

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)

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

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

4 36-450.02. Nonretaliatory policy; definition

5 A. Each health care institution THAT IS licensed pursuant to this
6 chapter shall adopt a policy that prohibits retaliatory action against a
7 health professional who in good faith:

8 1. Makes a report to the health care institution pursuant to the
9 requirements of section 36-450.01.

10 2. Having provided the health care institution a reasonable
11 opportunity to address the report, provides information to a private
12 health care accreditation organization or governmental entity concerning
13 the activity, policy or practice that was the subject of the report.

14 B. A THIRD-PARTY CONTRACTOR OF A HEALTH CARE INSTITUTION IS
15 PROHIBITED FROM RETALIATORY ACTION AS PRESCRIBED IN THIS SECTION.

16 ~~B.~~ C. This section does not prohibit a health care institution
17 licensed pursuant to this chapter from taking action against a health
18 professional for a purpose not related to a report filed pursuant to
19 section 36-450.01.

20 ~~C.~~ D. Except as provided in section 23-1501, subsection A,
21 paragraph 3, subdivisions (a) and (c), this section shall only be enforced
22 through the provisions of this chapter.

23 ~~D.~~ E. There shall be a rebuttable presumption that any termination
24 or other adverse action that occurs more than one hundred eighty days
25 after the date of a report made pursuant to either subsection A, paragraph
26 1 or 2 of this section is not a retaliatory action.

27 F. FOR THE PURPOSES OF THIS SECTION, "THIRD-PARTY CONTRACTOR" MEANS
28 AN ENTITY THAT CONTRACTS WITH THE HEALTH CARE INSTITUTION TO PROVIDE
29 HEALTH CARE SERVICES IN THE HEALTH CARE INSTITUTION BY CONTRACTING OR
30 HIRING HEALTH PROFESSIONALS.