State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

CHAPTER 53

SENATE BILL 1687

AN ACT

AMENDING SECTION 23-706, ARIZONA REVISED STATUTES; RELATING TO BUDGET RECONCILIATION FOR HUMAN SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 23-706, Arizona Revised Statutes, is amended to read:

23-706. Use of special administration fund; transfer of monies

A. The department may use all or any part of the ~~funds~~ MONIES in the special administration fund:

1. ~~For the purpose of acquiring~~ TO ACQUIRE suitable office space for the units of the department performing functions provided by this chapter by purchase, lease, contract or in any other manner, including the right to use the ~~funds~~ MONIES or any part of the ~~funds~~ MONIES to purchase land and erect on the land such buildings as it deems necessary, or to assist in financing the construction of any building erected by ~~the~~ THIS state or any of its agencies in which available space will be provided for the units of the department performing functions provided by this chapter under lease or contract between the department and ~~the~~ THIS state or THE state agency. ~~The department may also use all or any part of the funds in the special administration fund to reimburse,~~

2. In case of AN administrative error by the department, TO REIMBURSE employers ~~which~~ THAT have elected to make payments in lieu of contributions pursuant to section 23-750.

3. TO PAY FOR DOMESTIC VIOLENCE PREVENTION AND COST-EFFECTIVENESS STUDY CLIENT SERVICES.

B. The department may transfer from the employment security administration fund to the special administration fund amounts not exceeding ~~funds~~ THE AMOUNT OF MONIES specifically available to the department for that purpose, equivalent to the fair, reasonable rental value of land and buildings acquired for the use of units of the department performing functions provided by this chapter until ~~such time as~~ the full amount of the purchase price of the land and buildings and the cost of repair and maintenance ~~thereof as~~ OF THE LAND AND BUILDINGS THAT was expended from the special administration fund has been returned to the SPECIAL ADMINISTRATION fund. The department may also transfer from the employment security administration fund to the special administration fund amounts not exceeding ~~funds~~ THE AMOUNT OF MONIES specifically available to the department for that purpose, equivalent to the fair, reasonable rental value of space used by the units of the department performing functions provided by this chapter in a building erected by ~~the~~ THIS state or any of its agencies until ~~such time as~~ the department's proportionate amount of the purchase price of the building and the department's proportionate amount of the costs of repair and maintenance ~~thereof as~~ OF THE BUILDING THAT was expended from the special administration fund has been returned to the SPECIAL ADMINISTRATION fund.

C. If the department deems the amount in the special administration fund ~~in excess of~~ TO EXCEED future needs, ~~it~~ THE DEPARTMENT may transfer all or a portion of the MONIES IN THE special administration fund to the unemployment compensation fund.

D. Expenditures or transfers from the special administration fund are subject to ~~the provisions of~~ section 23-705.

Sec. 2. Department of economic security; drug testing; TANF cash benefits recipients

During fiscal year 2020-2021, the department of economic security shall screen and test each adult recipient who is otherwise eligible for temporary assistance for needy families cash benefits and who the department has reasonable cause to believe engages in the illegal use of controlled substances. Any recipient who is found to have tested positive for the use of a controlled substance that was not prescribed for the recipient by a licensed health care provider is ineligible to receive benefits for a period of one year.

Sec. 3. Auditor general; department of child safety; report; delayed repeal

A. On or before September 30, 2021, the auditor general shall provide to the governor, the speaker of the house of representatives, the president of the senate and the directors of the joint legislative budget committee and the governor's office of strategic planning and budgeting a report regarding the department of child safety's practices for classifying and locating runaway or missing children.[illegible] The report shall:

1. Compare the program to best practices.

2. Recommend improvements, as appropriate.

B. This section is repealed from and after December 31, 2021.

Sec. 4. Temporary assistance for needy families; waivers

During the state of emergency declaration period for coronavirus disease 2019, the department of economic security, under the direction of the governor, shall provide:

1. Notwithstanding section 46-294, Arizona Revised Statutes, an exemption from the state time limits for temporary assistance for needy families cash assistance.

2. Notwithstanding section 46-299, Arizona Revised Statutes, a general waiver of the work requirements for temporary assistance for needy families cash assistance.

Sec. 5. Arizona health care cost containment system; provider payments; temporary adjustments

A. The Arizona health care cost containment system administration may authorize payments to providers of behavioral health services and providers of services to individuals with intellectual and developmental disabilities and individuals who are elderly or have physical disabilities in order to ensure that providers maintain capacity to continue to provide services during the state of emergency for the coronavirus disease 2019.❖ The administration shall implement payments to providers in a manner that ensures federal financial participation eligibility for the expenditures and is within the administration's expenditure authority for fiscal year 2019-2020.

B. The department of economic security and the Arizona health care cost containment system may temporarily adjust provider reimbursement rates for services to individuals with intellectual and developmental disabilities that are in a member's individual service plan within the department's expenditure authority for fiscal year 2019-2020 in order to provide additional funding for increased overtime expenses that service providers experience due to the loss of staff during the state public health emergency for the coronavirus disease 2019 during fiscal year 2019-2020.

Sec. 6. Retroactivity

Sections 4 and 5 of this act apply retroactively to from and after March 10, 2020.

APPROVED BY THE GOVERNOR MARCH 28, 2020.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2020.