDATIONS IN FINAL STAGES OF COMPLETION

Recommendation 4: *In Final Stages of Implementation.*

Develop and implement a written plan for improving parent and foster parent attendance at local board reviews, including establishing a baseline rate and conducting additional analysis to determine if its efforts are improving attendance.

Implementation Strategy:

- The plan for 2023/2024 has been put in writing; developed report that counts attendance by county; working on getting report to display data by type of IP. This report will give us a baseline as we create our yearly plan.

Recommendation 10: *In Final Stages of Implementation.*

Store all substantial interest disclosures, including disclosure forms and meeting minutes, in a special file available for public inspection.

Implementation Strategy:

- The new form and Policy and Procedures have been finalized
- Form to be sent to board members in mid-January;
- Form will be placed in the volunteer portal so that they can access a new form if needed, at a time other than appointment or reappointment.

Recommendation 12: *In Final Stages of Implementation.*

Provide information on its website about how the public can submit complaints and develop and implement policies and procedures for receiving, tracking, and resolving any complaints it receives from the public.

Implementation Strategy:

- A link to an automated form has been added to the FCRB website that allows complaints to be filed directly to the FCRB Program Manager. The program is now *developing policy and procedures to support this new process.*

RECOMMENDATIONS: ON-GOING

Recommendation 3: *Ongoing*

Continue to work with DCS to provide feedback on automated information exchange issues and to ensure that the address information for parents and foster parents it receives from DCS for local board reviews is accurate and complete.

Implementation Strategy:

- FCRB stays committed to providing feedback to DCS regarding issues with the automated exchange and will continue doing all it can to get accurate and complete information from DCS to ensure as many parents can attend the reviews as possible

Recommendation 6: *Ongoing*

Develop and implement a plan to prioritize recruiting new members for local boards with 1 and 2 members

Implementation Strategy:

- The program continues to prioritize recruitment of board members to boards with fewer members and will continue this as an ongoing goal, included in its recruitment plans.

RECOMMENDATIONS: IN-PROGRESS

Recommendation I: *In-Progress*

Three parts:

- Establishing and coordinate workgroup
- Determine: changes to reports, frequency for holding reviews, timing of reports, consider other states FCRB practices, most valuable information, consider how other states handle citizen reviews, most valuable information for judges, timing of reviews and court hearings, timelines for submitting reports, etc.
- Include judges, AOC staff, and local board members
- Implementation of recommendations

Implementation Strategy:

- First meeting is scheduled to take place in February
- Judges from 9 different counties
- AOC staff (FCRB management and line staff)
- Four board members confirmed; recruiting a few more

RECOMMENDATIONS: IN-PROGRESS

Recommendation 2: *In-Progress*

Establish a process for regularly soliciting and implementing feedback from judges who hear dependency cases, including input on board report usefulness in assisting judges with their reviews of child dependency cases.

Implementation Strategy:

- The FCRB will formalize its process for soliciting and implementing regular feedback from judges; This topic will be included in the workgroup's, created under recommendation 1, discussions.

Recommendation 5: *In-Progress*

Develop and Implement written procedures or guidance for supervisors to monitor whether AOC staff are tracking information about and timely submitting board reports to the courts that need to be submitted sooner than 30 days after the local board review

Implementation Strategy:

- The program is working on developing a more formalized written policy that outlines the steps supervisors need to follow when tracking staff's submittal of reports

Recommendation 8: *In-Progress*

Develop and implement a process to compile State-wide information on and review DCS' planned implementation of all its local board's recommendations to identify common reasons why DCS does not plan to implement the recommendations and assess the impact and usefulness of and improve its recommendations to DCS.

Implementation Strategy:

- Developing new data fields to capture responses that can be pulled on a statewide basis



Arizona State Legislature

1700 West Washington

Phoenix, Arizona 85007

June 23, 2023

Director Caroline Lutt-Owens
Administrative Office of the Courts
1501 W. Washington St.
Phoenix, AZ 85007

Dear Director Lutt-Owens:

The sunset review process prescribed in Title 41, Chapter 27, Arizona Revised Statutes, provides a system for the Legislature to evaluate the need to continue the existence of state agencies. During the sunset review process, an agency is reviewed by legislative committees of reference (CORs). On completion of the sunset review, the CORs recommend to continue, revise, consolidate or terminate the agency.

The Joint Legislative Audit Committee (JLAC) has assigned the sunset review of the Foster Care Review Board to CORs comprised of members of the Senate Health and Human Services Committee and the House of Representatives Health and Human Services Committee. JLAC has directed the Auditor General to conduct a performance audit of the Foster Care Review Board.

