

House Engrossed Senate Bill

health professionals; preceptorships

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 213

SENATE BILL 1278

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1408; AMENDING SECTION 32-1491, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 15, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1607; AMENDING TITLE 32, CHAPTER 17, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1807; AMENDING SECTION 32-1871, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 25, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2508; RELATING TO HEALTH CARE PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 32, chapter 13, article 1, Arizona Revised
3 Statutes, is amended by adding section 32-1408, to read:

4 32-1408. **Preceptorship awareness campaign; definitions**

5 A. THE BOARD SHALL DEVELOP A PRECEPTORSHIP AWARENESS CAMPAIGN THAT
6 EDUCATES MEDICAL PROFESSIONALS WHO ARE LICENSED PURSUANT TO THIS CHAPTER
7 ON HOW TO BECOME AND THE BENEFITS OF BEING A MEDICAL PRECEPTOR FOR
8 STUDENTS.

9 B. FOR THE PURPOSES OF THIS SECTION:

10 1. "MEDICAL PRECEPTOR" MEANS A MEDICAL PROFESSIONAL WHO IS LICENSED
11 PURSUANT TO THIS CHAPTER AND WHO MAINTAINS AN ACTIVE PRACTICE IN THIS
12 STATE.

13 2. "PRECEPTORSHIP":

14 (a) MEANS A MENTORING EXPERIENCE IN WHICH A MEDICAL PRECEPTOR
15 PROVIDES A PROGRAM OF PERSONALIZED INSTRUCTION, TRAINING AND SUPERVISION
16 TO A STUDENT, WHICH MAY INCLUDE EDUCATING THE STUDENT ABOUT DISPENSING
17 DRUGS AND DEVICES, TO ENABLE THE STUDENT TO OBTAIN A MEDICAL PROFESSIONAL
18 DEGREE TO BECOME LICENSED PURSUANT TO THIS CHAPTER.

19 (b) DOES NOT INCLUDE MENTORING FOR MEDICAL SERVICES THAT ARE
20 PRESCRIBED IN SECTION 36-2301.01, SUBSECTION C, PARAGRAPH 1.

21 3. "STUDENT" MEANS AN INDIVIDUAL WHO IS MATRICULATING AT THE
22 GRADUATE LEVEL AT AN ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THIS
23 STATE AND WHO IS SEEKING A MEDICAL PROFESSIONAL DEGREE TO BECOME LICENSED
24 PURSUANT TO THIS CHAPTER.

25 Sec. 2. Section 32-1491, Arizona Revised Statutes, is amended to
26 read:

27 32-1491. **Dispensing of drugs and devices: exception: civil
penalty; conditions; definition**

28 A. Except as provided in ~~subsection~~ SUBSECTIONS B AND F of this
29 section, a doctor of medicine may dispense drugs and devices kept by the
30 doctor if:

31 1. All drugs are dispensed in packages labeled with the following
32 information:

33 (a) The dispensing doctor's name, address and telephone number.
34 (b) The date the drug is dispensed.
35 (c) The patient's name.

36 (d) The name and strength of the drug, directions for its use and
37 any cautionary statements.

38 2. The dispensing doctor enters into the patient's medical record
39 the name and strength of the drug dispensed, the date the drug is
40 dispensed and the therapeutic reason.

41 3. The dispensing doctor keeps all drugs in a locked cabinet or
42 room, controls access to the cabinet or room by a written procedure and
43 maintains an ongoing inventory of its contents.

1 4. The doctor registers with the board to dispense drugs and
2 devices and pays the registration fee prescribed by section 32-1436.

3 B. A doctor of medicine may not dispense a schedule II controlled
4 substance that is an opioid, except for an implantable device or an opioid
5 that is for medication-assisted treatment for substance use disorders.

6 C. Except in an emergency situation, a doctor who dispenses drugs
7 without being registered by the board to do so is subject to a civil
8 penalty by the board of ~~not less than three hundred dollars~~ AT LEAST \$300
9 and not more than ~~one thousand dollars~~ \$1,000 for each transaction and is
10 prohibited from further dispensing for a period of time as prescribed by
11 the board.

12 D. Before a physician dispenses a drug pursuant to this section,
13 the physician shall give the patient a prescription and inform the patient
14 that the prescription may be filled by the prescribing physician or by a
15 pharmacy of the patient's choice.

