State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2529

AN ACT

AMENDING SECTION 36-450.02, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

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

Section 1. Section 36-450.02, Arizona Revised Statutes, is amended to read:

36-450.02. Nonretaliatory policy; definition
A. Each health care institution that is licensed pursuant to this chapter shall adopt a policy that prohibits retaliatory action against a health professional who in good faith:
1. Makes a report to the health care institution pursuant to the requirements of section 36-450.01.
2. Having provided the health care institution a reasonable opportunity to address the report, provides information to a private health care accreditation organization or governmental entity concerning the activity, policy or practice that was the subject of the report.
B. A third-party contractor of a health care institution is prohibited from retaliatory action as prescribed in this section.
C. This section does not prohibit a health care institution licensed pursuant to this chapter from taking action against a health professional for a purpose not related to a report filed pursuant to section 36-450.01.
D. Except as provided in section 23-1501, subsection A, paragraph 3, subdivisions (a) and (c), this section shall only be enforced through the provisions of this chapter.
E. There shall be a rebuttable presumption that any termination or other adverse action that occurs more than one hundred eighty days after the date of a report made pursuant to either subsection A, paragraph 1 or 2 of this section is not a retaliatory action.
F. For the purposes of this section, "third-party contractor" means an entity that contracts with the health care institution to provide health care services in the health care institution by contracting or hiring health professionals.