

REFERENCE TITLE: **body art establishments; licensure**

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HB 2634

Introduced by
Representative Meyer

AN ACT

AMENDING SECTION 36-136, ARIZONA REVISED STATUTES; AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 15; RELATING TO BODY ART ESTABLISHMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-136, Arizona Revised Statutes, is amended to
3 read:

4 36-136. Powers and duties of director; compensation of
5 personnel

6 A. The director shall:

7 1. Be the executive officer of the department of health services and
8 the state registrar of vital statistics but shall not receive compensation
9 for services as registrar.

10 2. Perform all duties necessary to carry out the functions and
11 responsibilities of the department.

12 3. Prescribe the organization of the department. The director shall
13 appoint or remove personnel as necessary for the efficient work of the
14 department and shall prescribe the duties of all personnel. The director may
15 abolish any office or position in the department that the director believes
16 is unnecessary.

17 4. Administer and enforce the laws relating to health and sanitation
18 and the rules of the department.

19 5. Provide for the examination of any premises if the director has
20 reasonable cause to believe that on the premises there exists a violation of
21 any health law or rule of the state.

22 6. Exercise general supervision over all matters relating to
23 sanitation and health throughout the state. When in the opinion of the
24 director it is necessary or advisable, a sanitary survey of the whole or of
25 any part of the state shall be made. The director may enter, examine and
26 survey any source and means of water supply, sewage disposal plant, sewerage
27 system, prison, public or private place of detention, asylum, hospital,
28 school, public building, private institution, factory, workshop, **BODY ART**
29 **ESTABLISHMENT**, tenement, public washroom, public restroom, public toilet and
30 toilet facility, public eating room and restaurant, dairy, milk plant or food
31 manufacturing or processing plant, and any premises in which the director has
32 reason to believe there exists a violation of any health law or rule of the
33 state that the director has the duty to administer.

34 7. Prepare sanitary and public health rules.

35 8. Perform other duties prescribed by law.

36 B. If the director has reasonable cause to believe that there exists a
37 violation of any health law or rule of the state, the director may inspect
38 any person or property in transportation through the state, and any car,
39 boat, train, trailer, airplane or other vehicle in which that person or
40 property is transported, and may enforce detention or disinfection as
41 reasonably necessary for the public health if there exists a violation of any
42 health law or rule.

1 C. The director may deputize, in writing, any qualified officer or
2 employee in the department to do or perform on the director's behalf any act
3 the director is by law empowered to do or charged with the responsibility of
4 doing.

5 D. The director may delegate to a local health department, county
6 environmental department or public health services district any functions,
7 powers or duties that the director believes can be competently, efficiently
8 and properly performed by the local health department, county environmental
9 department or public health services district if:

10 1. The director or superintendent of the local health agency,
11 environmental agency or public health services district is willing to accept
12 the delegation and agrees to perform or exercise the functions, powers and
13 duties conferred in accordance with the standards of performance established
14 by the director.

15 2. Monies appropriated or otherwise made available to the department
16 for distribution to or division among counties or public health services
17 districts for local health work may be allocated or reallocated in a manner
18 designed to assure the accomplishment of recognized local public health
19 activities and delegated functions, powers and duties in accordance with
20 applicable standards of performance. Whenever in the director's opinion
21 there is cause, the director may terminate all or a part of any delegation
22 and may reallocate all or a part of any funds that may have been conditioned
23 on the further performance of the functions, powers or duties conferred.

24 E. The compensation of all personnel shall be as determined pursuant
25 to section 38-611.

26 F. The director may make and amend rules necessary for the proper
27 administration and enforcement of the laws relating to the public health.

28 G. Notwithstanding subsection H, paragraph 1 of this section, the
29 director may define and prescribe emergency measures for detecting,
30 reporting, preventing and controlling communicable or infectious diseases or
31 conditions if the director has reasonable cause to believe that a serious
32 threat to public health and welfare exists. Emergency measures are effective
33 for no longer than eighteen months.

34 H. The director, by rule, shall:

35 1. Define and prescribe reasonably necessary measures for detecting,
36 reporting, preventing and controlling communicable and preventable diseases.
37 The rules shall declare certain diseases reportable. The rules shall
38 prescribe measures, including isolation or quarantine, reasonably required to
39 prevent the occurrence of, or to seek early detection and alleviation of,
40 disability, insofar as possible, from communicable or preventable diseases.
41 The rules shall include reasonably necessary measures to control animal
42 diseases transmittable to humans.

