

# BK v. Faust

(Class Action Lawsuit)

Class Action Settlement Webpage: <https://dcs.az.gov/news-reports/settlement>



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## TIMELINE:

- February 2015 – Class action file
- September 2017 – Court grants Class Certification
- September 2018 – Appeal of Class Action submitted by Defendants
- December 2019 – Defendants submitted Petition for Writ of Certiorari requesting an appeal of the Appellate Courts denial of review for reconsideration of class certification.
- July 2020 – Plaintiffs and Defendants agree on terms of settlement agreement
- August 2020 – Agreement presented jointly to the court by plaintiffs and DCS. Court requested revisions, vacated August trial date.
- October 2020 – Court provided Preliminary Approval of Settlement Agreement
- November 2020 – Notice of Proposed Settlement Agreement issued/posted
- February 2021 – Final Settlement Approval Hearing.



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## Settlement Agreement – Areas of Focus

### Behavioral Health:

- CFT Performance Measures
- Timeliness of service Delivery
- Fidelity to CFT Practice Model
- TFC Performance Measures
- Case Reviews
- Policies and Training
- Service Array and HLOC

### Physical Health

- Tracking of Health Care Services
- Children with Developmental Disabilities
- Performance Measures for service deliver (EPSDT)

### Workload

- Monitoring (scorecards)
- Visits (sibling, placement, parents)
- PICR Reviews

### Placement Array

- Foster Home Recruitment/Retention
- Caregiver Selection / Placement Decisions and Tools
- Reduction of Congregate Care
- Performance Measures

