

AzAFP

Bill Progress Report

53rd Legislature - 1st Regular Session, 2017

Friday, Apr 21 2017 7:23 AM

Bill summaries and histories copyright 2017 Arizona Capitol Reports, L.L.C.

BILL NUMBER/ SHORT TITLE	SUMMARY	SPONSORS	POSTED HEARINGS & CALENDARS	LAST ACTION
Enacted Legislation				
H2031 (Chapter 22): PHARMACY; VIRTUAL MANUFACTURERS; VIRTUAL WHOLESALEERS	For the purpose of Board of Pharmacy statutes, the definitions of "full service wholesale permittee," "nonprescription drug wholesale permittee" and "manufacturer" are expanded to include a virtual wholesaler or virtual manufacturer, as applicable, as defined in rule by the Board. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		3/21 signed by governor. Chap. 22, Laws 2017.
H2032 (Chapter 74): PHARMACY BOARD; NOTICE REQUIREMENTS	Board of Pharmacy licensees and permittees are required to create an online profile using the Board's licensing software. The list of information changes that Board licensees are required to give notice of to the Board is expanded to include the licensee's contact information and employer's address. The licensee is required to either give written notice to the Board office staff of the change or electronically update the person's online Board profile. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		3/27 signed by governor. Chap. 74, Laws 2017.
H2033 (Chapter 53): CONTROLLED SUBSTANCES; DEFINITION	For the purpose of controlled substances regulations, certain specified substances are added to the list of controlled substances included in schedule I. For the purpose of the criminal code, the definition of "narcotic drugs" is expanded to include certain specified substances. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		3/24 signed by governor. Chap. 53, Laws 2017.
H2041 (Chapter 122): DHS; HEALTH CARE INSTITUTIONS; LICENSURE	A health care institution license issued by the Department of Health Services does not expire and remains valid unless the Dept revokes or suspends the license, or unless the license is considered void because the licensee did not pay the licensing fee before the due date. The Director of the Dept is authorized to establish by rule a licensing fee, including a grace period and a fee for late payments, and to establish a process for the Dept to notify a licensee of the licensing fee due date as well as a process for the licensee to request a different due date. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		3/31 signed by governor; Chap. 122, Laws 2017.
H2042 (Chapter 24): DHS; FINGERPRINTING REQUIREMENTS	Volunteers who provide medical services, nursing services, behavioral health services, health-related services home health services or supportive services at a residential care institution, nursing care institution or a home health agency are required to have a valid fingerprint clearance card. Some exceptions. The list of persons exempt from the fingerprinting requirements for children's	First sponsor: Rep. Carter		3/21 signed by governor. Chap. 24, Laws 2017.

	behavioral health program personnel and volunteers is modified. AS SIGNED BY GOVERNOR.			
H2076: ADVANCED DIRECTIVES REGISTRY; PROVIDER ACCESS	By December 31, 2018, the Secretary of State is required to establish in rule a process for "health care providers" (defined) to access the health care advanced directives registry. Except for acts of gross negligence, wilful misconduct or intentional wrongdoing, the state and its contractors are not subject to civil liability for claims or demands arising out of the provision of access to information stored in the registry. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		4/17 signed by governor. Chap. no. awaited.
H2189 (Chapter 31): DISABILITY INSURANCE; SERVICE COVERAGE	Exempts disability income from statute requiring disability insurance contracts and policies issued, delivered or renewed on or after July 1, 2017 in Arizona to provide coverage for lawful health care services provided by a health care provider to a subscriber regardless of the familial relationship of the provider to the subscriber if that service would be covered were it provided not a subscriber who was not related to the provider. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Cobb		3/21 signed by governor. Chap. 31, Laws 2017.
H2195 (Chapter 92): MEDICAL BOARD; LICENSURE; DISCIPLINARY ACTION	Various changes to statutes related to the Arizona Medical Board. The definition of "unprofessional conduct" is modified to include a pattern of using or being under the influence of alcohol or drugs while practicing medicine or to the extent that judgment may be impaired and the practice of medicine detrimentally affected. Applicants for a license to practice medicine are no longer required to submit verification of all hospital affiliations for the five years preceding application. Modifies the requirements for a temporary license. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		3/29 signed by governor. Chap. 92, Laws 2017.
H2197: TELEMEDICINE; AUDIO VISUAL REQUIREMENTS	Deletes the requirement that telemedicine audio and visual capability meets the elements required by the federal Centers for Medicare and Medicaid Services. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter Others: Sen. Brophy McGee, Rep. Cobb		4/18 signed by governor. Chap. no. awaited.
H2205 (Chapter 136): DHS; COMMISSION; TASK FORCE; REPEAL	Repeals the Advisory Health Council, the Prostate Cancer Task Force, and the Biomedical Research Commission. Some responsibilities of these entities are transferred to the Department of Health Services. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		4/4 signed by governor. Chap. 136, Laws 2017.
H2208 (Chapter 58): INHALERS; ADMINISTRATION; SCHOOLS; AUTHORIZED ENTITIES	Pursuant to a standing order issued by the chief medical officer of a county health department, or by a licensed medical doctor, doctor of osteopathy or nurse practitioner, a trained school district or charter school employee is authorized to administer or assist in the administration of an inhaler to a student or adult whom the employee believes in good faith to be exhibiting symptoms of respiratory distress while at school or at a school-sponsored activity. School districts and charter schools are authorized to accept monetary donations for or apply for grants for the purchase of inhalers or to accept donations of inhalers directly from the product manufacturer. Medical personnel, schools and school employees are immune from civil liability with respect to decisions made and actions taken based on good faith implementation of these requirements, except in cases of gross negligence.	First sponsor: Rep. Carter		3/24 signed by governor. Chap. 58, Laws 2017.

	<p>willful misconduct or intentional wrongdoing. The State Board of Education is required to adopt rules that prescribe annual training for school personnel in the administration of inhalers, recognition of respiratory distress symptoms and procedures for the administration of inhalers in emergency situations. Licensed medical doctors, doctors of osteopathy or nurse practitioners are authorized to prescribe inhalers in the name of an "authorized entity" (defined as any entity or organization in connection with or at which allergens capable of causing respiratory distress symptoms may be present, including recreation camps, day care facilities, youth sports leagues, amusement parks, restaurants and sports arenas). Authorized entities are authorized to acquire and stock a supply of inhalers and employees of those entities who have completed required training are authorized to administer or assist in the administration of an inhaler to an individual whom the employee believes in good faith to be exhibiting symptoms of respiratory distress. AS SIGNED BY GOVERNOR.</p>			
<p>H2211 (Chapter 33): DRUG & ALCOHOL TREATMENT PROGRAMS; REPORTS</p>	<p>By December 1 of each year, the Director of the Department of Corrections is required to report to the Governor and the Legislature on the drug and alcohol treatment programs available to offenders in Arizona who are under the jurisdiction of the Dept. Information that must be included in the report is specified. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Carter</p>		<p>3/21 signed by governor. Chap. 33, Laws 2017.</p>
<p>H2216: PROHIBITED FIREARM TRACKING; CLASSIFICATION</p>	<p>It is a class 6 (lowest) felony to require a person to use or be subject to "electronic firearm tracking technology" (defined) or to disclose any identifiable information about a person or the person's firearm for the purpose of using electronic firearm tracking technology. Does not apply to a "criminal justice employee" (defined) who obtains a search warrant, a pawnbroker or employee of a pawnshop if used to report information to the sheriff pursuant to statute, a probation, parole or surveillance officer who supervises a person serving a term of probation, community supervision or parole, or to the owner of a firearm who consents in writing. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Boyer</p>		<p>4/18 signed by governor. Chap. no. awaited.</p>
<p>H2238: SEX TRAFFICKING; VIOLATION</p>	<p>The crime of child prostitution, a class 2 (second-highest) felony, is renamed child sex trafficking, and the crime of sex trafficking of a minor is deleted. The acts constituting a commission of child sex trafficking are expanded to include knowingly enticing, recruiting, harboring, providing, transporting, making available to another or otherwise obtaining a minor with the intent to cause the minor to engage in, or with the knowledge that the minor will engage in, prostitution or any "sexually explicit performance" (defined). These acts were previously classified as sex trafficking of a minor. A sentence for child sex trafficking must be consecutive to any other sentence imposed on the person at any time. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Grantham Others: Sen. Hobbs, Sen. Petersen</p>		<p>4/18 signed by governor. Chap. no. awaited.</p>

