AN ACT

AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 33; RELATING TO PATIENT INFORMATION.

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

Section 1. Title 36, Arizona Revised Statutes, is amended by adding chapter 33, to read:

CHAPTER 33
PATIENT REPRODUCTIVE HEALTH CARE OPTIONS
ARTICLE 1. GENERAL PROVISIONS

36-3301. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:
1. "CLINICAL PRIVILEGES" MEANS PRIVILEGES WITH OR MEMBERSHIP ON THE MEDICAL STAFF OF A HEALTH CARE ENTITY AND OTHER CIRCUMSTANCES PERTAINING TO THE FURNISHING OF HEALTH CARE SERVICES UNDER WHICH A PHYSICIAN OR OTHER HEALTH CARE PRACTITIONER IS ALLOWED TO FURNISH SUCH CARE BY A HEALTH CARE ENTITY.
2. "HEALTH CARE ENTITY" MEANS ANY OF THE FOLLOWING:
   (a) A HOSPITAL THAT IS LICENSED TO PROVIDE HEALTH CARE SERVICES IN THIS STATE.
   (b) AN ENTITY THAT PROVIDES HEALTH CARE SERVICES AND THAT Follows A FORMAL PEER REVIEW PROCESS FOR THE PURPOSE OF FURTHERING QUALITY HEALTH CARE.
   (c) ANY HEALTH CARE FACILITY OR INSTITUTION THAT IS LICENSED PURSUANT TO CHAPTER 4 OF THIS TITLE.
   (d) A HEALTH PROFESSIONAL AS DEFINED IN SECTION 32-3201 WHO PROVIDES REPRODUCTIVE HEALTH CARE SERVICES TO HUMANS.
3. "HEALTH CARE PRACTITIONER" MEANS AN INDIVIDUAL, OTHER THAN A PHYSICIAN, WHO IS LICENSED OR OTHERWISE AUTHORIZED BY THIS STATE TO PROVIDE ANY TYPE OF REPRODUCTIVE HEALTH CARE SERVICES.
4. "HEALTH CARE SERVICES" MEANS:
   (a) INPATIENT HOSPITAL SERVICES, INCLUDING INPATIENT CRITICAL ACCESS HOSPITAL SERVICES OR EXTENDED CARE SERVICES.
   (b) OUTPATIENT DIAGNOSTIC OR THERAPEUTIC ITEMS OR SERVICES, OUTPATIENT SURGICAL SERVICES OR OUTPATIENT MEDICAL SERVICES WITH A PHYSICIAN OR OTHER LICENSED HEALTH CARE PRACTITIONER WHO HAS CLINICAL PRIVILEGES.
   (c) ANY SERVICES PROVIDED BY A HEALTH CARE PRACTITIONER.
5. "HOSPITAL" MEANS AN ENTITY THAT IS PRIMARILY ENGAGED IN PROVIDING, BY OR UNDER THE SUPERVISION OF PHYSICIANS, INPATIENT DIAGNOSTIC SERVICES AND THERAPEUTIC SERVICES FOR THE MEDICAL DIAGNOSIS, TREATMENT AND CARE OF INJURED, DISABLED OR SICK PERSONS OR REHABILITATION SERVICES FOR THE REHABILITATION OF INJURED, DISABLED OR SICK PERSONS AND THAT MAINTAINS CLINICAL RECORDS ON ALL PATIENTS AND HAS BYLAWS IN EFFECT WITH RESPECT TO ITS STAFF OF PHYSICIANS.
6. "PHYSICIAN" MEANS A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17 AND WHO PROVIDES ANY TYPE OF REPRODUCTIVE HEALTH CARE SERVICES.
7. "RELIGIOUS BELIEFS" MEANS ANY SET OF PHILOSOPHICAL OR RELIGIOUS BELIEFS, GUIDELINES, DECREES OR DIRECTIVES OR ANY OTHER INSTRUCTIONS
DETERMINING PATIENT CARE THAT IS NOT BASED ON LEGAL, PEER-REVIEWED OR
SCIENTIFICALLY ACCEPTED STANDARDS OF HEALTH CARE AND THAT MAY BE IMPOSED ON A
HEALTH CARE ENTITY THROUGH EMPLOYMENT OR CLINICAL PRIVILEGES.