43 2. Define and prescribe reasonably necessary measures, in addition to
44 those prescribed by law, regarding the preparation, embalming, cremation,
45 interment, disinterment and transportation of dead human bodies and the

1 conduct of funerals, relating to and restricted to communicable diseases and
2 regarding the removal, transportation, cremation, interment or disinterment
3 of any dead human body.

4 3. Define and prescribe reasonably necessary procedures not
5 inconsistent with law in regard to the use and accessibility of vital
6 records, delayed birth registration and the completion, change and amendment
7 of vital records.

8 4. Except as relating to the beneficial use of wildlife meat by public
9 institutions and charitable organizations pursuant to title 17, prescribe
10 reasonably necessary measures to assure that all food or drink, including
11 meat and meat products and milk and milk products sold at the retail level,
12 provided for human consumption is free from unwholesome, poisonous or other
13 foreign substances and filth, insects or disease-causing organisms. The
14 rules shall prescribe reasonably necessary measures governing the production,
15 processing, labeling, storing, handling, serving and transportation of these
16 products. The rules shall prescribe minimum standards for the sanitary
17 facilities and conditions that shall be maintained in any warehouse,
18 restaurant or other premises, except a meat packing plant, slaughterhouse,
19 wholesale meat processing plant, dairy product manufacturing plant or trade
20 product manufacturing plant. The rules shall prescribe minimum standards for
21 any truck or other vehicle in which food or drink is produced, processed,
22 stored, handled, served or transported. The rules shall provide for the
23 inspection and licensing of premises and vehicles so used, and for abatement
24 as public nuisances of any premises or vehicles that do not comply with the
25 rules and minimum standards. The rules shall provide an exemption relating
26 to food or drink that is:

27 (a) Served at a noncommercial social event that takes place at a
28 workplace, such as a potluck.

29 (b) Prepared at a cooking school that is conducted in an
30 owner-occupied home.

31 (c) Not potentially hazardous and prepared in a kitchen of a private
32 home for occasional sale or distribution for noncommercial purposes.

33 (d) Prepared or served at an employee-conducted function that lasts
34 less than four hours and is not regularly scheduled, such as an employee
35 recognition, an employee fund-raising or an employee social event.

36 (e) Offered at a child care facility and limited to commercially
37 prepackaged food that is not potentially hazardous and whole fruits and
38 vegetables that are washed and cut on site for immediate consumption.

39 (f) Offered at locations that sell only commercially prepackaged food
40 or drink that is not potentially hazardous.

41 (g) Baked and confectionary goods that are not potentially hazardous
42 and that are prepared in a kitchen of a private home for commercial purposes
43 if packaged with a label that clearly states the address of the maker,
44 includes contact information for the maker, lists all the ingredients in the
45 product and discloses that the product was prepared in a home. The label

1 must be given to the final consumer of the product. If the product was made
 2 in a facility for individuals with developmental disabilities, the label must
 3 also disclose that fact. The person preparing the food or supervising the
 4 food preparation must obtain a food handler's card or certificate if one is
 5 issued by the local county and must register with an online registry
 6 established by the department pursuant to paragraph 13 of this subsection.
 7 For the purposes of this subdivision, "potentially hazardous" means baked and
 8 confectionary goods that meet the requirements of the food code published by
 9 the United States food and drug administration, as modified and incorporated
 10 by reference by the department by rule.

11 5. Prescribe reasonably necessary measures to assure that all meat and
 12 meat products for human consumption handled at the retail level are delivered
 13 in a manner and from sources approved by the Arizona department of
 14 agriculture and are free from unwholesome, poisonous or other foreign
 15 substances and filth, insects or disease-causing organisms. The rules shall
 16 prescribe standards for sanitary facilities to be used in identity, storage,
 17 handling and sale of all meat and meat products sold at the retail level.

