Senate Engrossed

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 195

SENATE BILL 1086

AN ACT

AMENDING TITLE 32, CHAPTER 31, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO THE REGULATION OF HEALTH PROFESSIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Title 32, chapter 31, Arizona Revised Statutes, is amended by adding article 2, to read:

ARTICLE 2. LICENSURE

32-3121. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "HEALTH PROFESSION REGULATORY BOARD" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-3201.

2. "TEMPORARY LICENSE" MEANS A SHORT-TERM LICENSE ISSUED TO A QUALIFIED INDIVIDUAL TO WORK IN THIS STATE ON A SHORT-TERM BASIS BY TEACHING A COURSE, SEMINAR OR CLASS, WORKING DURING THE PROCESS OF RECEIVING A FULL AND ACTIVE LICENSE, WORKING WHILE TRAVELING WITH A SPORTS OR ATHLETIC TEAM OR PROVIDING FREE SERVICES DURING A DECLARED STATE OR NATIONAL DISASTER.

32-3122. Rules

A HEALTH PROFESSION REGULATORY BOARD MAY ADOPT RULES TO CARRY OUT THIS ARTICLE.

32-3123. Board delegation; executive director

NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A HEALTH PROFESSION REGULATORY BOARD MAY GRANT AUTHORITY TO THE BOARD'S EXECUTIVE DIRECTOR TO ISSUE AND APPROVE LICENSES, CERTIFICATIONS, REGISTRATIONS, PRECEPTORSHIPS, REINSTATEMENTS OR WAIVERS TO AN APPLICANT OR LICENSEE WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1. FULFILLS ALL REQUIREMENTS OF THE APPLICABLE CHAPTER UNDER THIS TITLE FOR LICENSURE, CERTIFICATION, REGISTRATION, PRECEPTORSHIP, REINSTATEMENT OR WAIVERS.

2. HAS NOT HAD A LICENSE SUSPENDED OR REVOKED BY A HEALTH PROFESSION REGULATORY BOARD IN THIS OR ANY OTHER JURISDICTION.

3. IS NOT CURRENTLY UNDER INVESTIGATION BY A HEALTH PROFESSION REGULATORY BOARD IN THIS OR ANY OTHER JURISDICTION.

4. HAS NOT SURRENDERED A LICENSE IN LIEU OF DISCIPLINARY ACTION BY A HEALTH PROFESSION REGULATORY BOARD IN THIS OR ANY OTHER JURISDICTION.

5. HAS NOT ENGAGED IN ANY CRIMINAL OR CIVIL CONDUCT THAT COULD BE CONSIDERED UNPROFESSIONAL CONDUCT.

6. HAS NO DISCIPLINARY ACTION ON A LICENSE ISSUED BY A HEALTH PROFESSION REGULATORY BOARD IN THIS OR ANY OTHER JURISDICTION.

32-3124. Temporary licensure; rules; fee; applicability

A. A HEALTH PROFESSION REGULATORY BOARD IN THIS STATE MAY ISSUE A TEMPORARY LICENSE TO ALLOW AN APPLICANT WHO IS NOT A LICENSEE TO PRACTICE IN THIS STATE IF THE APPLICANT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

