



ARIZONA BOARD OF FINGERPRINTING

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Final Minutes for Public Meeting

Held October 31, 2008, at 8:30 a.m.

3839 North 3rd Street, Suite 107, Phoenix, Arizona

Board Members

Charles Easaw, Department of Education, Chair
Kim Pipersburgh, Department of Health Services, Vice Chair
Rand Rosenbaum, Administrative Office of the Courts
Mike LeHew, Department of Economic Security
Arthur W. Baker, Department of Juvenile Corrections

Executive Director

Dennis Seavers

CALL TO ORDER AND ROLL CALL

Mr. Easaw called the meeting to order at 8:36 a.m. The following Board members were present: Charles Easaw, Kim Pipersburgh, Rand Rosenbaum, Mike LeHew, and Arthur W. Baker. No Board members were absent.

Also in attendance was Dennis Seavers, Executive Director.

CALL TO THE PUBLIC

Mr. Easaw made a call to the public. There were no members of the public present.

APPROVAL OF MINUTES

Mr. LeHew made a motion to approve the draft minutes from September 19, 2008. Mr. Baker seconded the motion, which passed 5–0.

LEGISLATION (1)

Mr. Easaw explained that Mr. LeHew had recommended at the Board’s September 5 meeting that legislation be pursued to allow the Board to consider Adult Protective Services (“APS”) information when deciding whether to grant a good cause exception. At the September 5 meeting, Mr. LeHew said he would provide additional information on APS and the sort of information that the Board would consider.

Mr. Baker expressed support for the idea but wondered whether getting the new information would require additional staff hours—a concern he had in light of budget issues. He also wondered how the APS allegations were verified. Mr. LeHew said that the rating system for evaluating APS allegations was similar to the CPS system. Mr. Baker said he wanted to make sure that unsubstantiated allegations weren’t being considered. Mr. Seavers said he did not anticipate a significant burden on Board staff.

Mr. LeHew made a motion to direct the executive director to pursue legislation that would allow the Board to consider substantiated APS allegations. Mr. Baker seconded the motion, which passed, 5–0.

AUDITOR GENERAL FOLLOW-UP REPORT

Mr. Seavers explained that the Auditor General’s Office (“OAG”) conducts six-month follow-up audits to determine what progress the agency has made toward implementing recommendations. OAG continues these follow-ups for two years or until all recommendations have been implemented.

He said that in April he was asked by OAG to submit a status report as soon as possible so that OAG could issue its follow-up report. However, OAG never issued a follow-up report. OAG said that “internal processing delays” prevented it from issuing the 12-month report, so OAG would instead just issue the 18-month report. In addition, OAG said that since the law has changed since the six-month report, it would examine other aspects of Board operations. Mr. Seavers said that OAG assured him that recommendations that the Board had implemented by the 12-month report would be described that way in the report and that the report would not suggest that the Board had taken an additional six months to implement recommendation just because OAG did not issue its report on time. He said that he was not sure when the 18-month follow-up report would be issued, but he would send it to the Board as soon as it was published.

ADJOURNMENT (1)

Mr. LeHew made a motion to adjourn the meeting, and Mr. Baker seconded. The motion passed, 5-0. Mr. Easaw adjourned the meeting at 9:03 a.m.

LEGISLATION (2)

The Board reconvened at 9:12 a.m. to address one additional matter on the agenda. The same Board members were present.

Mr. Seavers explained that he got confirmation from the Department of Economic Security (“DES”) that it would be pursuing legislation similar to the HB 2727 from 2008, which was a DES-proposed solution to bring the agency into compliance with portions of the Adam Walsh Act. He said that DES assured him that the new bill would be the same as the final version of the HB 2727, which failed to pass, rather than the introduced version of the bill, which would have been problematic for the Board and which was not supported by some organizations and agencies. He said that the new bill would not be without problems for the Board. In particular, the Board would have to make determinations about the designation of offenses, even when that information may not be available.

Mr. Baker wanted to make sure that it was clear that the legislation was being proposed by DES and not the Board. Mr. Seavers said that the Board’s position would continue to be neutral, unless the Board wanted to take a different stance on the bill.

ADJOURNMENT (2)

Mr. LeHew made a motion to adjourn the meeting, and Mr. Baker seconded. The motion passed, 5-0. Mr. Easaw adjourned the meeting at 9:24 a.m.

Minutes approved on February 6, 2009

Dennis Seavers, Executive Director