18 6. Prescribe reasonably necessary measures regarding production,
 19 processing, labeling, handling, serving and transportation of bottled water
 20 to assure that all bottled drinking water distributed for human consumption
 21 is free from unwholesome, poisonous, deleterious or other foreign substances
 22 and filth or disease-causing organisms. The rules shall prescribe minimum
 23 standards for the sanitary facilities and conditions that shall be maintained
 24 at any source of water, bottling plant and truck or vehicle in which bottled
 25 water is produced, processed, stored or transported and shall provide for
 26 inspection and certification of bottled drinking water sources, plants,
 27 processes and transportation and for abatement as a public nuisance of any
 28 water supply, label, premises, equipment, process or vehicle that does not
 29 comply with the minimum standards. The rules shall prescribe minimum
 30 standards for bacteriological, physical and chemical quality for bottled
 31 water and for the submission of samples at intervals prescribed in the
 32 standards.

33 7. Define and prescribe reasonably necessary measures governing ice
 34 production, handling, storing and distribution to assure that all ice sold or
 35 distributed for human consumption or for the preservation or storage of food
 36 for human consumption is free from unwholesome, poisonous, deleterious or
 37 other foreign substances and filth or disease-causing organisms. The rules
 38 shall prescribe minimum standards for the sanitary facilities and conditions
 39 and the quality of ice that shall be maintained at any ice plant, storage and
 40 truck or vehicle in which ice is produced, stored, handled or transported and
 41 shall provide for inspection and licensing of the premises and vehicles, and
 42 for abatement as public nuisances of ice, premises, equipment, processes or
 43 vehicles that do not comply with the minimum standards.

44 8. Define and prescribe reasonably necessary measures concerning
 45 sewage and excreta disposal, garbage and trash collection, storage and

1 disposal, and water supply for recreational and summer camps, campgrounds,
2 motels, tourist courts, trailer coach parks and hotels. The rules shall
3 prescribe minimum standards for preparation of food in community kitchens,
4 adequacy of excreta disposal, garbage and trash collection, storage and
5 disposal and water supply for recreational and summer camps, campgrounds,
6 motels, tourist courts, trailer coach parks and hotels and shall provide for
7 inspection of these premises and for abatement as public nuisances of any
8 premises or facilities that do not comply with the rules.

9 9. Define and prescribe reasonably necessary measures concerning the
10 sewage and excreta disposal, garbage and trash collection, storage and
11 disposal, water supply and food preparation of all public schools. The rules
12 shall prescribe minimum standards for sanitary conditions that shall be
13 maintained in any public school and shall provide for inspection of these
14 premises and facilities and for abatement as public nuisances of any premises
15 that do not comply with the minimum standards.

16 10. Prescribe reasonably necessary measures to prevent pollution of
17 water used in public or semipublic swimming pools and bathing places and to
18 prevent deleterious health conditions at these places. The rules shall
19 prescribe minimum standards for sanitary conditions that shall be maintained
20 at any public or semipublic swimming pool or bathing place and shall provide
21 for inspection of these premises and for abatement as public nuisances of any
22 premises and facilities that do not comply with the minimum standards. The
23 rules shall be developed in cooperation with the director of the department
24 of environmental quality and shall be consistent with the rules adopted by
25 the director of the department of environmental quality pursuant to
26 section 49-104, subsection B, paragraph 12.

27 11. Prescribe reasonably necessary measures to keep confidential
28 information relating to diagnostic findings and treatment of patients, as
29 well as information relating to contacts, suspects and associates of
30 communicable disease patients. In no event shall confidential information be
31 made available for political or commercial purposes.

32 12. Prescribe reasonably necessary measures regarding human
33 immunodeficiency virus testing as a means to control the transmission of that
34 virus, including the designation of anonymous test sites as dictated by
35 current epidemiologic and scientific evidence.

36 13. Establish an online registry of food preparers that are authorized
37 to prepare food for commercial purposes pursuant to paragraph 4 of this
38 subsection.

39 I. The rules adopted under the authority conferred by this section
40 shall be observed throughout the state and shall be enforced by each local
41 board of health or public health services district, but this section does not
42 limit the right of any local board of health or county board of supervisors
43 to adopt ordinances and rules as authorized by law within its jurisdiction,
44 provided that the ordinances and rules do not conflict with state law and are
45 equal to or more restrictive than the rules of the director.