<p>H2268 (Chapter 38): SEXUAL ASSAULT EVIDENCE; SUBMISSION; REPORTS</p>	<p>A health care facility that obtains written consent to release sexual assault kit evidence is required to notify the appropriate law enforcement agency within 48 hours after evidence collection. The law enforcement agency is required to take possession of the kit within five business days and submit the evidence to a public accredited crime laboratory for forensic analysis within 15 business days after its receipt in all cases in which a victim reports to law enforcement and law enforcement determines that a crime occurred. All kits submitted for analysis must be analyzed as soon as practicable if sufficient personnel and resources are available, and a public accredited crime laboratory is permitted to contract with a private accredited crime laboratory to perform the analysis. By August 30 of each year, each law enforcement agency and public accredited crime laboratory is required to report specified information about sexual assault kits to the Department of Public Safety, and the Dept is required to report a compilation of those reports to the Governor and the Legislature by December 1 of each year. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Syms Others: Rep. Barton, Rep. Bowers, Rep. Cobb, Rep. Cook, Rep. Engel, Sen. Hobbs, Rep. John, Rep. Leach, Rep. Livingston, Rep. Navarrete, Rep. Nutt, Rep. Payne, Rep. Rubalcava, Rep. Salman</p>		<p>3/21 signed by governor. Chap. 38, Laws 2017.</p>
<p>H2307 (Chapter 61): CONTROLLED SUBSTANCES PRESCRIPTION MONITORING PROG</p>	<p>The maximum amount the Executive Director of the Board of Pharmacy is authorized to annually transfer to the Controlled Substances Prescription Monitoring Program from the Board of Pharmacy Fund is increased to \$500,000, from \$395,795. Each medical practitioner regulatory board is required to notify medical practitioners who register under the federal Controlled Substances Act of the practitioner's responsibility to register with the Board of Pharmacy and be granted access to the Program's central database tracking system, instead of each board being required to notify the Board of Pharmacy and the Board of Pharmacy notifying the practitioners. The purposes for which the Arizona Health Care Cost Containment System Administration is authorized to use confidential data from the Program for are expanded to include for performing a drug utilization review for controlled substances to help combat opioid overuse or abuse or for ensuring the continuity of care. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Carter</p>		<p>3/24 signed by governor. Chap. 61, Laws 2017.</p>
<p>H2308 (Chapter 95): PHARMACY BOARD; LOGISTICS PROVIDERS; PERMITS</p>	<p>The Board of Pharmacy must require and provide for biennial registration of every "third-party logistics provider" (defined) where drugs are housed or stored by issuing third-party logistics provider permits. A third-party logistics provider that engages in the logistics services of prescription or over-the-counter dangerous drugs or dangerous devices into, within or from Arizona is required to hold a third-party logistics provider permit. Establishes requirements for drug storage practices. Third-party logistics providers are required to have a designated representatives at each facility, and requirements for designated representatives are established, including a requirement for the person to have a valid fingerprint clearance card. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Carter</p>		<p>3/29 signed by governor. Chap. 95, Laws 2017.</p>

<p>H2373 (Chapter 96): TOBACCO SETTLEMENT; INDIAN TRIBES; INFO</p>	<p>The Department of Revenue and the Attorney General are authorized to share specified confidential tax information with Indian Tribes or local agencies located in Arizona for the purposes of enforcement of public health control laws relating to tobacco sales, laws relating to reduced cigarette ignition propensity standards, and the tobacco master settlement agreement. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Carter</p>		<p>3/29 signed by governor. Chap. 96, Laws 2017.</p>
<p>H2375 (Chapter 125): VICTIMS; MEDICAL BILLS; PROHIBITED ACTS</p>	<p>A "licensed health care provider" (defined) who provides health and medical services to a victim or claimant, who agrees to the victim compensation program rules and who accepts the full allowable payment for those services from a victim compensation program is deemed to have accepted the payment as the full payment for those services, and is prohibited from collecting or attempting to collect any payment for those services from the victim or claimant. Some exceptions. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Boyer</p>		<p>3/31 signed by governor; Chap. 125, Laws 2017.</p>
<p>H2382 (Chapter 42): PHARMACEUTICALS; MISBRANDING; ENFORCEMENT PROHIBITED</p>	<p>A pharmaceutical manufacturer or its representative may engage in "truthful promotion" of an "off-label use" (both defined) of a drug, biological product or device, and an official or agent of the state cannot enforce or apply statutes prohibiting misbranding against or otherwise prosecute a pharmaceutical manufacturer or its representative for doing so. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Lovas</p>		<p>3/21 signed by governor. Chap. 42, 2017.</p>
<p>H2497: ORGAN; TISSUE; DONATIONS; PROCUREMENT ORGANIZATIONS</p>	<p>For the purpose of the Uniform Anatomical Gift Act, the definition of "procurement organization" is expanded to include "nontransplant anatomical donation organizations" (defined as a tissue bank or other organization that facilitates nontransplant anatomical donations). Statute prohibiting a person from acting as a procurement organization without a license from the Department of Health Services does not apply to licensed hospitals. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Cobb</p>		<p>4/18 signed by governor. Chap. no. awaited.</p>
<p>HM2001: HEALTH INSURANCE TAX; REPEAL</p>	<p>The House of Representatives urges the U.S. Congress to act immediately to repeal the Affordable Care Act's health insurance tax. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. AS SENT TO SECRETARY OF STATE.</p>	<p>First sponsor: Rep. Shope</p>		<p>2/23 from House rules okay. House COW approved. Passed House <u>35-25</u>; to secretary of state.</p>
<p>S1017 (Chapter 4): ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES</p>	<p>For the purpose of transportation-related statutes, the definition of "electric personal assistive mobility device" is expanded to include self-balancing devices with electric propulsion systems that have one wheel, in addition to devices with two non-tandem wheels. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>3/14 signed by governor. Chap. 4, Laws 2017.</p>
<p>S1029 (Chapter 102): PHARMACY BOARD; LICENSURE; FEES</p>	<p>The Board of Pharmacy is no longer required to prorate the fee for a new license for the remaining full calendar months of the license period. Pharmacy technician trainee licenses expire 36 months, increased from 24 months, after issuance, and can no longer be renewed or reissued. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Barto</p>		<p>3/29 signed by governor. Chap. 102, Laws 2017.</p>

