

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 72
HOUSE BILL 2092

AN ACT

AMENDING SECTION 36-3201, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE DIRECTIVES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-3201, Arizona Revised Statutes, is amended to
3 read:
4 36-3201. Definitions
5 In this chapter, unless the context otherwise requires:
6 1. "Agent" means an adult who has the authority to make health care
7 treatment decisions for another person, referred to as the principal,
8 pursuant to a health care power of attorney.
9 2. "Artificially administered" means providing food or fluid
10 through a medically invasive procedure.
11 3. "Attending physician" means a physician who has the primary
12 responsibility for a principal's health care.
13 4. "Comfort care" means treatment given in an attempt to protect
14 and enhance the quality of life without artificially prolonging that life.
15 5. "Health care directive" means a document drafted in substantial
16 compliance with this chapter, including a mental health care power of
17 attorney, to deal with a person's future health care decisions.
18 6. "Health care power of attorney" means a written designation of
19 an agent to make health care decisions that meets the requirements of
20 section 36-3221 and that comes into effect and is durable as provided in
21 section 36-3223, subsection A.
22 7. "Health care provider" means a natural person who is licensed
23 under title 32, chapter 11, 13, 15, 17 or 25, a hospice as defined in
24 section 36-401 that is licensed under chapter 4 of this title or an
25 organization that is licensed under this title, that renders health care
26 designed to prevent, diagnose or treat illness or injury and that employs
27 persons licensed under title 32, chapter 11, 13, 15, 17 or 25.
28 8. "Inpatient psychiatric facility" means a hospital that
29 contains an organized psychiatric services unit or a special hospital that
30 is licensed to provide psychiatric services.
31 9. "Interested person" means the patient, a person listed under
32 section 36-3231, subsection A, a health care provider directly involved in
33 the patient's medical care or an employee of a health care provider.
34 10. "Living will" means a statement written either by a person who
35 has not written a health care power of attorney or by the principal as an
36 attachment to a health care power of attorney and intended to guide or
37 control the health care treatment decisions that can be made on that
38 person's behalf.
39 11. "Mental health care power of attorney" means a written
40 designation of an agency to make mental health care decisions that meets
41 the requirements of section 36-3281.

1 12. "Physician" means a doctor of medicine licensed pursuant to
2 title 32, chapter 13 or doctor of ~~osteopathy~~ OSTEOPATHIC MEDICINE licensed
3 pursuant to title 32, chapter 17.

4 13. "Principal" means a person who is the subject of a health care
5 power of attorney.

6 14. "Surrogate" means a person authorized to make health care
7 decisions for a patient by a power of attorney, a court order or the
8 provisions of section 36-3231.

APPROVED BY THE GOVERNOR APRIL 11, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2019.