



ARIZONA STATE SENATE

Fifty-First Legislature, Second Regular Session

FACT SHEET FOR H.B. 2007

technical correction; DES
(NOW: developmental disability services; service providers)

Purpose

Requires the Department of Economic Security (DES) to monitor developmental disability day programs and employment services at least every six months, or once a year if DES has granted deemed status.

Background

The Division of Developmental Disabilities (DDD) within DES provides services to individuals diagnosed with cognitive disability, cerebral palsy, autism or epilepsy that manifests before age 18 and is likely to continue indefinitely, and who also have substantial limitations in three or more life functions. DDD support service coordinators in local offices throughout the state determine eligibility for services, develop and implement individual plans for services, and monitor outcomes. DDD provides most services through contracts with private individual and agency service providers.

Statute outlines requirements for residential care service contracts. Specifically, contracts must provide for mandatory DES inspection of facilities other than group homes every two years and investigation of complaints within 10 working days. In instances that pose a danger to the client, DES must conduct an investigation immediately. The provider must file periodic reports regarding the facility operation, and must allow inspection of the facility and records by DES at any time. Parents, guardians and members of advocacy groups may inspect the facility at reasonable times. Finally, contracts must provide for mandatory monitoring by DES for health, safety, contractual and programmatic standards at least every six months unless DES has granted deemed status, in which case monitoring is conducted once per year. However, if DES has reasonable cause to believe the provider is not meeting requirements, DES may enter the premises at any reasonable time. *Deemed status* means that DES has determined the provider has been accredited by a nationally recognized agency whose accreditation standards meet those of DES for the program or service offered by the provider to DES consumers.

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

Provision

1. Requires contracts, in addition to other requirements, for the purchase of day program or employment services to provide for mandatory monitoring by DES for health, safety, contractual, programmatic and quality assurance standards at least every six months.

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2. Requires DES to monitor a service provider with deemed status once every year, rather than every six months.
3. Allows DES or a designated employee or agent to enter on or into the provider's premises at any reasonable time to determine compliance with DES's programmatic, contractor and quality assurance requirements.
4. Makes conforming changes.
5. Becomes effective on the general effective date.

House Action

RHS 2/20/14 DPA/SE 8-0-0-0
3rd Read 3/5/14 58-0-2-0

Prepared by Senate Research

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MY/tf