16 E. EXCEPT AS PROVIDED IN SUBSECTION F OF THIS SECTION, a doctor
17 shall dispense only to the doctor's own patient and only for conditions
18 being treated by that doctor. The doctor shall provide direct supervision
19 of a medical assistant, nurse or attendant involved in the dispensing
20 process. For the purposes of this subsection, "direct supervision" means
21 that a doctor is present and makes the determination as to the legitimacy
22 or the advisability of the drugs or devices to be dispensed.

23 F. A PHYSICIAN WHO DISPENSES NOT MORE THAN A TWO-DAY SUPPLY OF A
24 NONCONTROLLED SUBSTANCE MEDICATION THAT IS KEPT BY A HEALTH CARE
25 INSTITUTION MAY DISPENSE THE NONCONTROLLED SUBSTANCE MEDICATION UNDER THE
26 DISPENSING REGISTRATION OF THE MEDICAL DIRECTOR OF THE HEALTH CARE
27 INSTITUTION'S EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT AND
28 IS NOT REQUIRED TO REGISTER TO DISPENSE MEDICATIONS PURSUANT TO THIS
29 SECTION IF BOTH OF THE FOLLOWING APPLY:

30 1. THE PHYSICIAN DISPENSES ONLY TO PATIENTS OF THE HEALTH CARE
31 INSTITUTION'S EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT FOR
32 CONDITIONS DIAGNOSED OR TREATED AT THE EMERGENCY DEPARTMENT OR SATELLITE
33 EMERGENCY DEPARTMENT.

34 2. THE PHYSICIAN WORKS ONLY AT THE HEALTH CARE INSTITUTION'S
35 EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT.

36 F. This section shall be enforced by the board, which shall
37 establish rules regarding labeling, recordkeeping, storage and packaging
38 of drugs that are consistent with the requirements of chapter 18 of this
39 title. The board may conduct periodic reviews of dispensing practices to
40 ensure compliance with this section and applicable rules.

41 G. For the purposes of this section, "dispense" means the
42 delivery by a doctor of medicine of a prescription drug or device to a
43 patient, except for samples packaged for individual use by licensed
44 manufacturers or repackagers of drugs, and includes the prescribing,

1 administering, packaging, labeling and security necessary to prepare and
2 safeguard the drug or device for delivery.

3 Sec. 3. Title 32, chapter 15, article 1, Arizona Revised Statutes,
4 is amended by adding section 32-1607, to read:

5 32-1607. *Preceptorship awareness campaign; definitions*

6 A. THE BOARD SHALL DEVELOP A PRECEPTORSHIP AWARENESS CAMPAIGN THAT
7 EDUCATES ADVANCE PRACTICE REGISTERED NURSE PROFESSIONALS WHO ARE LICENSED
8 PURSUANT TO THIS CHAPTER ON HOW TO BECOME AND THE BENEFITS OF BEING A
9 PRECEPTOR FOR GRADUATE NURSING STUDENTS.

10 B. FOR THE PURPOSES OF THIS SECTION:

11 1. "GRADUATE STUDENT" MEANS AN INDIVIDUAL WHO IS MATRICULATING AT
12 THE GRADUATE LEVEL AT AN ACCREDITED INSTITUTION OF HIGHER EDUCATION IN
13 THIS STATE AND WHO IS SEEKING AN ADVANCE NURSING DEGREE TO BECOME LICENSED
14 AS AN ADVANCE PRACTICE REGISTERED NURSE PURSUANT TO THIS CHAPTER.

15 2. "NURSING PRECEPTOR" MEANS A NURSING PROFESSIONAL WHO IS LICENSED
16 PURSUANT TO THIS CHAPTER AND WHO MAINTAINS AN ACTIVE PRACTICE IN THIS
17 STATE.

18 3. "PRECEPTORSHIP":

19 (a) MEANS A MENTORING EXPERIENCE IN WHICH A NURSING PRECEPTOR
20 PROVIDES A PROGRAM OF PERSONALIZED INSTRUCTION, TRAINING AND SUPERVISION
21 TO A GRADUATE STUDENT TO ENABLE THE STUDENT TO OBTAIN AN ADVANCE NURSING
22 DEGREE TO BECOME LICENSED AS AN ADVANCE PRACTICE REGISTERED NURSE PURSUANT
23 TO THIS CHAPTER.