S1047 (Chapter 128): MEDICAL STUDENT LOANS; BOARD; CONTINUATION	The statutory life of the Board of Medical Student Loans is extended four years to July 1, 2021. Retroactive to July 1, 2017. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Kavanagh		3/31 signed by governor; Chap. 128, Laws 2017.
S1082 (Chapter 10): MOTORCYCLE SAFETY FUND	The requirement for the Department of Transportation to deposit \$1 of each motorcycle registration fee in the Motorcycle Safety Fund is extended five years to June 30, 2021, from June 30, 2016. Eliminates the Motorcycle Safety Advisory Council, which terminated on June 30, 2016. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Fann Others: Rep. Barton, Sen. Bowie, Rep. Campbell		3/14 signed by governor. Chap. 10, Laws 2017.
S1128 (Chapter 108): HOSPITAL SURVEY; EXCLUSION; FETAL DEATH	The Department of Health Services is required to prescribe by rule an exclusion for "fetal demise" (defined as a fetal death that occurs or is confirmed in a licensed hospital and does not include abortion) cases from the standardized survey known as the Hospital Consumer Assessment of Healthcare Providers and Systems. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Lesko		3/29 signed by governor. Chap. 108, Laws 2017.
S1133 (Chapter 80): CERTIFIED NURSE MIDWIVES; NURSE PRACTITIONERS	The Board of Nursing is authorized to adopt rules establishing those acts that may be performed by a "certified nurse midwife," defined as a registered nurse who has completed a nurse midwife education program approved or recognized by the Board and who meets other specified requirements. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto		3/27 signed by governor. Chap. 80, Laws 2017.
S1134: PHARMACY BOARD; REQUIRED PERMITTING; VIOLATION	A person that sells a narcotic or other controlled substance, a prescription-only drug or device, a nonprescription drug, a precursor chemical, or a restricted chemical within or into the state of Arizona is required to hold a valid permit issued by the Arizona State Board of Pharmacy. Violations are subject to disciplinary action by the Board, including a civil penalty of up to \$1,000 per violation. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto Others: Rep. J. Allen		4/17 signed by governor. Chap. no. awaited.
S1194 (Chapter 114): DCS; FOSTER PARENT; MEDICAL CONSENT	If the Department of Child Safety (DCS) has temporary or legal custody of a child, DCS is authorized to consent to evaluation and treatment for emergency conditions that are not life threatening, routine medical and dental treatment and procedures, surgery, blood transfusions, general anesthesia, and testing for the presence of the human immunodeficiency virus (HIV). To the extent possible, DCS is required to consult with each biological parent of the child whose parental rights have not been terminated when making health care decisions for the child. Additionally, foster parents are authorized to, instead of prohibited from, giving consent to testing for the presence of HIV. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto		3/29 signed by governor. Chap. 114, Laws 2017.
S1235 (Chapter 82): PODIATRY; AMPUTATION	Licensed podiatrists are authorized to amputate toes or portions of a foot. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto Others: Sen. Bradley, Rep. Carter		3/27 signed by governor. Chap. 82, Laws 2017.

S1239 (Chapter 85): PARKING VIOLATION; DISABILITIES; ACCESS AISLES	It is unlawful to stop, stand or park a motor vehicle, including a vehicle displaying an international symbol of access special plate or placard, in the "access aisle" (defined) of a parking space for persons with physical disabilities. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Kavanagh		3/28 signed by governor. Chap. 85, Laws 2017.
S1269 (Chapter 117): PHARMACISTS; SCOPE OF PRACTICE	A licensed pharmacist is authorized to dispense a one-time emergency refill of each prescription of a noncontrolled medication used to treat an ongoing medical condition if a list of specified conditions is met. The amount of medication dispensed as an emergency refill cannot exceed a 30-day supply for medications that are prepackaged in a form that prohibits the pharmacist from dispensing a lesser supply, or a 7-day supply for all other medications. The pharmacy is required to maintain a record of any emergency refill dispensed for at least one year, which must contain specified information. A licensed pharmacist who has completed a course of training is authorized to prescribe and administer oral fluoride varnish or tobacco cessation drug therapies pursuant to rules adopted by the Board of Pharmacy. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto		3/29 signed by governor. Chap. 117, Laws 2017.
S1325 (Chapter 71): NURSING FACILITIES; ASSISTED LIVING; ADVERTISING	The results of a Department of Health Services state compliance survey of a nursing care institution, assisted living center or assisted living home or of a federal certification survey of a skilled nursing facility are prohibited from being used in an advertisement unless the advertisement includes a list of specified information about the survey. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Barto Others: Rep. Carter		3/24 signed by governor. Chap. 71, Laws 2017.
S1362: DENTAL BOARD; DENTISTS; DENTAL HYGIENISTS	Various changes to statutes relating to the Board of Dental Examiners. The list of procedures that dental hygienists are authorized to perform is repealed and replaced. The requirements for a dental hygienist to be eligible to enter into an affiliated practice relationship with a dentist and the requirements that a dental assistant must meet in order to perform expanded functions are modified. Licensure fees are in an amount established by the Board, with the current statutory fee amounts set as the maximum fee. Session law requires the Board to provide a one-time waiver from license or certificate renewal fees for dentists, denturists and dental hygienists who are licensed in Arizona before January 1, 2018, which is effective for licenses renewing in calendar years 2018, 2019, and 2020. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Brophy McGee		4/18 signed by governor. Chap. no. awaited.
S1367 (Chapter 133): ABORTION; LIVE DELIVERY; REPORT; DEFINITION	If a human fetus or embryo is "delivered alive" (defined), the physician performing the abortion is required to document and report to the Department of Health Services (DHS) the measures the physician performed to maintain the life of the fetus or embryo. DHS is required to prescribe rules requiring an abortion clinic or a hospital that performs or induces an abortion at or after 20 weeks' gestational age to establish, document and implement policies and procedures to comply with this requirement, and provisions that must be included in the policies and procedures are specified. An action to enforce this requirement must be brought in the name of the state by the Attorney General or the county attorney in the	First sponsor: Sen. Smith Others: Rep. J. Allen, Sen. S. Allen, Sen. Barto, Rep. Barton, Sen. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Cobb, Sen. Fann, Sen. D. Farnsworth, Rep. E. Farnsworth, Rep. Finchem, Rep. Grantham, Sen. Griffin, Rep. John, Sen. Kavanagh, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Mesnard, Sen. Miranda, Rep.		3/31 signed by governor; Chap. 133, Laws 2017.

