

~~associate physicians, licensure, collaborative practice~~
(now: medical graduate transitional training permits)

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

CHAPTER 354
SENATE BILL 1271

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1432.04; AMENDING TITLE 32, CHAPTER 17, ARTICLE 2,
ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1829.01; RELATING TO
TRAINING PERMITS.

(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 2, Arizona Revised
3 Statutes, is amended by adding section 32-1432.04, to read:

4 **32-1432.04. Medical graduate transitional training permits;
5 requirements; definitions**

6 A. THE BOARD OR, IF DELEGATED, THE EXECUTIVE DIRECTOR OF THE BOARD
7 SHALL GRANT A ONE-YEAR TRANSITIONAL TRAINING PERMIT TO A GRADUATE OF AN
8 ALLOPATHIC SCHOOL OF MEDICINE WHO IS NOT OTHERWISE ELIGIBLE TO APPLY FOR A
9 LICENSE TO PRACTICE OR A TRAINING PERMIT PURSUANT TO SECTION 32-1432.02 OR
10 32-1432.03 IN THIS STATE IF THE APPLICANT MEETS BOTH OF THE FOLLOWING
11 CONDITIONS:

12 1. WITHIN A TWO-YEAR PERIOD IMMEDIATELY PRECEDING INITIAL
13 APPLICATION FOR A TRANSITIONAL TRAINING PERMIT, WAS EITHER:

14 (a) QUALIFIED TO SUBMIT, AND SUBMITTED, A VALID APPLICATION TO AN
15 ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM BUT WAS NOT SELECTED FOR A
16 POSITION.

17 (b) SELECTED FOR A POSITION DESCRIBED IN SUBDIVISION (a) OF THIS
18 PARAGRAPH BUT ENDED PARTICIPATION IN THE PROGRAM BEFORE COMPLETION FOR A
19 REASON THAT WOULD NOT BE CONSIDERED GROUNDS FOR DISCIPLINARY ACTION
20 PURSUANT TO SECTION 32-1451.

21 2. SUCCESSFULLY COMPLETED STEPS ONE AND TWO OF THE UNITED STATES
22 MEDICAL LICENSING EXAMINATION OR EQUIVALENT EXAMS.

23 B. THE TRANSITIONAL TRAINING PERMIT MAY BE RENEWED FOR TWO
24 ADDITIONAL ONE-YEAR PERIODS IF THE PERMITTEE, IN THE YEAR PRECEDING AN
25 APPLICATION FOR RENEWAL, SUBMITS COMPLETE AND VALID APPLICATIONS TO AT
26 LEAST THREE ACCREDITED PRIMARY CARE INTERNSHIP OR RESIDENCY PROGRAMS AND
27 IS NOT SELECTED FOR AN INTERNSHIP OR RESIDENCY POSITION. THE PERMITTEE
28 SHALL PROVIDE THE BOARD WITH WRITTEN DOCUMENTATION OF THE INTERNSHIP OR
29 RESIDENCY PROGRAM APPLICATIONS AND THE NONSELECTIONS. A PERMITTEE MAY NOT
30 HOLD A PERMIT FOR AN AGGREGATE TIME PERIOD OF MORE THAN THIRTY-SIX MONTHS.

31 C. THE TRANSITIONAL TRAINING PERMIT LIMITS THE PERMITTEE TO
32 FUNCTION ONLY UNDER THE SUPERVISION OF A QUALIFIED PHYSICIAN WITHIN THE
33 SETTING OF AN ELIGIBLE ENTITY, WHICH INCLUDES THE FOLLOWING IF LOCATED IN
34 THIS STATE:

35 1. A HOSPITAL OR BEHAVIORAL HEALTH FACILITY THAT IS LICENSED
36 PURSUANT TO TITLE 36, CHAPTER 4.

37 2. A PATIENT CARE FACILITY OPERATED BY OR FOR ANY FEDERALLY
38 RECOGNIZED AMERICAN INDIAN TRIBE, THE INDIAN HEALTH SERVICE, THE UNITED
39 STATES VETERANS ADMINISTRATION, A PRISON OR A SCHOOL OR UNIVERSITY.

40 3. A COMMUNITY HEALTH CENTER OR A FEDERALLY QUALIFIED HEALTH
41 CENTER.