24 (b) DOES NOT INCLUDE MENTORING FOR MEDICAL SERVICES THAT ARE
25 PRESCRIBED IN SECTION 36-2301.01, SUBSECTION C, PARAGRAPH 1.

26 Sec. 4. Title 32, chapter 17, article 1, Arizona Revised Statutes,
27 is amended by adding section 32-1807, to read:

28 32-1807. *Preceptorship awareness campaign; definitions*

29 A. THE BOARD SHALL DEVELOP A PRECEPTORSHIP AWARENESS CAMPAIGN THAT
30 EDUCATES MEDICAL PROFESSIONALS WHO ARE LICENSED PURSUANT TO THIS CHAPTER
31 ON HOW TO BECOME AND THE BENEFITS OF BEING A MEDICAL PRECEPTOR FOR
32 STUDENTS.

33 B. FOR THE PURPOSES OF THIS SECTION:

34 1. "MEDICAL PRECEPTOR" MEANS A MEDICAL PROFESSIONAL WHO IS LICENSED
35 PURSUANT TO THIS CHAPTER AND WHO MAINTAINS AN ACTIVE PRACTICE IN THIS
36 STATE.

37 2. "PRECEPTORSHIP":

38 (a) MEANS A MENTORING EXPERIENCE IN WHICH A MEDICAL PRECEPTOR
39 PROVIDES A PROGRAM OF PERSONALIZED INSTRUCTION, TRAINING AND SUPERVISION
40 TO A STUDENT, WHICH MAY INCLUDE EDUCATING THE STUDENT ABOUT DISPENSING
41 DRUGS AND DEVICES, TO ENABLE THE STUDENT TO OBTAIN A MEDICAL PROFESSIONAL
42 DEGREE TO BECOME LICENSED PURSUANT TO THIS CHAPTER.

43 (b) DOES NOT INCLUDE MENTORING FOR MEDICAL SERVICES THAT ARE
44 PRESCRIBED IN SECTION 36-2301.01, SUBSECTION C, PARAGRAPH 1.

1 3. "STUDENT" MEANS AN INDIVIDUAL WHO IS MATRICULATING AT THE
2 GRADUATE LEVEL AT AN ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THIS
3 STATE AND WHO IS SEEKING A MEDICAL PROFESSIONAL DEGREE TO BECOME LICENSED
4 PURSUANT TO THIS CHAPTER.

5 Sec. 5. Section 32-1871, Arizona Revised Statutes, is amended to
6 read:

7 32-1871. Dispensing of drugs and devices: conditions;
8 exception; civil penalty

9 A. Except as provided in ~~subsection~~ SUBSECTIONS B AND F of this
10 section, an osteopathic physician may dispense drugs and devices kept by
11 the physician if:

12 1. All drugs are dispensed in packages labeled with the following
13 information:

- 14 (a) The dispensing physician's name, address and telephone number.
- 15 (b) The date the drug is dispensed.
- 16 (c) The patient's name.

17 (d) The name and strength of the drug, directions for its use and
18 any cautionary statements.

19 2. The dispensing physician enters into the patient's medical
20 record the name and strength of the drug dispensed, the date the drug is
21 dispensed and the therapeutic reason.

22 3. The dispensing physician keeps all drugs in a locked cabinet or
23 room, controls access to the cabinet or room by a written procedure and
24 maintains an ongoing inventory of its contents.

25 4. The dispensing physician annually registers with the board to
26 dispense drugs and devices.

27 5. The dispensing physician pays the registration fee prescribed by
28 the board pursuant to section 32-1826. This paragraph does not apply if
29 the physician is dispensing in a nonprofit practice and neither the
30 patient nor a third party pays or reimburses the physician or the
31 nonprofit practice for the drugs or devices dispensed.

32 6. The dispensing physician labels dispensed drugs and devices and
33 stores them according to rules adopted by the board.

34 B. An osteopathic physician may not dispense a schedule II
35 controlled substance that is an opioid, except for an implantable device
36 or an opioid that is for medication-assisted treatment for substance use
37 disorders.

38 C. Except in an emergency situation, a physician who dispenses
39 drugs without being registered by the board to do so is subject to a civil
40 penalty by the board of ~~not less than three hundred dollars~~ AT LEAST \$300
41 and not more than ~~one thousand dollars~~ \$1,000 for each transaction and is
42 prohibited from further dispensing for a period of time as prescribed by
43 the board.