1 J. The powers and duties prescribed by this section do not apply in
2 instances in which regulatory powers and duties relating to public health are
3 vested by the legislature in any other state board, commission, agency or
4 instrumentality, except that with regard to the regulation of meat and meat
5 products, the department of health services and the Arizona department of
6 agriculture within the area delegated to each shall adopt rules that are not
7 in conflict.

8 K. The director, in establishing fees authorized by this section,
9 shall comply with title 41, chapter 6. The department shall not set a fee at
10 more than the department's cost of providing the service for which the fee is
11 charged. State agencies are exempt from all fees imposed pursuant to this
12 section.

13 L. After consultation with the state superintendent of public
14 instruction, the director shall prescribe the criteria the department shall
15 use in deciding whether or not to notify a local school district that a pupil
16 in the district has tested positive for the human immunodeficiency virus
17 antibody. The director shall prescribe the procedure by which the department
18 shall notify a school district if, pursuant to these criteria, the department
19 determines that notification is warranted in a particular situation. This
20 procedure shall include a requirement that before notification the department
21 shall determine to its satisfaction that the district has an appropriate
22 policy relating to nondiscrimination of the infected pupil and
23 confidentiality of test results and that proper educational counseling has
24 been or will be provided to staff and pupils.

25 M. Until the department adopts exemptions by rule as required by
26 subsection H, paragraph 4, subdivision (f) of this section, food and drink is
27 exempt from the rules prescribed in subsection H of this section if offered
28 at locations that sell only commercially prepackaged food or drink that is
29 not potentially hazardous, without a limitation on its display area.

30 Sec. 2. Title 36, Arizona Revised Statutes, is amended by adding
31 chapter 15, to read:

32 CHAPTER 15
33 BODY ART ESTABLISHMENTS
34 ARTICLE 1. GENERAL PROVISIONS

35 36-1751. Definitions

36 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

37 1. "BODY ART":

38 (a) MEANS THE PRACTICE OF PHYSICAL BODY ADORNMENT BY BODY PIERCING,
39 TATTOOING, COSMETIC TATTOOING, PERMANENT SKIN COLORING, BRANDING AND
40 SCARIFICATION.

41 (b) DOES NOT INCLUDE PRACTICES THAT ARE CONSIDERED TO BE MEDICAL
42 PROCEDURES BY A STATE MEDICAL BOARD, PRACTICES THAT ARE NONINVASIVE FORMS OF
43 PAINTING THROUGH THE USE OF DYES OR INKS OR PRACTICES CONSIDERED BY THE BOARD
44 OF COSMETOLOGY TO BE AESTHETICS, COSMETOLOGY OR NAIL TECHNOLOGY.

