

REFERENCE TITLE: accreditation prohibition; residential facilities; children

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

HB 2622

Introduced by
Representatives Butler: Thorpe

AN ACT

AMENDING SECTION 36-424, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-424, Arizona Revised Statutes, is amended to
3 read:

4 36-424. Inspections; suspension or revocation of license;
5 report to board of examiners of nursing care
6 institution administrators

7 A. Subject to the ~~limitation~~ LIMIT prescribed by subsection B of
8 this section, the director shall inspect the premises of the health care
9 institution and investigate the character and other qualifications of the
10 applicant to ascertain whether the applicant and the health care
11 institution are in substantial compliance with the requirements of this
12 chapter and the rules established pursuant to this chapter. The director
13 may prescribe rules regarding department background investigations into an
14 applicant's character and qualifications.

15 B. The director shall accept proof that a health care institution
16 is an accredited hospital or is an accredited health care institution in
17 lieu of all compliance inspections required by this chapter if the
18 director receives a copy of the institution's accreditation report for the
19 licensure period. If the health care institution's accreditation report
20 is not valid for the entire licensure period, the department may conduct a
21 compliance inspection of the health care institution during the time
22 period the department does not have a valid accreditation report for the
23 health care institution. **THE DIRECTOR MAY NOT ACCEPT AN ACCREDITATION**
24 **REPORT IN LIEU OF ANY LICENSURE OR COMPLIANCE INSPECTION OF A RESIDENTIAL**
25 **FACILITY PROVIDING BEHAVIORAL HEALTH SERVICES TO CHILDREN.**

26 C. On a determination by the director that there is reasonable
27 cause to believe a health care institution is not adhering to the
28 licensing requirements of this chapter, the director and any duly
29 designated employee or agent of the director, including county health
30 representatives and county or municipal fire inspectors, consistent with
31 standard medical practices, may enter on and into the premises of any
32 health care institution that is licensed or required to be licensed
33 pursuant to this chapter at any reasonable time for the purpose of
34 determining the state of compliance with this chapter, the rules adopted
35 pursuant to this chapter and local fire ordinances or rules. Any
36 application for licensure under this chapter constitutes permission for
37 and complete acquiescence in any entry or inspection of the premises
38 during the pendency of the application and, if licensed, during the term
39 of the license. If an inspection reveals that the health care institution
40 is not adhering to the licensing requirements established pursuant to this
41 chapter, the director may take action authorized by this chapter. Any
42 health care institution, including an accredited hospital, whose license

1 has been suspended or revoked in accordance with this section is subject
2 to inspection on application for relicensure or reinstatement of license.
3 D. The director shall immediately report to the board of examiners
4 of nursing care institution administrators information identifying that a
5 nursing care institution administrator's conduct may be grounds for
6 disciplinary action pursuant to section 36-446.07.