42 4. A PRIVATE OFFICE OR CLINIC WHERE A SUPERVISING QUALIFIED
43 PHYSICIAN PRACTICES AND THAT IS NOT A PAIN MANAGEMENT CLINIC AS DEFINED IN
44 SECTION 36-448.01.

1 D. AN ELIGIBLE ENTITY CONTRACTING WITH OR EMPLOYING A PERMITTEE
2 SHALL:

3 1. PROVIDE TO THE PERMITTEE, IN COLLABORATION WITH THE SUPERVISING
4 QUALIFIED PHYSICIAN, ONGOING CLINICAL TRAINING RELATED TO THE SERVICES
5 THAT MAY BE DELEGATED TO THE PERMITTEE BY THE SUPERVISING QUALIFIED
6 PHYSICIAN.

7 2. BE RESPONSIBLE, ALONG WITH THE SUPERVISING QUALIFIED PHYSICIAN,
8 FOR ALL ASPECTS OF THE PERFORMANCE OF A PERMITTEE.

9 3. ENSURE THAT THE HEALTH CARE TASKS PERFORMED BY A PERMITTEE ARE
10 WITHIN THE PERMITTEE'S SCOPE OF MEDICAL TRAINING, EXPERIENCE AND
11 COMPETENCE AND HAVE BEEN PROPERLY DELEGATED AND SUPERVISED BY A QUALIFIED
12 PHYSICIAN.

13 4. ENSURE THAT DURING THE PERMITTEE'S FIRST SIX MONTHS OF FULL-TIME
14 PRACTICE, ALL CLINICAL ENCOUNTERS PERFORMED BY THE PERMITTEE ARE UNDER THE
15 DIRECT SUPERVISION OF THE SUPERVISING QUALIFIED PHYSICIAN. SUBSEQUENT
16 ENCOUNTERS PERFORMED BY THE PERMITTEE AFTER THE INITIAL SIX-MONTH PERIOD
17 MAY BE UNDER INDIRECT SUPERVISION WITH DIRECT SUPERVISION IMMEDIATELY
18 AVAILABLE FROM THE SUPERVISING QUALIFIED PHYSICIAN.

19 5. ENSURE THAT ALL QUALIFIED PHYSICIAN SUPERVISION IS DOCUMENTED.

20 6. ENSURE THAT IN ALL CLINICAL OR OTHER PATIENT ENCOUNTERS THE
21 PERMITTEE IS CLEARLY IDENTIFIED AS A MEDICAL GRADUATE IN TRAINING.

22 7. DEFINE THE EMPLOYMENT OR CONTRACTUAL RELATIONSHIP WITH THE
23 PERMITTEE, INCLUDING TERMS OF COMPENSATION AND BENEFITS, BILLING AND
24 REIMBURSEMENT AND GENERAL AND PROFESSIONAL LIABILITY COVERAGE.

25 8. ESTABLISH AND DOCUMENT A PROCESS FOR EVALUATING THE PERMITTEE'S
26 PERFORMANCE THAT INCLUDES A REVIEW BY THE SUPERVISING QUALIFIED PHYSICIAN
27 OF ALL MEDICAL RECORDS RELATED TO THE CLINICAL ENCOUNTERS PERFORMED BY THE
28 PERMITTEE.

29 E. THE SUPERVISING QUALIFIED PHYSICIAN MAY DELEGATE TO A PERMITTEE
30 THE PERFORMANCE OF HEALTH CARE TASKS THAT ARE OF A NATURE TYPICALLY
31 DELEGATED IN AN ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM, INCLUDING THE
32 ABILITY TO PROVIDE DELEGATED TELEHEALTH SERVICES THAT ARE OF A SIMILAR
33 NATURE, IF ALL OTHER CONDITIONS PRESCRIBED IN THIS SECTION ARE MET.

34 F. BEFORE EMPLOYING OR CONTRACTING WITH A PERMITTEE, AN ELIGIBLE
35 ENTITY SHALL NOTIFY THE DEPARTMENT OF HEALTH SERVICES ON A FORM PRESCRIBED
36 BY THE DEPARTMENT, OR ON AN EQUIVALENT FORM FROM THE ENTITY, OF ALL THE
37 FOLLOWING INFORMATION:

38 1. THE TYPES AND EXTENT OF MEDICAL TRAINING THE ENTITY PLANS TO
39 PROVIDE TO THE PERMITTEE.