	<p>superior court in the county in which the violation occurred. Specified persons who are related to the human fetus or embryo delivered alive are authorized to file a civil action to obtain appropriate relief for a violation of these requirements, and relief for a civil action filed may include specified damages and costs. Contains legislative findings. Does not create or recognize a right to abortion. Severability clause. AS SIGNED BY GOVERNOR.</p>	<p>Mitchell, Sen. Montenegro, Rep. Mosley, Rep. Norgaard, Rep. Nutt, Rep. Payne, Sen. Petersen, Sen. Pratt, Rep. Shope, Rep. Townsend, Sen. Worsley, Sen. Yee</p>		
<p>S1437 (Chapter 138): AGENCIES; REVIEW; GRRC; OCCUPATIONAL REGULATION</p>	<p>Agencies are required to limit all "occupational regulations" (defined) to regulations demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Any person harmed by an occupational regulation is authorized to petition an agency to repeal or modify any occupational regulation within the agency's jurisdiction, and the agency is required to take one of a list of specified actions within 90 days after the petition is filed. Any person is authorized to file an action in a court of general jurisdiction to challenge an occupational regulation. If the court finds by a preponderance of the evidence that the challenged occupational regulation on its face or in its effect burdens the entry into or participation in an occupation, trade or profession and the state fails to prove by a preponderance of the evidence that the regulation is necessary to specifically fulfill a public health, safety or welfare concern, the court is required to enjoin further enforcement of the regulation and award reasonable attorney fees and costs to the plaintiff. Additionally, a person is authorized to petition the Governor's Regulatory Review Council (GRRC) to request a review of a final rules based on the person's belief that the final rule does not meet the requirements of the Administrative Procedures Act. Agencies and the Secretary of State are required to post prominently on their website notice of a person's right to petition GRRC for this review. Contains a legislation findings section. Severability clause. AS SIGNED BY GOVERNOR. In his signing statement, the Governor stated that while this legislation makes positive steps, it inadequately addresses the anti-competition issues raised by the U.S. Supreme Court in North Carolina Board of Dental Examiners v. Federal Trade Commission. The Governor called on the Legislature to fully address this issue next session.</p>	<p>First sponsor: Sen. Barto</p>		<p>4/5 signed by governor. Chap. 138, Laws 2017.</p>
<p>S1439 (Chapter 73): END-OF-LIFE; DISCRIMINATION; PROHIBITION</p>	<p>A person is prohibited from discriminating against a health care entity on the basis that the entity does not provide, assist in providing or facilitate in providing any health care item or service for the purpose of causing or assisting in causing the death of any individual, such as by assisted suicide, euthanasia or mercy killing, and health care entities are not liable in any civil, criminal or administrative action for declining to provide those items or services. Does not apply to the withholding of cardiopulmonary resuscitation (CPR) for a patient with a valid prehospital medical directive or similar medical order to withhold CPR issued by a licensed health care provider. A health care entity may bring a civil action in superior court for a violation of these requirements. Does not create or recognize a right to assisted suicide, euthanasia or mercy killing. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Barto Others: Rep. J. Allen, Sen. S. Allen, Rep. Barton, Sen. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Campbell, Rep. Coleman, Rep. Cook, Sen. Fann, Sen. D. Farnsworth, Rep. Finchem, Rep. Grantham, Sen. Griffin, Rep. John, Sen. Kavanagh, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Mesnard, Rep. Mitchell, Sen. Montenegro, Rep. Mosley, Rep. Norgaard. Rep. Nutt.</p>		<p>3/24 signed by governor. Chap. 73, Laws 2017.</p>

		Rep. Payne, Sen. Petersen, Sen. Pratt, Rep. Shooter, Rep. Shope, Sen. Smith, Rep. Stringer, Rep. Thorpe, Rep. Townsend, Sen. Worsley, Sen. Yee	
S1478 (Chapter 147): OCCUPATIONAL SAFETY & HEALTH OMNIBUS	Various changes to statutes related to occupational safety and health. If an employer requests a hearing on an additional penalty for a repeated violation causing employee permanent disability or death covered by workers' compensation, the Industrial Commission is required to refer the request to the Office of Administrative Hearings for determination, instead of being permitted to either hear the issued raised or refer it to an administrative law judge. The Industrial Commission Division of Occupational Safety and Health is authorized to require the attendance and testimony of witnesses and the production of evidence under oath in making inspections and investigations. The Division is required to adopt regulations necessary for the operation of a voluntary protection and other model system implementation program, and program requirements are specified. The program terminates on July 1, 2027. Statutes regulating safety conditions for boilers and line hot water heaters are expanded to include "pressure vessels" (defined). Modifies the requirements for members of the Review Board within the Industrial Commission, and conditionally eliminates those changes if the Federal Occupational Safety and Health Administration rejects the changes to Arizona's occupational safety and health plan. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Smith	4/10 signed by governor. Chap. 147, Laws 2017.

BILL NUMBER/ SHORT TITLE	SUMMARY	SPONSORS	POSTED HEARINGS & CALENDARS	LAST ACTION
Advancing Bills				
H2030: INSURANCE COVERAGE; TELEMEDICINE; UROLOGY	Health and disability insurance policies or contracts executed or renewed on or after January 1, 2018 are required to provide coverage for health care services for urology that are provided through "telemedicine" (defined as the use of interactive audio, video or other electronic media for diagnosis, consultation or treatment) if the service would be covered were it provided through in-person consultation and if the service is provided to a subscriber receiving the service in Arizona, instead of only in a rural region of Arizona. Effective January 1, 2019. AS PASSED HOUSE.	First sponsor: Rep. Carter		4/11 from Senate rules okay.
H2043: STATE HOSPITAL; PROPERTY LEASES	The Director of the Department of Health Services is authorized to take all necessary steps to enhance the highest and best use of the Arizona State Hospital property, including contracting with third parties to provide services or entering into lease agreements for specified purposes. The Dept is required to deposit any monies from contracts and leases in the newly established Arizona State	First sponsor: Rep. Carter		4/17 Senate COW approved with amend #4740.

	Hospital Charitable Trust Fund. Monies in the Fund are continuously appropriated and may be spent for the benefit of persons with mental illness in Arizona. The lease or sublease of Arizona State Hospital lands or buildings is exempted from certain regulations related to disposition of real property by state agencies and the prohibition on state competition with private enterprise. AS PASSED HOUSE.			
H2050: ADMINISTRATIVE PROCEDURE; DECLARATORY JUDGMENT	Any person who is or may be affected by an agency rule is permitted to obtain a judicial declaration of the validity of the rule by filing an action for declaratory relief in the superior court in any county, instead of only in Maricopa County.	First sponsor: Rep. Finchem Others: Rep. Thorpe		3/2 from Senate gov do pass.
H2066: AGGRAVATED DUI; SENTENCE; COUNTY JAIL	County sheriffs are authorized to establish an aggravated driving under the influence jail program. If the county sheriff establishes a program, the Department of Corrections is required to enter into an agreement with the county to facilitate the program. If a violation of aggravated driving under the influence occurs in a county with a program and the person is placed on probation, the mandatory term of incarceration that the person would otherwise serve in prison may be served in a county jail. Beginning January 1, 2018, the Arizona Criminal Justice Commission is required to submit an annual recidivism report to the Legislature that compares the recidivism rate for a person who serves the mandatory incarceration in a county jail under a program and a person who serves the mandatory incarceration in prison. AS PASSED HOUSE.	First sponsor: Rep. Shope		4/4 from Senate rules okay.
H2075: RADIATION REGULATORY AGENCY; DHS; TRANSFER	The Department of Health Services succeeds to the authority, powers, duties and responsibilities of the Radiation Regulatory Agency. All administrative matters, licenses and registrations, equipment and other property, and personnel of the Agency are transferred to and retain the same status with the Dept on the effective date of this legislation.	First sponsor: Rep. Carter		4/4 Senate COW approved with amend <u>#4700</u> and floor amend <u>#4923</u> .
H2090: HOSPITALS; FLU VACCINES	The Department of Health Services is required to monitor the Centers for Medicare and Medicaid Services hospital inpatient quality reporting and value based purchasing programs for changes to measures of timely and effective care that include offering the influenza vaccination and assessing the status of patients who are at least 65 years of age. AS PASSED HOUSE.	First sponsor: Rep. Carter		3/21 from Senate nat res-energy with amend <u>#4779</u> .
H2117: STATE MILITIA; FIREARMS; RIGHTS	Declares a legislative finding that the state militia is necessary for the security of the state, that militia members include citizens and residents who are law abiding and who legally own firearms, and that militia members have the right to keep and bear arms under the 2nd amendment of the U.S. Constitution. AS PASSED HOUSE.	First sponsor: Rep. Thorpe Others: Rep. Barton, Rep. Lawrence		3/23 from Senate gov with amend <u>#4841</u> .

