



# HOUSE OF REPRESENTATIVES

SB 1443

health profession regulatory boards  
Prime Sponsor: Senator Barto, LD 15

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X Committee on Health  
Caucus and COW  
House Engrossed

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## **OVERVIEW**

SB 1443 requires certain information to be made available on a health profession regulatory board's (Boards) website, outlines information regarding Boards and states that each Board may establish a non-disciplinary confidential monitoring program.

## **PROVISIONS**

1. States that if a Board issues a non-disciplinary order or action against a licensee or certificate holder, the record must be available on the Board's website for five years.
2. Removes non-disciplinary actions and orders from the statement on the Board's website relating to contacting the Board directly for obtaining public records.
3. Changes the date that a Board must comply with the two requirements noted above from January 1, 2012 to January 1, 2017.
4. States that a member of a Board is not eligible for reappointment to that Board once the person had been appointed for two full terms, in addition to any time served on the Board to fill a vacancy. 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.
5. Requires each Board to audio or video record all open meetings of the Board and states they must maintain these recordings for three years after the date of the recording. Within five business days after the meeting the Board must either:
  - a. Post the audio or video recording on the Board's website; or
  - b. Post notice on the Board's website of the availability of the audio or video recording.
6. Mandates each Board to provide on the Board's website a list of all Board-specific contract employment opportunities and a link to the State Procurement Office to apply for those positions.
7. States that each Board may establish a non-disciplinary confidential program, including enrollment criteria for participation in the program, for the monitoring of a licensee who has been reported to or who voluntarily reports to the licensee's regulatory board and who may be chemically dependent or who may have a medical, psychiatric, psychological or behavioral health disorder that may impact the licensee's ability to safely practice or perform health care tasks.
8. States that a program may include education, intervention, therapeutic treatment and posttreatment monitoring and support. The Board and the licensee may agree to enter into a non-disciplinary confidential stipulated agreement for participation in a program.

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9. States that the Board may take further action if the licensee refuses to enter into a non-disciplinary confidential stipulated agreement with the Board or fails to comply with the agreement's terms. The confidentiality requirements of this section do not apply if the licensee does not comply with the stipulated agreement.
10. Contains an effective date of December 31, 2016.

### **CURRENT LAW**

A.R.S § 32-3214 states if a Board issues a non-disciplinary order or action against a licensee or certificate holder, the record of the non-disciplinary order or action is available to that Board and the public but may not appear on the Board's website, except that a practice limitation or restriction, and documentation relating to that action, may appear on the Board's website. Additionally, if a Board maintains a website, the Board must display on its website a statement that a person may obtain additional public records related to any licensee or certificate holder, including dismissed complaints and non-disciplinary actions and order, by contacting the Board directly. It also states that a Board must comply with the requirements on or before January 1, 2012.