40 2. THE NAMES OF THE QUALIFIED PHYSICIANS WHO WILL SUPERVISE THE
41 PERMITTEE AND THE TYPES OF HEALTH CARE TASKS THAT MAY BE DELEGATED TO THE
42 PERMITTEE BY THOSE SUPERVISING QUALIFIED PHYSICIANS.

1 G. AN ELIGIBLE ENTITY SHALL POST ON ITS PUBLIC WEBSITE AND SUBMIT
2 TO THE DEPARTMENT AN ANNUAL REPORT THAT INCLUDES ALL OF THE FOLLOWING:

3 1. THE NUMBER OF PERMITTEES AND SUPERVISING QUALIFIED PHYSICIANS
4 EMPLOYED BY OR CONTRACTED WITH THE ENTITY.

5 2. THE LENGTH OF TIME EACH PERMITTEE AND SUPERVISING QUALIFIED
6 PHYSICIAN HAS BEEN EMPLOYED BY OR CONTRACTED WITH THE ENTITY.

7 3. THE TOTAL NUMBER OF HOURS OF MEDICAL EDUCATION PROVIDED TO EACH
8 PERMITTEE.

9 4. THE TOTAL NUMBER OF HOURS OF CLINICAL CARE PROVIDED BY EACH
10 PERMITTEE.

11 5. THE NUMBER OF PERMITTEES WHO OBTAINED A MATCH WITH AN ACCREDITED
12 INTERNSHIP OR RESIDENCY PROGRAM.

13 H. BEFORE SUPERVISING A PERMITTEE, A QUALIFIED PHYSICIAN SHALL
14 NOTIFY THE BOARD IN WRITING OF THE QUALIFIED PHYSICIAN'S AGREEMENT TO
15 SERVE AS A SUPERVISING QUALIFIED PHYSICIAN. THE NOTIFICATION SHALL
16 INCLUDE THE NAME OF THE PERMITTEE AND THE NAME AND LOCATION OF THE
17 ELIGIBLE ENTITY AT WHICH THE SUPERVISION WILL OCCUR.

18 I. BEFORE THE BOARD ISSUES OR RENEWS A TRAINING PERMIT UNDER THIS
19 SECTION, THE APPLICANT OR RENEWING PERMITTEE SHALL COMPLY WITH THE
20 APPLICABLE REGISTRATION REQUIREMENTS OF THIS ARTICLE AND PAY THE FEE,
21 WHICH SHALL BE THE SAME AS THE FEE PRESCRIBED FOR AN APPROVED INTERNSHIP
22 PURSUANT TO SECTION 32-1436.

23 J. THIS SECTION DOES NOT REQUIRE ANY ELIGIBLE ENTITY OR QUALIFIED
24 PHYSICIAN TO ESTABLISH A PROGRAM TO EMPLOY OR CONTRACT WITH PERMITTEES AS
25 DESCRIBED IN THIS SECTION OR REQUIRE ANY QUALIFIED PHYSICIAN TO ASSUME
26 SUPERVISION RESPONSIBILITIES FOR A PERMITTEE.

27 K. A PERMITTEE UNDER THIS SECTION:

28 1. IS SUBJECT TO THE DISCIPLINARY REGULATION OF ARTICLE 3 OF THIS
29 CHAPTER.

30 2. PER ONE-YEAR PERIOD, SHALL PARTICIPATE IN AT LEAST SIXTY HOURS
31 OF CONTINUING MEDICAL EDUCATION PROGRAMS APPROVED BY THE BOARD.

32 3. SHALL NOTIFY THE BOARD ON THE PERMITTEE'S ACCEPTANCE TO AN
33 ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM.

34 L. A SUPERVISING QUALIFIED PHYSICIAN UNDER THIS SECTION:

35 1. IS RESPONSIBLE FOR ALL ASPECTS OF A PERMITTEE'S PERFORMANCE
36 WHETHER OR NOT THE SUPERVISING QUALIFIED PHYSICIAN EMPLOYS THE PERMITTEE.

37 2. IS RESPONSIBLE FOR SUPERVISING THE PERMITTEE AND ENSURING THAT
38 THE HEALTH CARE TASKS PERFORMED BY THE PERMITTEE ARE WITHIN THE
39 PERMITTEE'S SCOPE OF MEDICAL TRAINING AND EXPERIENCE, ARE APPROPRIATE TO
40 THE PERMITTEE'S LEVEL OF COMPETENCE AND ARE PROPERLY DELEGATED BY THE
41 SUPERVISING QUALIFIED PHYSICIAN.