<p>H2134: SCHOOLS; CHILDREN'S CAMPS; SUNSCREEN USE</p>	<p>A student who attends any public school in Arizona and a school-age child who attends a children's camp, child care facility or child care group home in Arizona is permitted to possess and use a topical sunscreen product without a note or prescription from a licensed health care professional. AS PASSED SENATE.</p>	<p>First sponsor: Rep. Carter</p>		<p>4/20 House concurred in Senate amendments and passed on final reading 48-9; ready for governor</p>
<p>H2139: CHILD SUPPORT; ADMINISTRATIVE ORDER; ENFORCEMENT</p>	<p>The Department of Economic Security or its agent is required to establish an insurance industry data match reporting system that allows insurers to ascertain whether a claimant is a child support obligor who owes any arrearage. Before remitting a payment under an insurance contract to a claimant whose claim is based on an accident or loss that occurred in Arizona, an insurer is authorized to exchange information with the Dept to ascertain whether a claimant is a child support obligor who owes any arrearage. If a claimant who owes an arrearage is identified, the insurer is authorized to report specified information to the Dept, and the Dept may use the information for the administration and enforcement of child support. If a comparison of claimant and obligor information reveals a match with an obligor who has child support arrearage in a Title IV-D case, the Dept is required to send the insurer an income withholding order, and the insurer is required to withhold the full amount of the arrearages that is not otherwise exempt by law and pay the withheld amount to the child support payment clearinghouse. Insurers are not required to report or identify a list of certain types of claims. Contains a legislative intent section. AS PASSED SENATE.</p>	<p>First sponsor: Rep. Norgaard</p>		<p>4/10 passed Senate <u>30-0</u>; ready for House action on Senate amendments.</p>
<p>H2191: CHILD SUPPORT; ADMINISTRATIVE ORDER; ENFORCEMENT</p>	<p>The Department of Economic Security or its agent is required to establish an insurance industry data match reporting system that allows insurers to ascertain whether a claimant is a child support obligor who owes any arrearage. Before remitting a payment of \$800 or more on a claim under an insurance contract to a claimant whose claim is based on an accident or loss that occurred in Arizona, an insurer is authorized to exchange information with the Dept to ascertain whether a claimant is a child support obligor who owes any arrearage. If a claimant who owes an arrearage is identified, the insurer is required to report specified information to the Dept, and the Dept may use the information for the administration and enforcement of child support. If a comparison of claimant and obligor information reveals a match with an obligor who has child support arrearage in a Title IV-D case, the Dept is required to send the insurer an income withholding order, and the insurer is required to withhold the full amount of the arrearages that is not otherwise exempt by law and pay the amount to the child support payment clearinghouse. Insurers are not required to report or identify a list of certain types of claims. Contains a legislative intent section. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Cobb</p>		<p>3/22 from Senate fin with amend <u>#4826</u>.</p>

<p>H2290: PROVISIONAL LICENSES; CRIMINAL CONVICTIONS</p>	<p>A "licensing authority" (defined) is required to issue to an otherwise qualified applicant who has been convicted of an offense either the regular license or a provisional license that is valid for at least 90 days but not more than 365 days. The licensing authority may revoke a provisional license if the licensee commits a new felony, commits an act or omission causing the licensee's community supervision, probation or parole to be revoked, or violates the law or rules governing the practice of the occupation for which the provisional license is issued. If the licensee does not violate these terms, the licensing authority is required to issue the regular license upon expiration of the provisional license term. Does not apply to a person who is convicted of specified criminal offenses. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Rivero</p>		<p>4/20 passed Senate <u>30-0</u>; ready for House action on Senate amendments.</p>
<p>H2323: CRITICAL HEALTH INFO; EMERGENCY RESPONDERS</p>	<p>Municipalities and counties are authorized to establish by ordinance a program to provide "emergency responders" (defined) with critical health information about program participants so that emergency responders may aid program participants who are involved in motor vehicle emergencies or accidents and who are unable to communicate. Program requirements are specified and program participants may be charged a nominal fee for program costs.</p>	<p>First sponsor: Rep. Gabaldon Others: Rep. Alston, Rep. Andrade, Rep. Benally, Rep. Blanc, Rep. Bolding, Rep. Bowers, Rep. Boyer, Sen. Brophy McGee, Sen. Cajero Bedford, Rep. Campbell, Rep. Cardenas, Rep. Carter, Rep. Chavez, Rep. Clark, Rep. Clodfelter, Rep. Coleman, Sen. Contreras, Rep. Cook, Sen. Dalesandro, Rep. Engel, Rep. Epstein, Rep. Espinoza, Sen. Fann, Sen. Farley, Rep. Fernandez, Rep. Friese, Rep. Gonzales, Rep. Hernandez, Rep. Lawrence, Rep. Leach, Rep. Martinez, Sen. Mendez, Sen. Miranda, Rep. Navarrete, Rep. Norgaard, Sen. Otondo, Sen. Peshlakai, Rep. Powers Hannley, Sen. Quezada, Rep. Rios, Rep. Rivero, Rep. Rubalcava, Rep. Saldade, Rep. Salman, Rep. Shope, Rep. Thorpe</p>		<p>3/9 from Senate gov do pass.</p>
<p>H2372: PUBLIC BENEFITS; FEE WAIVERS; REQUIREMENTS</p>	<p>Various changes to public assistance programs. A needy family may continue to receive Temporary Assistance for Needy Families (TANF) cash assistance for 12 months in addition to the 12-month limit if the head of household or other adult household member who is required to participate in the work program is in full compliance with all work activity requirements of the program, and each dependent child in the assistance unit who is required to attend school has a school attendance record of at least 90 percent unless the child was excused pursuant to statutory requirements. A head of household who receives TANF cash assistance or any person authorized by the head of household is prohibited from using an electronic benefit transfer (EBT)</p>	<p>First sponsor: Rep. Weninger Others: Sen. Brophy McGee, Rep. Townsend</p>		<p>3/29 from Senate appro do pass.</p>