- 1 2. "BODY ART ESTABLISHMENT" MEANS ANY PLACE WHERE BODY ART IS
2 PERFORMED, WHETHER OR NOT FOR PROFIT, UNDER THE DIRECTION OF A BODY ART
3 ESTABLISHMENT OPERATOR.
- 4 3. "BODY ART ESTABLISHMENT EMPLOYEE" MEANS A PERSON WHO PRACTICES BODY
5 ART AT A BODY ART ESTABLISHMENT UNDER THE DIRECTION OF A BODY ART
6 ESTABLISHMENT OPERATOR.
- 7 4. "BODY ART ESTABLISHMENT OPERATOR" MEANS A PERSON WHO CONTROLS,
8 OPERATES, MANAGES OR PRACTICES BODY ART ACTIVITIES AT A BODY ART
9 ESTABLISHMENT.
- 10 5. "BODY PIERCING" MEANS PUNCTURING OR PENETRATING A PERSON'S SKIN
11 WITH A NEEDLE OR SHARPENED JEWELRY AND INSERTING JEWELRY OR OTHER ADORNMENT
12 IN THE OPENING. BODY PIERCING INCLUDES EAR PIERCING.
- 13 6. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.
- 14 7. "EAR PIERCING" MEANS THE PUNCTURING OF THE OUTER PERIMETER OR LOBE
15 OF THE EAR WITH A NEEDLE.
- 16 8. "LOCAL PUBLIC HEALTH DEPARTMENT" MEANS A LOCAL HEALTH DEPARTMENT
17 ESTABLISHED PURSUANT TO CHAPTER 1, ARTICLE 4 OF THIS TITLE OR A COUNTY
18 ENVIRONMENTAL DEPARTMENT.
- 19 9. "TATTOOING" MEANS ANY METHOD OF PLACING INK OR OTHER PIGMENT INTO
20 OR UNDER THE SKIN OR MUCOSA TO PERMANENTLY COLOR THE SKIN OR MUCOSA BY USING
21 NEEDLES OR ANY OTHER INSTRUMENT TO PUNCTURE THE SKIN. TATTOOING INCLUDES ALL
22 FORMS OF COSMETIC TATTOOING AND PERMANENT SKIN COLORING SUCH AS EYELINER,
23 EYEBROWS, LIP LINER, FULL LIP COLOR, REPIGMENTATION OR CAMOUFLAGE.
- 24 36-1752. Prohibited acts
- 25 BEGINNING JANUARY 1, 2017, A BODY ART ESTABLISHMENT OPERATOR MAY NOT:
- 26 1. OPERATE A BODY ART ESTABLISHMENT WITHOUT A LICENSE ISSUED PURSUANT
27 TO THIS ARTICLE.
- 28 2. AUTHORIZE OR PERFORM BODY ART ON ANY BODY PART OF A PERSON WHO IS
29 UNDER EIGHTEEN YEARS OF AGE WITHOUT THE WRITTEN CONSENT AND THE PHYSICAL
30 PRESENCE OF THE CHILD'S PARENT OR LEGAL GUARDIAN AT THE BODY ART
31 ESTABLISHMENT.
- 32 3. USE A NEEDLE TO TATTOO OR PIERCE THE BODY OF ANOTHER PERSON MORE
33 THAN ONCE OR USE A NEEDLE THAT IS NOT STERILIZED.
- 34 4. USE A STUD-AND-CLASP PIERCING GUN OR SYSTEM MORE THAN ONCE, UNLESS
35 THE GUN OR SYSTEM IS CAPABLE OF BEING DISINFECTED AND IS ACTUALLY DISINFECTED
36 AFTER EACH USE.
- 37 5. PIERCE ANY BODY PART OTHER THAN AN EAR WITH A PIERCING GUN OR
38 SYSTEM.
- 39 6. UNLESS ALLOWED PURSUANT TO A LICENSE ISSUED PURSUANT TO TITLE 32,
40 ADMINISTER ANESTHESIA DURING THE COURSE OF ANY PROCEDURE INVOLVING THE
41 BRANDING, SCARIFYING, TATTOOING, IMPLANTING, MUTILATING OR PIERCING OF THE
42 BODY OF ANOTHER PERSON.
- 43 7. ENGAGE IN THE BUSINESS OF TATTOOING, BRANDING, SCARIFYING,
44 IMPLANTING, MUTILATING OR BODY PIERCING OUT OF A HOME OR AN IMPERMANENT
45 STRUCTURE.

1 36-1753. Licensure; application; fees; posting

2 A. BEGINNING JANUARY 1, 2017, A BODY ART ESTABLISHMENT OPERATOR WHO
3 WISHES TO OPERATE A BODY ART ESTABLISHMENT SHALL HAVE A CURRENT LICENSE
4 ISSUED BY A LOCAL PUBLIC HEALTH DEPARTMENT. A BODY ART ESTABLISHMENT
5 OPERATOR WHO WISHES TO OPERATE MORE THAN ONE ESTABLISHMENT SHALL HAVE A
6 SEPARATE LICENSE FOR EACH ESTABLISHMENT.

7 B. A LOCAL PUBLIC HEALTH DEPARTMENT MAY ESTABLISH ITS OWN FEES
8 RELATING TO BODY ART ESTABLISHMENT LICENSURE.

9 C. AN APPLICANT FOR LICENSURE SHALL FILE A COMPLETED APPLICATION AS
10 REQUIRED BY THE DEPARTMENT OF HEALTH SERVICES. THE APPLICANT SHALL INCLUDE
11 THE APPLICATION FEE AS PRESCRIBED BY THE LOCAL PUBLIC HEALTH DEPARTMENT.

12 D. A LICENSE ISSUED PURSUANT TO THIS SECTION IS NOT TRANSFERABLE.

13 E. THE LICENSEE OR OPERATOR SHALL POST THE LICENSE AND THE MOST RECENT
14 INSPECTION, IF APPLICABLE, IN A PROMINENT AND CONSPICUOUS AREA WHERE THEY MAY
15 BE READILY OBSERVED BY CLIENTS.