42 3. MAY ALLOW A PERMITTEE TO ADMINISTER OR DISPENSE DRUGS UNDER THE
43 CONDITIONS OF SECTION 32-1491 IF THE CONTROLLED SUBSTANCE PERMIT UNDER

1 WHICH THE DRUGS ARE DISPENSED IS EITHER THE SUPERVISING QUALIFIED
2 PHYSICIAN'S OR THE ELIGIBLE ENTITY'S PERMIT.

3 4. MAY SERVE AS A SUPERVISING QUALIFIED PHYSICIAN FOR ONLY ONE
4 PERMITTEE AT ANY ONE TIME.

5 5. SHALL NOTIFY THE BOARD, THE ELIGIBLE ENTITY AND THE PERMITTEE IN
6 WRITING IF THE PERMITTEE EXCEEDS THE SCOPE OF THE DELEGATED HEALTH CARE
7 TASKS TO ALLOW THE BOARD TO INVESTIGATE.

8 M. FOR THE PURPOSES OF THIS SECTION:

9 1. "DIRECT SUPERVISION" MEANS THE SUPERVISING QUALIFIED PHYSICIAN
10 IS PHYSICALLY PRESENT WITH THE PERMITTEE AND PATIENT.

11 2. "INDIRECT SUPERVISION WITH DIRECT SUPERVISION IMMEDIATELY
12 AVAILABLE" MEANS THE SUPERVISING QUALIFIED PHYSICIAN IS PHYSICALLY PRESENT
13 WITHIN THE HOSPITAL OR OTHER ELIGIBLE ENTITY SITE OF PATIENT CARE AND IS
14 IMMEDIATELY AVAILABLE TO PROVIDE DIRECT SUPERVISION OF THE PERMITTEE.

15 3. "PERMITTEE" MEANS A PERSON WHO HOLDS A TRANSITIONAL TRAINING
16 PERMIT ISSUED PURSUANT TO THIS SECTION.

17 4. "QUALIFIED PHYSICIAN" MEANS A PHYSICIAN WHO POSSESSES A FULL AND
18 UNRESTRICTED LICENSE ISSUED PURSUANT TO THIS CHAPTER TO ENGAGE IN THE
19 PRACTICE OF MEDICINE IN THIS STATE AND WHO IS NOT CURRENTLY UNDER BOARD
20 DISCIPLINE.

21 Sec. 2. Title 32, chapter 17, article 2, Arizona Revised Statutes,
22 is amended by adding section 32-1829.01, to read:

23 32-1829.01. Osteopathic graduate transitional training
24 permit; requirements; definitions

25 A. THE BOARD OR, IF DELEGATED, THE EXECUTIVE DIRECTOR OF THE BOARD
26 SHALL GRANT A ONE-YEAR TRANSITIONAL TRAINING PERMIT TO A GRADUATE OF AN
27 OSTEOPATHIC SCHOOL OF MEDICINE WHO IS NOT OTHERWISE ELIGIBLE TO APPLY FOR
28 A LICENSE TO PRACTICE OR A TRAINING PERMIT PURSUANT TO SECTION 32-1829 OR
29 32-1830 IN THIS STATE IF THE APPLICANT MEETS BOTH OF THE FOLLOWING
30 CONDITIONS:

31 1. WITHIN A TWO-YEAR PERIOD IMMEDIATELY PRECEDING INITIAL
32 APPLICATION FOR A TRANSITIONAL TRAINING PERMIT, WAS EITHER:

33 (a) QUALIFIED TO SUBMIT, AND SUBMITTED, A VALID APPLICATION TO AN
34 ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM BUT WAS NOT SELECTED FOR A
35 POSITION.

36 (b) SELECTED FOR A POSITION DESCRIBED IN SUBDIVISION (a) OF THIS
37 PARAGRAPH BUT ENDED PARTICIPATION IN THE PROGRAM BEFORE COMPLETION FOR A
38 REASON THAT WOULD NOT BE CONSIDERED GROUNDS FOR DISCIPLINARY ACTION
39 PURSUANT TO SECTION 32-1855.