	<p>card to purchase lottery tickets. The Department of Economic Security (DES) is required to impose a series of graduated sanctions if a TANF recipient voluntarily terminates paid employment without good cause or an adult TANF recipient uses, sells or possesses a controlled substance in violation of the criminal code. If a person requests a third replacement EBT card within a 12-month period or uses more than 10 percent of the EBT card balance in a 6-month period on out-of-state purchases, DES is required to schedule an interview for the person to determine whether there is fraud. DES is required to request any necessary federal waivers to comply with this requirement. DES is required to post online a spending report of the Supplemental Nutrition Assistance Program (SNAP) and TANF benefits, which must include specified information. If specified conditions are met, DES is required to provide the Jobs Program to eligible families transitioning off of TANF cash assistance due to the time limit if needed to obtain or maintain employment or to receive a higher level of employment. The Jobs Program must be provided for up to 12 months after a cash assistance case closure. Beginning in 2017, each employment service contractor is required to semiannually report specified information on job placement to DES, the Governor and the Legislature by June 30 and December 31 of each year. A person who is convicted after August 22, 1996 of a felony offense that has as an element of the offense the use or possession of a controlled substance may be eligible for SNAP if the person successfully completes or is participating in a drug treatment program or is in compliance with all terms of probation, if applicable, if the person and agrees to random drug testing. An "agency" (defined) is required to waive any fee charged for an initial "license" (defined) for any individual applicant whose family income does not exceed 200 percent of the federal poverty guidelines. AS PASSED HOUSE.</p>			
<p>H2419: LOCAL OCCUPATIONAL LICENSING REGULATIONS</p>	<p>The maximum fees that a condominium association or homeowners' association are permitted to charge for costs of document preparation must include delivery costs.</p>	<p>First sponsor: Rep. Leach</p>		<p>4/13 Senate COW approved with amend <u>#4805</u> and floor amend <u>#4978</u>. NOTE SHORT TITLE CHANGE.</p>
<p>H2457: RURAL STEM PROGRAM; TAX CREDITS</p>	<p>Establishes the Rural STEM Program Fund to be administered by the Department of Education. The Dept is required to distribute monies from the Fund to "rural school districts" (defined) to provide funding for STEM programs. School districts that receive funding are required to demonstrate that the STEM program meets the academic standards for science, technology, engineering and mathematics as adopted by the State Board of Education, and to provide semiannual updates on the outcomes achieved with these monies to the county school superintendent, the Dept, and the Legislature. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Nutt</p>	<p>Hearing: Senate Rules (Monday 04/24/17 at 1:00 PM, Senate Caucus Rm. 1)</p>	<p>3/29 from Senate appro with amend <u>#4893</u>.</p>

<p>H2493: DISPENSING OPIOIDS; DRUG OVERDOSE REVIEW TEAM</p>	<p>Establishes the 21-member Drug Overdose Fatality Review Team in the Department of Health Services to develop a drug overdose fatalities data collection system, develop protocols for drug overdose investigations, and determine changes needed to decrease the incidence of preventable drug overdose fatalities. The Team is authorized to receive information and records from health care providers, the state and political subdivisions, and all information acquired by the Team is confidential. A violation of confidentiality requirements is a class 2 (mid-level) misdemeanor. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Carter</p>		<p>4/20 passed Senate <u>28-2</u>; ready for House action on Senate amendments.</p>
<p>H2494: CIVIL LIABILITY; MINORS; ANIMALS; VEHICLE</p>	<p>A person who uses reasonable force to enter a locked and unattended motor vehicle to remove a minor or confined "domestic animal" (defined) is not liable for damages in a civil action if the person has a good faith belief that the minor or animal is in imminent danger, determines that there is no reasonable manner in which the person can remove the minor or animal, notifies a first responder or animal control enforcement agency, does not use more force than is necessary under the circumstances, and remains with the minor or animal until the first responder arrives. AS PASSED SENATE.</p>	<p>First sponsor: Rep. Carter</p>		<p>4/5 passed Senate <u>20-7</u>; ready for House action on Senate amendments.</p>
<p>H2496: HOAS; BOARD DUTIES; ACKNOWLEDGMENT</p>	<p>After termination of the period of declarant control and within 30 days after election or appointment to a condominium association or homeowners' association board of directors, each board member is required to certify in writing that s/he has read applicable statutes, the community documents and any current policies, will work to uphold those documents and policies, and will faithfully discharge his/her duties in good faith. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Leach</p>		<p>3/22 from Senate appro with amend <u>#4818</u>.</p>
<p>H2515: GOVERNOR APPOINTEES; CRIMINAL RECORDS CHECK</p>	<p>Before nomination by the Governor, a prospective nominee for any state office that is appointed by the Governor and subject to the consent of the Senate is required to submit a full set of fingerprints to the Governor for the purpose of obtaining a state and federal criminal records check. Before appointment by the Governor, the nominees for a justice or judge of the Supreme Court, an intermediate appellate court, the superior court or another court is required to submit a full set of fingerprints to the Governor for the purpose of obtaining a state and federal criminal records check. Some exceptions. Before appointment by the Governor, a prospective member of the Board of Osteopathic Examiners, Naturopathic Physicians Medical Board, Board of Homeopathic and Integrated Medicine Examiners, Board of Behavioral Health Examiners, Board of Occupational Therapy Examiners, Board of Respiratory Care Examiners, Acupuncture Board of Examiners, Board of Podiatry Examiners, Regulatory Board of Physician Assistants, Board of Nursing, Board of Dispensing Opticians, Board of Optometry or Board of Dental Examiners is required to submit a full set of fingerprints to the Governor for the purpose of obtaining a state and federal criminal records check. Before appointment by the Governor, a prospective</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>3/14 stricken from Senate consent calendar by Yarbrough.</p>

	<p>member of the Arizona Commerce Authority Board, the Arizona Finance Authority Board, the Board of Trustees of the Public Safety Personnel Retirement System or the Arizona Peace Officer Standards and Training Board is required to submit a full set of fingerprints to the Governor for the purpose of obtaining a state and federal criminal records check. Before an individual is hired as an employee of the Office of the Governor, that individual is required to submit a full set of fingerprints to the Governor for the purpose of obtaining a state and federal criminal records check. The Department of Public Safety is authorized to exchange criminal justice information and central state repository information with the Governor for these purposes. AS PASSED HOUSE.</p>			
S1004: HUMAN RIGHTS COMMITTEE; MEMBERSHIP	<p>The Department of Economic Security Division of Developmental Disabilities is required to provide a list of specified information, including abuse, neglect, medication errors, death, hospitalizations, and incarcerations, to each Human Rights Committee on Persons with Developmental Disabilities. The list of areas of expertise that a person must have one of in order to be appointed to the Human Rights Committee on the Mentally Ill is expanded to include criminal justice and public safety. Each Human Rights Committee on the Mentally Ill is authorized to hold one or more community forums annually to receive comments regarding the experiences of individuals living with serious mental illness and their families and caregivers. Appropriate department directors are required to provide members of the Human Rights Committee on the Mentally Ill the opportunity to review potential changes to rules or policies that affect the Committee. AS PASSED HOUSE.</p>	First sponsor: Sen. Barto		4/20 Senate concurred in House amendments and passed on final reading <u>30-0</u> ; ready for governor.
S1023: DISPENSERS; PRESCRIPTION DRUG MONITORING	<p>The Controlled Substances Prescription Monitoring Program is expanded to include tracking the prescribing, dispensing and consumption of schedule V controlled substances, in addition to schedule II, III, and IV.</p>	First sponsor: Sen. Kavanagh		4/12 House additional COW approved with floor amend <u>#4969</u> .
S1028: OSTEOPATHIC BOARD; CONTINUATION	<p>The statutory life of the Arizona Board of Osteopathic Examiners in Medicine and Surgery is extended ten years to July 1, 2027. Retroactive to July 1, 2017. AS PASSED HOUSE.</p>	First sponsor: Sen. Barto		4/13 Senate adopted conference report <u>#4985</u> . Awaits House adoption and final vote.
S1030: AHCCCS; COVERED SERVICES; OCCUPATIONAL THERAPY	<p>The list of medically necessary health and medical services covered by AHCCCS is expanded to include occupational therapy.</p>	First sponsor: Sen. Barto		3/23 from House hel do pass.
S1071: PROVISIONAL LICENSES; CRIMINAL CONVICTIONS	<p>A "licensing authority" (defined) is authorized to issue to an otherwise qualified applicant who has been convicted of an offense either the regular license or a provisional license that is valid for up to one year as specified by the licensing authority by rule. The licensing authority is authorized to revoke a provisional license if the licensee is charged with a new felony, commits an act or omission causing the licensee's community supervision, probation or parole to be revoked, or violates the law or rules governing the practice of</p>	First sponsor: Sen. Burges		4/20 passed House <u>56-0</u> ; ready for Senate action on House amendments.