16 36-1754. Rules; compliance requirements

17 AS A CONDITION OF LICENSURE, BODY ART ESTABLISHMENT OPERATORS AND BODY
18 ART ESTABLISHMENT EMPLOYEES SHALL COMPLY WITH ALL STANDARDS PRESCRIBED BY THE
19 DEPARTMENT BY RULE.

20 36-1755. Temporary establishments; licensure; application; fee;
21 posting

22 A. A BODY ART ESTABLISHMENT THAT IS LICENSED PURSUANT TO SECTION
23 36-1753 AND THAT WISHES TO OPERATE A TEMPORARY BODY ART ESTABLISHMENT AT
24 ANOTHER LOCATION FOR PRODUCT DEMONSTRATION, AN INDUSTRY TRADE SHOW OR AN
25 EDUCATIONAL EVENT OR TO DEMONSTRATE BODY ART TECHNIQUES SHALL HAVE A CURRENT
26 TEMPORARY LICENSE ISSUED BY THE LOCAL PUBLIC HEALTH DEPARTMENT.

27 B. AN APPLICANT FOR A TEMPORARY BODY ART ESTABLISHMENT LICENSE SHALL
28 FILE A COMPLETED APPLICATION AS REQUIRED BY THE LOCAL PUBLIC HEALTH
29 DEPARTMENT. THE APPLICANT SHALL INCLUDE THE APPLICATION FEE AS PRESCRIBED BY
30 THE LOCAL PUBLIC HEALTH DEPARTMENT. THE APPLICANT SHALL HOLD A CURRENT
31 LICENSE IN GOOD STANDING PURSUANT TO SECTION 36-1753.

32 C. A TEMPORARY BODY ART ESTABLISHMENT LICENSE ISSUED PURSUANT TO THIS
33 SECTION IS NOT TRANSFERABLE AND IS VALID FOR NOT MORE THAN FOUR DAYS OR UNTIL
34 THE CONCLUSION OF THE SPECIAL EVENT, WHICHEVER DATE FIRST OCCURS.

35 D. THE BODY ART ESTABLISHMENT OPERATOR SHALL POST THE TEMPORARY
36 LICENSE AND THE MOST RECENT INSPECTION, IF APPLICABLE, IN A PROMINENT AND
37 CONSPICUOUS AREA WHERE THEY MAY BE READILY OBSERVED BY CLIENTS.

38 36-1756. Minimum standards for operation; county standards

39 A. THE DEPARTMENT OF HEALTH SERVICES SHALL ESTABLISH MINIMUM STANDARDS
40 REGARDING THE FOLLOWING THAT EACH BODY ART ESTABLISHMENT SHALL COMPLY WITH AS
41 A CONDITION OF LICENSURE BY THE LOCAL PUBLIC HEALTH DEPARTMENT:

- 42 1. SANITATION.
- 43 2. PEST CONTROL.
- 44 3. PROPER DISPOSAL OF EQUIPMENT AND BODILY FLUIDS.
- 45 4. STERILIZATION OF EQUIPMENT AND SURFACE AREAS.

1 36-1758. Local government regulation of body art establishments

2 A. THIS ARTICLE DOES NOT PROHIBIT A CITY, TOWN OR COUNTY FROM ADOPTING
3 AND ENFORCING ORDINANCES AFFECTING BODY ART ESTABLISHMENTS, LOCATIONS OR
4 SETTINGS IN WHICH INDIVIDUALS, ENTITIES OR BUSINESSES ENGAGE IN THE PRACTICE
5 OF BODY ART.

6 B. A CITY, TOWN OR COUNTY MAY IMPOSE ORDINANCES THAT ARE MORE
7 STRINGENT THAN THE RULES ADOPTED BY THE DEPARTMENT PURSUANT TO THIS ARTICLE.

8 Sec. 3. Rulemaking; exemption

9 For the purposes of implementing this act, the department of health
10 services is exempt from the rulemaking requirements of title 41, chapter 6,
11 Arizona Revised Statutes, for two years after the effective date of this act.
12 The department shall hold at least two public meetings before adopting rules
13 pursuant to this act.