Pursuant to A.R.S. § 41-2954, the COR is required to consider certain sunset factors in deciding whether to recommend continuance, modification or termination of an agency. In addition to the sunset factors, which are addressed in the Auditor General performance audit, please provide your agency's written response to the required factors as listed below:

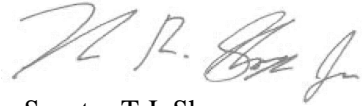
1. The extent to which the agency potentially creates unexpected negative consequences that may require additional review by the COR, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently and increasing the cost of government.
2. The extent to which the agency has addressed deficiencies in its enabling statutes.
3. The extent to which the agency has determined whether the Attorney General or any other agency in Arizona has the authority to prosecute or initiate actions.
4. The consequences of eliminating the agency or consolidating it with another agency.

Your response should be received by September 1, so that we may proceed with the sunset review and schedule the required public hearing. Please submit the requested information to:

Michael Madden
Arizona State Senate
1700 West Washington
Phoenix, Arizona 85007

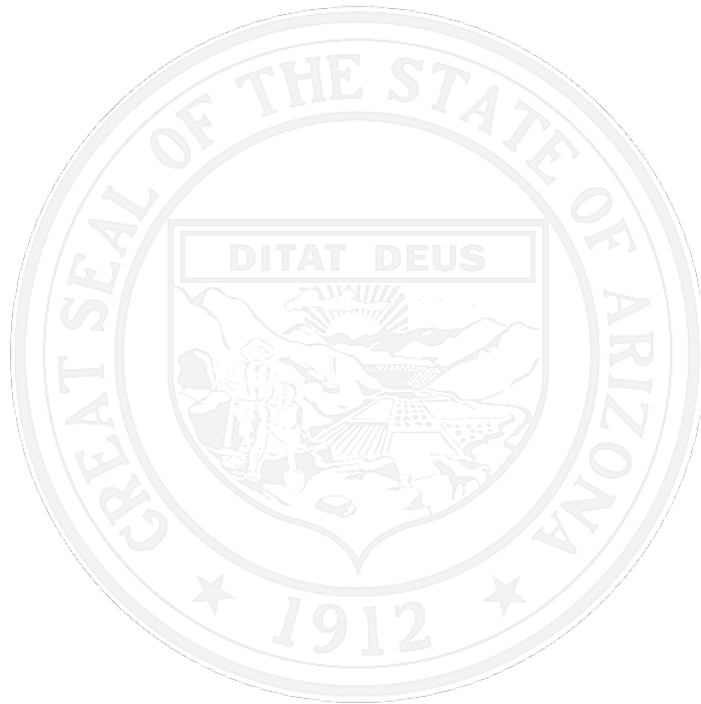
Thank you for your time and cooperation. If you have any questions, please feel free to contact me at (602) 926-3012 or Michael Madden, the Senate Health and Human Services Committee Research Analyst, at (602) 926-3072.

Sincerely,



Senator T.J. Shope
Senate Health and Human Services Committee, Chair

cc: Representative Steve Montenegro, House Health and Human Services Committee, Chair
Ahjahna Graham, House Health and Human Services Committee, Analyst





Supreme Court

STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

Robert Brutinel
Chief Justice

David K. Byers
Administrative Director
of the Courts

July 3, 2023

Michael Madden
Arizona State Senate
1700 West Washington
Phoenix, Arizona 85007

Dear Mr. Madden:

I am in receipt of Senator Shope's letter dated June 23, 2023, regarding the sunset review of the Foster Care Review Board (FCRB) and provide the following response to the four questions posed.

1. The extent to which the agency potentially creates unexpected negative consequences that may require additional review by the COR, including increasing the price of goods, affecting the availability of services, limiting the abilities of individuals and businesses to operate efficiently, and increasing the cost of government.

This factor is not applicable to the work conducted by the FCRB.

2. The extent to which the agency has addressed deficiencies in its enabling statutes.

The FCRB has not identified any deficiencies in its enabling statutes that prevent it from meeting its statutory mandates.

3. The extent to which the agency has determined whether the Attorney General or any other agency in Arizona has the authority to prosecute or initiate actions.

This factor does not apply because the FCRB's enabling legislation does not confer any authority that would require prosecutorial action.

4. The consequences of eliminating the agency or consolidating it with another agency.

Terminating the FCRB would substantially impact the effectiveness of the child welfare system and would eliminate a needed resource for youth, parents, and foster parents. The FCRB review provides an opportunity for these parties to speak openly about their dependency case and to express their concerns and opinions. This review process results in ongoing advocacy for the child's best interests and for needed services. The placement of the FCRB under the Arizona Supreme Court/Administrative Office of the Courts allows for an independent and critical review of a dependency case that might be compromised if the FCRB was administered by the same branch of government that administers the child welfare agency.



Sincerely,

A handwritten signature in cursive script that reads "Caroline Lutt-Owens".

Caroline Lutt-Owens
Director, Dependent Children's Services Division
Arizona Supreme Court
Administrative Office of the Courts
1501 W. Washington St., Ste. 128
Phoenix, AZ 85007
602-452-3408

cc: Senator T.J. Shope, Senate Health and Human Services Committee, Chair
Representative Steve Montenegro, House Health and Human Services Committee, Chair
Ahjahna Graham, House Health and Human Services Committee, Analyst
Dave Byers, Administrative Office of the Courts, Director