40 2. SUCCESSFULLY COMPLETED STEPS ONE AND TWO OF THE UNITED STATES
41 MEDICAL LICENSING EXAMINATION OR EQUIVALENT STEPS OF THE COMPREHENSIVE
42 OSTEOPATHIC MEDICAL LICENSING EXAMINATION.

43 B. THE TRANSITIONAL TRAINING PERMIT MAY BE RENEWED FOR TWO
44 ADDITIONAL ONE-YEAR PERIODS IF THE PERMITTEE, IN THE YEAR PRECEDING AN

1 APPLICATION FOR RENEWAL, SUBMITS COMPLETE AND VALID APPLICATIONS TO AT
2 LEAST THREE ACCREDITED PRIMARY CARE INTERNSHIP OR RESIDENCY PROGRAMS AND
3 IS NOT SELECTED FOR AN INTERNSHIP OR RESIDENCY POSITION. THE PERMITTEE
4 SHALL PROVIDE THE BOARD WITH WRITTEN DOCUMENTATION OF THE INTERNSHIP OR
5 RESIDENCY PROGRAM APPLICATIONS AND THE NONSELECTIONS. A PERMITTEE MAY NOT
6 HOLD A PERMIT FOR AN AGGREGATE TIME PERIOD OF MORE THAN THIRTY-SIX MONTHS.

7 C. THE TRANSITIONAL TRAINING PERMIT LIMITS THE PERMITTEE TO
8 FUNCTION ONLY UNDER THE SUPERVISION OF A QUALIFIED PHYSICIAN WITHIN THE
9 SETTING OF AN ELIGIBLE ENTITY, WHICH INCLUDES THE FOLLOWING IF LOCATED IN
10 THIS STATE:

11 1. A HOSPITAL OR BEHAVIORAL HEALTH FACILITY THAT IS LICENSED
12 PURSUANT TO TITLE 36, CHAPTER 4.

13 2. A PATIENT CARE FACILITY OPERATED BY OR FOR ANY FEDERALLY
14 RECOGNIZED AMERICAN INDIAN TRIBE, THE INDIAN HEALTH SERVICE, THE UNITED
15 STATES VETERANS ADMINISTRATION, A PRISON OR A SCHOOL OR UNIVERSITY.

16 3. A COMMUNITY HEALTH CENTER OR A FEDERALLY QUALIFIED HEALTH
17 CENTER.

18 4. A PRIVATE OFFICE OR CLINIC WHERE A SUPERVISING QUALIFIED
19 PHYSICIAN PRACTICES AND THAT IS NOT A PAIN MANAGEMENT CLINIC AS DEFINED IN
20 SECTION 36-448.01.

21 D. AN ELIGIBLE ENTITY CONTRACTING WITH OR EMPLOYING A PERMITTEE
22 SHALL:

23 1. PROVIDE TO THE PERMITTEE, IN COLLABORATION WITH THE SUPERVISING
24 QUALIFIED PHYSICIAN, ONGOING CLINICAL TRAINING RELATED TO THE SERVICES
25 THAT MAY BE DELEGATED TO THE PERMITTEE BY THE SUPERVISING QUALIFIED
26 PHYSICIAN.

27 2. BE RESPONSIBLE, ALONG WITH THE SUPERVISING QUALIFIED PHYSICIAN,
28 FOR ALL ASPECTS OF THE PERFORMANCE OF A PERMITTEE.

29 3. ENSURE THAT THE HEALTH CARE TASKS PERFORMED BY A PERMITTEE ARE
30 WITHIN THE PERMITTEE'S SCOPE OF MEDICAL TRAINING, EXPERIENCE AND
31 COMPETENCE AND HAVE BEEN PROPERLY DELEGATED AND SUPERVISED BY A QUALIFIED
32 PHYSICIAN.

33 4. ENSURE THAT DURING THE PERMITTEE'S FIRST SIX MONTHS OF FULL-TIME
34 PRACTICE, ALL CLINICAL ENCOUNTERS PERFORMED BY THE PERMITTEE ARE UNDER THE
35 DIRECT SUPERVISION OF THE SUPERVISING QUALIFIED PHYSICIAN. SUBSEQUENT
36 ENCOUNTERS PERFORMED BY THE PERMITTEE AFTER THE INITIAL SIX-MONTH PERIOD
37 MAY BE UNDER INDIRECT SUPERVISION WITH DIRECT SUPERVISION IMMEDIATELY
38 AVAILABLE FROM THE SUPERVISING QUALIFIED PHYSICIAN.