36-3302. Health care entities; religious beliefs; disclosure to
patients and state agencies; applications for state
grants

A. NOT LATER THAN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS
SECTION, A HEALTH CARE ENTITY THAT DOES NOT PROVIDE CERTAIN HEALTH CARE
SERVICES BASED ON THE ENTITY'S RELIGIOUS BELIEFS SHALL ADOPT A POLICY THAT
PROVIDES A COMPLETE LIST OF HEALTH CARE SERVICES THAT THE HEALTH CARE ENTITY
WILL NOT PROVIDE TO PATIENTS BASED ON THE ENTITY'S RELIGIOUS BELIEFS. BEFORE
TREATMENT IS INITIATED OR, IN THE CASE OF AN EMERGENCY, AS SOON AS THE
PATIENT IS CAPABLE OR THE PATIENT'S REPRESENTATIVE IS AVAILABLE, THE HEALTH
CARE ENTITY THAT ADOPTED SUCH A POLICY SHALL PROVIDE A WRITTEN NOTICE TO THE
PATIENT OR THE PATIENT'S REPRESENTATIVE THAT INCLUDES THE LIST OF HEALTH CARE
SERVICES THAT WILL NOT BE PROVIDED BY THE ENTITY BASED ON THE ENTITY'S
RELIGIOUS BELIEFS. THE PATIENT OR PATIENT'S REPRESENTATIVE SHALL ACKNOWLEDGE
RECEIPT OF THE NOTICE THAT INCLUDES THE LIST OF EXCLUDED HEALTH CARE
SERVICES.

B. NOT LATER THAN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS
SECTION, A HEALTH CARE ENTITY THAT DOES NOT PROVIDE HEALTH CARE SERVICES
BASED ON RELIGIOUS BELIEFS SHALL INFORM ANY STATE OR FEDERAL AGENCY THAT
LICENSES OR OTHERWISE REGULATES THE HEALTH CARE ENTITY OF ALL HEALTH CARE
SERVICES THAT ARE NOT PROVIDED. STATE AGENCIES THAT ENROLL OR OTHERWISE
OVERSEE THE APPLICATION OF HEALTH CARE ENTITIES INTO STATE OR FEDERAL HEALTH
CARE REIMBURSEMENT PROGRAMS SHALL AMEND THE APPLICATION PROCESS TO INCLUDE A
REQUIREMENT THAT HEALTH CARE ENTITIES DISCLOSE ANY HEALTH CARE SERVICES THE
ENTITY DOES NOT PROVIDE BASED ON THE ENTITY'S RELIGIOUS BELIEFS.

C. A HEALTH CARE ENTITY SHALL PROVIDE A LIST OF THE HEALTH CARE
SERVICES THAT THE HEALTH CARE ENTITY DOES NOT PROVIDE BASED ON RELIGIOUS
BELIEFS WHEN APPLYING FOR ANY STATE GRANT THAT IS RELATED TO PROVIDING ANY
KIND OF HEALTH CARE SERVICE.

36-3303. Health plan providers; insurers; religious beliefs;
availability of health care services

A. NOT LATER THAN EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF THIS
SECTION, GROUP HEALTH PLAN PROVIDERS AND HEALTH INSURERS OFFERING GROUP OR
INDIVIDUAL HEALTH INSURANCE COVERAGE SHALL PROVIDE ENROLLEES WITH A LIST OF
ANY HEALTH CARE ENTITY WITHIN THE PROVIDER'S OR INSURER'S NETWORK OF HEALTH
CARE PROVIDERS THAT DOES NOT PROVIDE CERTAIN HEALTH CARE SERVICES BASED ON
RELIGIOUS BELIEFS AND PROVIDE A LIST OF HEALTH CARE SERVICES THAT WILL NOT BE
PROVIDED BY EACH HEALTH CARE ENTITY LISTED. THE INFORMATION REQUIRED IN THIS
SUBSECTION SHALL ALSO BE AVAILABLE ON THE PROVIDER'S AND INSURER'S WEBSITE.

B. NOT LATER THAN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS
SECTION, A HEALTH CARE ENTITY SHALL PROVIDE A COMPLETE LIST OF ANY HEALTH
CARE SERVICES THAT THE HEALTH CARE ENTITY WILL NOT PROVIDE BASED ON RELIGIOUS
BELIEFS TO ALL GROUP HEALTH PLAN PROVIDERS AND HEALTH INSURERS OFFERING GROUP
OR INDIVIDUAL HEALTH INSURANCE COVERAGE FROM WHOM THE HEALTH CARE ENTITY
SEEKS AND ACCEPTS PAYMENTS. EACH HEALTH CARE ENTITY SHALL PROMINENTLY LIST
ON THE ENTITY'S WEBSITE THE HEALTH CARE SERVICES THAT WILL NOT BE PROVIDED TO
PATIENTS BASED ON THE ENTITY'S RELIGIOUS BELIEFS AND SHALL PROVIDE THE LIST
OF EXCLUDED HEALTH CARE SERVICES TO ANY PERSON ON REQUEST.

Sec. 2. **Short title**

This act may be cited as the "Patient's Right to Know Act".