	the occupation for which the provisional license is issued. Does not apply to a person who is convicted of specified criminal offenses. AS PASSED SENATE.			
S1080: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED	For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard, or when using an audible turn-by-turn navigation system if the licensee does not manually enter or adjust the device while driving. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2018. AS PASSED SENATE.	First sponsor: Sen. Fann Others: Sen. Bowie, Sen. Brophy McGee, Sen. Farley, Sen. Worsley		4/20 passed House <u>32-24</u> ; ready for governor.
S1107: CHILD & FAMILY ADVOCACY CENTER	Establishes the Child and Family Advocacy Center Fund to be administered by the Attorney General and distributed to child and family advocacy centers that apply for funding. Establishes requirements for a family advocacy center to be considered for funding from the Fund. AS PASSED HOUSE.	First sponsor: Sen. Brophy McGee		4/17 passed House <u>44-14</u> ; ready for Senate action on House amendments.
S1159: CIVIL LIABILITY; DAMAGES; WEAPONS	A person or entity is not liable in any civil action for damages that result from another person's use of a weapon in an area that is not a "gun-free zone" (defined), unless the person or entity intends to cause injury or acts with gross negligence. AS PASSED SENATE.	First sponsor: Sen. Borrelli Others: Rep. Stringer		3/9 from House jud-pub safety do pass.
S1201: MEDICAL EXAMINER; COMMUNICABLE DISEASES; DISCLOSURE	A good Samaritan is authorized to petition the court for an order authorizing testing of a deceased person for certain diseases if there are reasonable grounds to believe an exposure occurred and there is probable cause to believe that the deceased person transferred blood or other bodily fluids on or through the skin or membranes of the good Samaritan. If the court finds that probable cause exists, the court is required to order the county medical examiner or alternate medical examiner to draw two specimens of blood, if available, for testing. The county medical examiner or alternate medical examiner, on a determination that the circumstance of a death provide jurisdiction, is required to provide a blood sample from a deceased person for the purpose of communicable disease testing at the request of a public safety employee or good Samaritan pursuant to statutory procedures, if the blood is available and the collection or release will not interfere with a medical examination, autopsy or certification of death. AS PASSED SENATE.	First sponsor: Sen. Griffin		4/4 from House rules okay.

<p>S1236: INITIATIVE & REFERENDUM; CIRCULATORS; PROP 105</p>	<p>For initiative and referendum measures only, all paid circulators are required to register with the Secretary of State, instead of only circulators who are not Arizona residents. A person is prohibited from registering as a paid circulator if the person has had a civil or criminal penalty imposed for a violation of election law within the last five years, or has been convicted of a felony and has not had the person's civil rights restored. Any person who knowingly omits or misrepresents information or provides false information on a circulator registration application is guilty of a class 1 (highest) misdemeanor. For statewide initiative or referendum petitions that use paid circulators, the person or organization is required to file a list of the names and addresses of the paid circulators and an acknowledgement that the person or organization is liable for any violation committed by a paid circulator and may be subject to a civil penalty. If a court determines that a paid circulator has committed a civil or criminal violation relating to the registration, circulation or collection of signatures or petitions on behalf of a person or organization that is circulating statewide initiative or referendum petition, any violation involving fraud or forgery by the paid circulator is deemed a violation by the person or organization and the person or organization is liable for a civil penalty of up to \$1,000 for each violation. For any ballot measure expenditure that is made for a state statutory measure, the advertisement or fundraising solicitation is required to include a statement that pursuant to Proposition 105, the measure "cannot be changed in the future if approved on the ballot except by a three-fourths vote of the Legislature and if the change furthers the purpose of the original ballot measure, or by referring the change to the ballot." Does not apply to advertisements broadcast on radio or television. The same notice is required to be printed in the publicity pamphlet for initiative and referendum measures immediately below the Legislative Council analysis. The Prop 105 notice provisions of this legislation are conditionally repealed if the Attorney General, on or before December 31, 2020, determines that the Voter Protection Act is repealed or is declared unenforceable in a final court order by a court of competent jurisdiction. Severability clause. AS PASSED HOUSE.</p>	<p>First sponsor: Sen. Lesko</p>		<p>4/13 House COW approved with amend #4908 and floor amend #4992 and #4993; amend 4832 was withdrawn. NOTE SHORT TITLE CHANGE. Passed House 35-23; ready for Senate action on House amendments.</p>
<p>S1319: INFLUENZA VACCINATIONS; PATIENT ASSESSMENT</p>	<p>If the Centers for Medicare and Medicaid Services hospital inpatient quality reporting and hospital value-based purchasing programs require the offering of the influenza vaccination and assessing the status of patients who are at least 65 years of age from the timely and effective care measure set, the appropriate legislative committee of reference is permitted to consider whether a change in state law or rule to continue to require hospitals to do so is in the best interest of the public health. Before the introduction of legislation to require hospitals to assess patients who are at least 65 years of age and to offer the influenza vaccination, the appropriate legislative committee of reference is required to consider whether this change is in the best interest of the public health.</p>	<p>First sponsor: Sen. Montenegro</p>		<p>4/17 passed House 53-5; ready for Senate action on House amendments.</p>