39 5. ENSURE THAT ALL QUALIFIED PHYSICIAN SUPERVISION IS DOCUMENTED.

40 6. ENSURE THAT IN ALL CLINICAL OR OTHER PATIENT ENCOUNTERS THE
41 PERMITTEE IS CLEARLY IDENTIFIED AS A MEDICAL GRADUATE IN TRAINING.

42 7. DEFINE THE EMPLOYMENT OR CONTRACTUAL RELATIONSHIP WITH THE
43 PERMITTEE, INCLUDING TERMS OF COMPENSATION AND BENEFITS, BILLING AND
44 REIMBURSEMENT AND GENERAL AND PROFESSIONAL LIABILITY COVERAGE.

1 8. ESTABLISH AND DOCUMENT A PROCESS FOR EVALUATING THE PERMITTEE'S
2 PERFORMANCE THAT INCLUDES A REVIEW BY THE SUPERVISING QUALIFIED PHYSICIAN
3 OF ALL MEDICAL RECORDS RELATED TO THE CLINICAL ENCOUNTERS PERFORMED BY THE
4 PERMITTEE.

5 E. THE SUPERVISING QUALIFIED PHYSICIAN MAY DELEGATE TO A PERMITTEE
6 THE PERFORMANCE OF HEALTH CARE TASKS THAT ARE OF A NATURE TYPICALLY
7 DELEGATED IN AN ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM, INCLUDING THE
8 ABILITY TO PROVIDE DELEGATED TELEHEALTH SERVICES THAT ARE OF A SIMILAR
9 NATURE, IF ALL OTHER CONDITIONS PRESCRIBED IN THIS SECTION ARE MET.

10 F. BEFORE EMPLOYING OR CONTRACTING WITH A PERMITTEE, AN ELIGIBLE
11 ENTITY SHALL NOTIFY THE DEPARTMENT OF HEALTH SERVICES ON A FORM PRESCRIBED
12 BY THE DEPARTMENT, OR ON AN EQUIVALENT FORM FROM THE ENTITY, OF ALL THE
13 FOLLOWING INFORMATION:

14 1. THE TYPES AND EXTENT OF MEDICAL TRAINING THE ENTITY PLANS TO
15 PROVIDE TO THE PERMITTEE.

16 2. THE NAMES OF THE QUALIFIED PHYSICIANS WHO WILL SUPERVISE THE
17 PERMITTEE AND THE TYPES OF HEALTH CARE TASKS THAT MAY BE DELEGATED TO THE
18 PERMITTEE BY THOSE SUPERVISING QUALIFIED PHYSICIANS.

19 G. AN ELIGIBLE ENTITY SHALL POST ON ITS PUBLIC WEBSITE AND SUBMIT
20 TO THE DEPARTMENT AN ANNUAL REPORT THAT INCLUDES ALL OF THE FOLLOWING:

21 1. THE NUMBER OF PERMITTEES AND SUPERVISING QUALIFIED PHYSICIANS
22 EMPLOYED BY OR CONTRACTED WITH THE ENTITY.

23 2. THE LENGTH OF TIME EACH PERMITTEE AND SUPERVISING QUALIFIED
24 PHYSICIAN HAS BEEN EMPLOYED BY OR CONTRACTED WITH THE ENTITY.

25 3. THE TOTAL NUMBER OF HOURS OF MEDICAL EDUCATION PROVIDED TO EACH
26 PERMITTEE.

27 4. THE TOTAL NUMBER OF HOURS OF CLINICAL CARE PROVIDED BY EACH
28 PERMITTEE.

29 5. THE NUMBER OF PERMITTEES WHO OBTAINED A MATCH WITH AN ACCREDITED
30 INTERNSHIP OR RESIDENCY PROGRAM.

31 H. BEFORE SUPERVISING A PERMITTEE, A QUALIFIED PHYSICIAN SHALL
32 NOTIFY THE BOARD IN WRITING OF THE QUALIFIED PHYSICIAN'S AGREEMENT TO
33 SERVE AS A SUPERVISING QUALIFIED PHYSICIAN. THE NOTIFICATION SHALL
34 INCLUDE THE NAME OF THE PERMITTEE AND THE NAME AND LOCATION OF THE
35 ELIGIBLE ENTITY AT WHICH THE SUPERVISION WILL OCCUR.

