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

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

36-144. Home care services; disclosure; definition

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

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

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

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


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

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

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

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

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

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

APPROVED BY THE GOVERNOR APRIL 1, 2015.