State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

HOUSE BILL 2599

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2930.02; RELATING TO THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 29, article 1, Arizona Revised Statutes, is amended by adding section 36-2930.02, to read:

36-2930.02. Provider participation; grounds for exclusion; rules; definition

A. The administration shall exclude from participation in the system any individual or entity that meets any basis for mandatory exclusion described in 42 Code of Federal Regulations section 1001.101.

B. The administration, in its sole discretion, may exclude from participation in the system any individual or entity that has done any of the following:

2. Committed any act prohibited by section 36-2918 or 36-2957.
3. Been found liable for the neglect of a patient that results in death or injury.
4. Engaged in the unlawful disposal of medical waste in violation of Federal, State or local law.
5. Submitted a claim for a procedure performed in association with an abortion in violation of Federal or State law.
6. Failed to segregate taxpayer dollars from abortions, including the use of taxpayer dollars for any overhead expenses attributable to abortions.
7. Failed to comply with Federal or State law requiring mandatory reporting of sexual abuse, sexual assault, child or sex trafficking or statutory rape.

C. The delineation of grounds for exclusion pursuant to subsections A and B of this section does not exclude any other basis for exclusion pursuant to State law or any rule adopted by the administration.

D. The director shall adopt rules that prescribe procedures for determining the length of exclusion, appealing the exclusion determination and requesting reinstatement following an exclusion.

E. For the purposes of this section, "exclude" means that items and services furnished, ordered or prescribed by a specified individual or entity will not be reimbursed by the administration, a contractor or any agent of the administration or a contractor. Exclude includes the termination of a provider agreement or the administration's refusal to enter into a provider agreement.

Sec. 2. Short title
This act shall be known as the "Taxpayer Protection and Medicaid Integrity Act".

Sec. 3. Severability
If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.