1. HOLDS AN ACTIVE AND UNRESTRICTED HEALTH PROFESSION LICENSE IN A STATE, TERRITORY OR POSSESSION OF THE UNITED STATES.

2. HAS NEVER HAD A HEALTH PROFESSION LICENSE REVOKED OR SUSPENDED.

3. IS NOT THE SUBJECT OF AN UNRESOLVED COMPLAINT AGAINST THE PERSON'S HEALTH PROFESSION LICENSE.

4. HAS PAID ANY APPLICABLE FEES.

B. THE APPLICANT SHALL SUBMIT TO THE RESPECTIVE HEALTH PROFESSION REGULATORY BOARD A NOTARIZED AFFIDAVIT ATTESTING THAT THE APPLICANT MEETS THE REQUIREMENTS OF THE RESPECTIVE LICENSING CHAPTER. THE APPLICANT SHALL NOTIFY THE BOARD IMMEDIATELY IF A CIRCUMSTANCE SPECIFIED IN SUBSECTION A OF THIS SECTION CHANGES DURING THE APPLICATION PERIOD FOR A TEMPORARY LICENSE OR WHILE HOLDING A TEMPORARY LICENSE, AT WHICH TIME THE BOARD MAY SUSPEND, DENY OR REVOKE THE TEMPORARY LICENSE. THE BOARD MAY SUSPEND, DENY OR REVOKE A TEMPORARY LICENSE AND DENY THE APPLICATION FOR INITIAL LICENSURE IF THE APPLICANT HAS MISREPRESENTED THE ATTESTATION REQUIRED BY THIS SUBSECTION OR ANY OTHER PORTION OF THE APPLICATION PURSUANT TO THIS ARTICLE.

C. A HEALTH PROFESSION REGULATORY BOARD SHALL APPROVE OR DENY AN APPLICATION UNDER THIS SECTION WITHIN THIRTY DAYS AFTER AN APPLICANT SUBMITS A COMPLETE APPLICATION.

D. IF GRANTED, A TEMPORARY LICENSE ISSUED PURSUANT TO THIS SECTION EXPIRES THE EARLIER OF THIRTY DAYS AFTER THE DATE THE TEMPORARY LICENSE IS GRANTED OR ON APPROVAL OR DENIAL OF THE APPLICANT'S LICENSE APPLICATION SUBMITTED PURSUANT TO THE RESPECTIVE HEALTH PROFESSION REGULATORY BOARD.

E. FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION, AN APPLICANT SHALL PROVIDE THE RESPECTIVE HEALTH PROFESSION REGULATORY BOARD THE NAME OF EACH STATE, TERRITORY OR POSSESSION OF THE UNITED STATES IN WHICH THE PERSON IS LICENSED OR HAS HELD A LICENSE, AND THE BOARD SHALL VERIFY WITH THE APPLICABLE REGULATORY BOARD THAT THE APPLICANT HOLDS AN ACTIVE AND UNRESTRICTED LICENSE AND HAS NEVER HAD A LICENSE REVOKED OR SUSPENDED OR SURRENDERED A LICENSE FOR DISCIPLINARY REASONS. THE BOARD MAY ACCEPT THE CONFIRMATION OF THIS INFORMATION FROM EACH OTHER REGULATORY BOARD VERBALLY, IN WRITING OR THROUGH THE USE OF THE OTHER REGULATORY BOARD'S WEBSITE, WHICH SHALL BE FOLLOWED BY EITHER AN ELECTRONIC OR HARD COPY OF THE VERIFICATION REQUIRED. IF THE BOARD IS UNABLE TO VERIFY THE INFORMATION WITHIN THE INITIAL THIRTY DAYS AS REQUIRED BY SUBSECTION C OF THIS SECTION, THE BOARD MAY EXTEND THE TIME FRAME BY AN ADDITIONAL THIRTY DAYS TO RECEIVE THE NECESSARY VERIFICATION.

F. THE TEMPORARY LICENSE MAY NOT BE RENEWED.

G. A HEALTH PROFESSION REGULATORY BOARD MAY NOT ISSUE MORE THAN TWO TEMPORARY LICENSES TO THE SAME APPLICANT WITHIN A CONSECUTIVE TWELVE-MONTH PERIOD.

H. A HEALTH PROFESSION REGULATORY BOARD MAY ESTABLISH AN APPLICATION AND FEE IN RULE FOR TEMPORARY LICENSURE UNDER THIS SECTION.

I. THIS SECTION APPLIES TO A HEALTH PROFESSION REGULATORY BOARD TO THE EXTENT THAT THIS SECTION DOES NOT CONFLICT WITH THE BOARD'S CURRENT STATUTORY AUTHORITY RELATING TO TEMPORARY LICENSURE.

APPROVED BY THE GOVERNOR MAY 8, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2019.