

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 181

SENATE BILL 1401

AN ACT

AMENDING TITLE 36, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING
SECTION 36-144; RELATING TO HOME CARE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, chapter 1, article 2, Arizona Revised Statutes,
3 is amended by adding section 36-144, to read:

4 36-144. Home care services; disclosure; definition

5 A. A BUSINESS ENTITY THAT PROVIDES HOME CARE SERVICES IN THIS STATE
6 SHALL ANNUALLY DISCLOSE TO EACH OF ITS HOME CARE SERVICE CLIENTS AT LEAST ALL
7 OF THE FOLLOWING INFORMATION:

8 1. WHETHER CRIMINAL BACKGROUND CHECKS HAVE BEEN PERFORMED ON THE
9 EMPLOYEES OR CONTRACTORS WHO PROVIDE HOME CARE SERVICES AND THE ENTITY'S
10 POLICY ON SENDING EMPLOYEES OR CONTRACTORS WHO HAVE A CRIMINAL HISTORY TO A
11 CLIENT'S HOME.

12 2. THE NAME AND POSITION OF THE PERSON WHO IS RESPONSIBLE FOR THE
13 DAY-TO-DAY MANAGEMENT OF THE EMPLOYEES AND CONTRACTORS, FOR THE HIRING AND
14 FIRING OF EMPLOYEES AND FOR THE TERMINATION OF CONTRACTS.

15 3. A DESCRIPTION OF ANY REQUIRED TRAINING FOR EMPLOYEES OR CONTRACTORS
16 WHO PROVIDE HOME CARE SERVICES AND WHETHER THE TRAINING INCLUDES FIRST AID
17 AND CARDIOPULMONARY RESUSCITATION.

18 4. A DESCRIPTION OF THE HOME CARE SERVICES THE ENTITY PROVIDES AND THE
19 COST OF EACH SERVICE.

20 5. A DESCRIPTION OF THE ENTITY'S HOME CARE SERVICES AGREEMENTS AND HOW
21 AN AGREEMENT MAY BE TERMINATED.

22 B. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO:

23 1. A VOLUNTEER ORGANIZATION, PERSON OR FAMILY MEMBER WHO EMPLOYS,
24 RECOMMENDS, REFERS OR PROVIDES HOME CARE SERVICES FOR ONE OR MORE PERSONS AND
25 WHO DOES NOT RECEIVE COMPENSATION OR MONETARY BENEFIT FOR THE VOLUNTEER
26 ORGANIZATION'S, PERSON'S OR FAMILY MEMBER'S SERVICES BEYOND A NOMINAL BENEFIT
27 OR VALUE.

28 2. AN ORGANIZATION OR INDIVIDUAL LICENSED PURSUANT TO TITLE 32 OR 36
29 TO PROVIDE HOME CARE SERVICES OR RELATED SERVICES.

30 3. AN ORGANIZATION OR INDIVIDUAL WHO IS CONTRACTED THROUGH THIS STATE
31 TO PROVIDE HOME CARE SERVICES OR WHO IS CONTRACTED WITH AN ORGANIZATION TO
32 PROVIDE HOME CARE SERVICES ON BEHALF OF THIS STATE OR THE FEDERAL GOVERNMENT.

33 C. FOR THE PURPOSES OF THIS SECTION, "HOME CARE SERVICES" MEANS HOME
34 CARE AND SUPPORT SERVICES INCLUDING ACTIVITIES OF DAILY LIVING AND
35 INSTRUMENTAL ACTIVITIES OF DAILY LIVING.

APPROVED BY THE GOVERNOR APRIL 1, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2015.