44 D. Before dispensing a drug pursuant to this section, the patient
45 shall be given a written prescription on which appears the following

1 statement in bold type: "This prescription may be filled by the
2 prescribing physician or by a pharmacy of your choice."

3 E. EXCEPT AS PROVIDED IN SUBSECTION F OF THIS SECTION, a physician
4 shall dispense only to the physician's patient and only for conditions
5 being treated by that physician.

6 F. A PHYSICIAN WHO DISPENSES NOT MORE THAN A TWO-DAY SUPPLY OF A
7 NONCONTROLLED SUBSTANCE MEDICATION THAT IS KEPT BY A HEALTH CARE
8 INSTITUTION MAY DISPENSE THE NONCONTROLLED SUBSTANCE MEDICATION UNDER THE
9 DISPENSING REGISTRATION OF THE MEDICAL DIRECTOR OF THE HEALTH CARE
10 INSTITUTION'S EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT AND
11 IS NOT REQUIRED TO REGISTER TO DISPENSE MEDICATIONS PURSUANT TO THIS
12 SECTION IF BOTH OF THE FOLLOWING APPLY:

13 1. THE PHYSICIAN DISPENSES ONLY TO PATIENTS OF THE HEALTH CARE
14 INSTITUTION'S EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT FOR
15 CONDITIONS DIAGNOSED OR TREATED AT THE EMERGENCY DEPARTMENT OR SATELLITE
16 EMERGENCY DEPARTMENT.

17 2. THE PHYSICIAN WORKS ONLY AT THE HEALTH CARE INSTITUTION'S
18 EMERGENCY DEPARTMENT OR SATELLITE EMERGENCY DEPARTMENT.

19 F. The board shall enforce this section and shall establish
20 rules regarding labeling, recordkeeping, storage and packaging of drugs
21 that are consistent with the requirements of chapter 18 of this title.
22 The board may conduct periodic inspections of dispensing practices to
23 ensure compliance with this section and applicable rules.

24 G. If a physician fails to renew a registration to dispense or
25 ceases to dispense for any reason, within thirty days that physician must
26 notify the board in writing of the remaining inventory of drugs and
27 devices and the manner in which they were disposed.

28 Sec. 6. Title 32, chapter 25, article 1, Arizona Revised Statutes,
29 is amended by adding section 32-2508, to read:

30 32-2508. Preceptorship awareness campaign; definitions

31 A. THE BOARD SHALL DEVELOP A PRECEPTORSHIP AWARENESS CAMPAIGN THAT
32 EDUCATES MEDICAL PROFESSIONALS WHO ARE LICENSED PURSUANT TO THIS CHAPTER
33 ON HOW TO BECOME AND THE BENEFITS OF BEING A MEDICAL PRECEPTOR FOR
34 STUDENTS.

35 B. FOR THE PURPOSES OF THIS SECTION:

36 1. "MEDICAL PRECEPTOR" MEANS A MEDICAL PROFESSIONAL WHO IS LICENSED
37 PURSUANT TO THIS CHAPTER AND WHO MAINTAINS AN ACTIVE PRACTICE IN THIS
38 STATE.

39 2. "PRECEPTORSHIP":

40 (a) MEANS A MENTORING EXPERIENCE IN WHICH A MEDICAL PRECEPTOR
41 PROVIDES A PROGRAM OF PERSONALIZED INSTRUCTION, TRAINING AND SUPERVISION
42 TO A STUDENT TO ENABLE THE STUDENT TO OBTAIN A MEDICAL PROFESSIONAL DEGREE
43 TO BECOME LICENSED PURSUANT TO THIS CHAPTER.

1 (b) DOES NOT INCLUDE MENTORING FOR MEDICAL SERVICES THAT ARE
2 PRESCRIBED IN SECTION 36-2301.01, SUBSECTION C, PARAGRAPH 1.

3 3. "STUDENT" MEANS AN INDIVIDUAL WHO IS MATRICULATING AT THE
4 GRADUATE LEVEL AT AN ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THIS
5 STATE AND WHO IS SEEKING A MEDICAL PROFESSIONAL DEGREE TO BECOME LICENSED
6 PURSUANT TO THIS CHAPTER.

APPROVED BY THE GOVERNOR APRIL 9, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 9, 2021.