	AS PASSED HOUSE.			
S1321: DOI; REPORT; SURPRISE BILLING	The Department of Insurance is required to produce a report on "surprise billing" (defined) by January 1, 2018 and submit the report to the Governor and the Legislature. Information that must be included in the report is specified. The Dept is authorized to contract with one or more entities to produce the report. AS PASSED SENATE.	First sponsor: Sen. Bowie Others: Sen. Lesko		3/14 from House bank-ins do pass.
S1335: BEHAVIOR ANALYSTS; COMMITTEE; LICENSURE; REGULATION	Establishes a 5-member Committee on Behavior Analysts within the State Board of Psychologist Examiners, and establishes Committee powers and duties. Increases the membership of the Board to ten, from nine, by adding one member who is a behavior analyst in professional practice. The Committee is required to review all complaints against behavior analysts and submit its findings to the Board. The Board is required to receive and consider recommendations from the Committee on all matters relating to the licensing and regulation of behavior analysts before the Board takes action, with some exceptions. Board decisions for educational and training standards for behavior analyst licensure and license issuance must be made on the Committee's recommendation. Session law provides for initial terms of Committee members. Effective November 1, 2017. AS PASSED SENATE.	First sponsor: Sen. Barto		3/21 from House rules okay.
S1336: NURSE ANESTHETISTS; PRESCRIBING AUTHORITY; LIMITATION	Certified registered nurse anesthetists are authorized to issue a medication order for controlled substances. A certified registered nurse anesthetist's prescribing authority does not include the ability to write or issue a prescription for medications to be filled or dispensed for a patient for use outside of a health care institution, the office of a licensed health care professional, or an ambulance. A physician or surgeon is not liable for any act or omission of a certified registered nurse anesthetist who orders or administers anesthetics. AS PASSED HOUSE.	First sponsor: Sen. Barto		4/18 Senate concurred in House amendments and passed on final reading <u>28-0</u> ; ready for governor.
S1368: NEWBORN SCREENING; FEES	The maximum fee the Department of Health Services for the first specimen and hearing test in the newborn screening program is increased to \$36, from \$30. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage.	First sponsor: Sen. S. Allen		3/9 from House hel do pass.
S1377: CONTROLLED SUBSTANCES; APPROVED MEDICATIONS	Any compound, mixture or preparation that contains cannabidiol and that is approved by the U.S. Food and Drug Administration and rescheduled by the U.S. Drug Enforcement Administration is a controlled substance for the purposes of the Uniform Controlled Substances Act and may be prescribed in Arizona. Conditionally enacted on a cannabidiol investigational product being approved as a prescription medication under a federal interim final rule by January 1, 2020. AS PASSED HOUSE.	First sponsor: Sen. Brophy McGee		4/20 Senate concurred in House amendments and passed on final reading <u>30-0</u> ; ready for governor.

<p>S1434: ART THERAPY SERVICES; CONTRACTING REQUIREMENTS</p>	<p>It is an unlawful practice for a person to assume or use the title or designation of "art therapist" unless the person holds an active national registration in art therapy with the Art Therapy Credentials Board, and violations may be investigated by the Attorney General. The Department of Health Services and the Arizona Health Care Cost Containment Services Administration are authorized to contract for "art therapy" (defined) services only with art therapists holding an active national board certification in art therapy from the Art Therapy Credentials Board or who are a master's level graduate in art therapy under the active supervision of a board-certified art therapist. AS PASSED SENATE.</p>	<p>First sponsor: Sen. Barto</p>		<p>4/20 from House rules okay. House COW approved with amend #4851. Passed House 43-13; ready for Senate action on House amendments.</p>
<p>S1435: OSTEOPATHS; FINGERPRINTING</p>	<p>Beginning September 1, 2017, an applicant for licensure or expedited licensure by the Board of Osteopathic Examiners and an applicant for expedited licensure by the Arizona Medical Board is required to submit a full set of fingerprints to the appropriate Board for the purpose of obtaining a state and federal criminal records check. Applicants for licensure as a physical therapist or certification as a physical therapist assistant are required to obtain a valid fingerprint clearance card. Emergency clause. AS PASSED HOUSE.</p>	<p>First sponsor: Sen. Barto</p>		<p>4/17 passed House 57-1; ready for Senate action on House amendments.</p>
<p>S1440: AHCCCS; CLINICAL OVERSIGHT COMMITTEE</p>	<p>The Arizona Health Care Cost Containment System (AHCCCS) Director is required to establish an internal clinical oversight review committee to review clinical data specific to agency initiatives and populations. Committee responsibilities are specified. The AHCCCS Administration is required to report to the Governor and the Legislature on a summary of topics reviewed by the Committee by February 1, 2018 and February 1 of each year thereafter.</p>	<p>First sponsor: Sen. Barto Others: Sen. S. Allen</p>		<p>4/20 passed House 55-1; ready for governor.</p>
<p>S1441: HEALTH INSURERS; CLAIMS; ARBITRATION</p>	<p>Adds an article to Title 20 (Insurance) regulating health insurance out-of-network claim dispute resolution. An enrollee who has received a "surprise out-of-network bill" (defined) and who disputes the amount of the bill may seek arbitration of the bill if the amount the enrollee is responsible for is at least \$1,000. If the enrollee requests dispute resolution, the enrollee is required to participate in an informal settlement teleconference and may participate in the arbitration of the bill, and the health care provider and the health insurer are required to participate in an informal settlement teleconference and the arbitration. The Department of Insurance is required to develop a simple, fair, efficient and cost-effective arbitration procedure for surprise out-of-network bill disputes and specify time frames, standards and other details of the arbitration proceeding. The Dept is required to contract with one or more entities to provide qualified arbitrators, and Dept staff are prohibited from serving as arbitrators. Establishes requirements for the arbitration process and qualifications for arbitrators. Does not apply to noncovered health care services, limited benefit coverage or charges for health care services, durable medical equipment subject to a direct</p>	<p>First sponsor: Sen. Lesko Others: Sen. S. Allen, Sen. Bowie, Sen. Fann, Sen. Worsley, Sen. Yee</p>		<p>4/20 Senate concurred in House amendments and passed on final reading 26-4; ready for governor.</p>

	<p>payment agreement, health plans that do not include coverage for out-of-network health care services, or state health and accident coverage for full-time officers and employees of the state and their dependents. Any claim that is subject to the out-of-network claim dispute resolution established by this legislation is not subject to current statute governing timely payment of health care provider's claims. The Dept is required to prescribe a notice outlining a health insurance enrollee's right to dispute surprise out-of-network bills, and health insurers are required to include the notice in each explanation of benefits or other similar claim adjudication notice that is issued to enrollees and that involved covered services provided by a noncontracted health care provider. By December 31, 2019 and each December 31 thereafter, the Dept is required to report to the Governor and the Legislature on the resolution of disputed surprise out-of-network bills, and information that must be included in the report is listed. Effective January 1, 2019. AS PASSED HOUSE.</p>			
<p>S1451: ORTHOTICS; PROSTHETICS; STANDARDS</p>	<p>Beginning January 1, 2018, a "custom orthotic or custom prosthetic device" (defined) furnished to an individual by a health care provider is required to be provided by an accredited fabricator or supplier, be provided by a qualified practitioner or licensed health care provider, and have a valid prescription. Some exceptions. A health care provider that does not receive insurance payment for a custom orthotic or custom prosthetic device because it does not meet these requirements is prohibited from attempt to collect payment or reimbursement for the device from the patient. AS PASSED SENATE.</p>	<p>First sponsor: Sen. Brophy McGee</p>		<p>3/28 from House rules okay.</p>
<p>S1452: HEALTH PROFESSION REGULATORY BOARDS</p>	<p>A member of a health profession regulatory board is ineligible for reappointment to that board once the person has been appointed for two full terms. A person may be reappointed to a board once the person has not been on the board for a time period of at least two full terms. Health profession regulatory boards are required to digitally record all open meetings of the board and to maintain the records for three years. Each health profession regulatory board is authorized to establish a nondisciplinary confidential program for the monitoring of licensees who may have been chemically dependent or may have had a medical, psychiatric, psychological or behavioral health disorder that may impact the licensee's ability to safely practice or perform health care tasks. Establishes a statute of limitations of four years for complaints against licensees or certificate holders of health professions regulatory boards, and exempts medical malpractice settlements or judgments or allegations of sexual misconduct if the incident involved a felony, diversion of a controlled substance or impairment while practicing from the statute of limitations. Effective January 1, 2018. AS PASSED HOUSE.</p>	<p>First sponsor: Sen. Barto</p>		<p>4/19 Senate concurred in House amendments and passed on final reading <u>28-0</u>; ready for governor.</p>