36 I. BEFORE THE BOARD ISSUES OR RENEWS A TRAINING PERMIT UNDER THIS
37 SECTION, THE APPLICANT OR RENEWING PERMITTEE SHALL COMPLY WITH THE
38 APPLICABLE REGISTRATION REQUIREMENTS OF THIS ARTICLE AND PAY THE FEE,
39 WHICH SHALL BE THE SAME AS THE FEE PRESCRIBED FOR AN APPROVED INTERNSHIP
40 PURSUANT TO SECTION 32-1826.

41 J. THIS SECTION DOES NOT REQUIRE ANY ELIGIBLE ENTITY OR QUALIFIED
42 PHYSICIAN TO ESTABLISH A PROGRAM TO EMPLOY OR CONTRACT WITH PERMITTEES AS
43 DESCRIBED IN THIS SECTION OR REQUIRE ANY QUALIFIED PHYSICIAN TO ASSUME
44 SUPERVISION RESPONSIBILITIES FOR A PERMITTEE.

K. A PERMITTEE UNDER THIS SECTION:

1. IS SUBJECT TO THE DISCIPLINARY REGULATION OF ARTICLE 3 OF THIS CHAPTER.

2. PER ONE-YEAR PERIOD, SHALL PARTICIPATE IN AT LEAST SIXTY HOURS OF CONTINUING MEDICAL EDUCATION PROGRAMS APPROVED BY THE BOARD.

3. SHALL NOTIFY THE BOARD ON THE PERMITTEE'S ACCEPTANCE TO AN ACCREDITED INTERNSHIP OR RESIDENCY PROGRAM.

L. A SUPERVISING QUALIFIED PHYSICIAN UNDER THIS SECTION:

1. IS RESPONSIBLE FOR ALL ASPECTS OF A PERMITTEE'S PERFORMANCE, WHETHER OR NOT THE SUPERVISING QUALIFIED PHYSICIAN EMPLOYS THE PERMITTEE.

2. IS RESPONSIBLE FOR SUPERVISING THE PERMITTEE AND ENSURING THAT THE HEALTH CARE TASKS PERFORMED BY THE PERMITTEE ARE WITHIN THE PERMITTEE'S SCOPE OF MEDICAL TRAINING AND EXPERIENCE, ARE APPROPRIATE TO THE PERMITTEE'S LEVEL OF COMPETENCE AND ARE PROPERLY DELEGATED BY THE SUPERVISING QUALIFIED PHYSICIAN.

3. MAY ALLOW A PERMITTEE TO ADMINISTER OR DISPENSE DRUGS UNDER THE CONDITIONS OF SECTION 32-1871 IF THE CONTROLLED SUBSTANCE PERMIT UNDER WHICH THE DRUGS ARE DISPENSED IS EITHER THE SUPERVISING QUALIFIED PHYSICIAN'S OR THE ELIGIBLE ENTITY'S PERMIT.

4. MAY SERVE AS A SUPERVISING QUALIFIED PHYSICIAN FOR ONLY ONE
PERMITTEE AT ANY ONE TIME.

M FOR THE PURPOSES OF THIS SECTION:

1. "DIRECT SUPERVISION" MEANS THE SUPERVISING QUALIFIED PHYSICIAN IS PHYSICALLY PRESENT WITH THE PERMITTEE AND PATIENT

2. "INDIRECT SUPERVISION WITH DIRECT SUPERVISION IMMEDIATELY AVAILABLE" MEANS THE SUPERVISING QUALIFIED PHYSICIAN IS PHYSICALLY PRESENT WITHIN THE HOSPITAL OR OTHER ELIGIBLE ENTITY SITE OF PATIENT CARE AND IS IMMEDIATELY AVAILABLE TO PROVIDE DIRECT SUPERVISION OF THE PERMITTEE.

3. "PERMITTEE" MEANS A PERSON WHO HOLDS A TRANSITIONAL TRAINING PERMIT ISSUED PURSUANT TO THIS SECTION.

4. "QUALIFIED PHYSICIAN" MEANS A PHYSICIAN WHO POSSESSES A FULL AND UNRESTRICTED LICENSE ISSUED PURSUANT TO THIS CHAPTER TO ENGAGE IN THE PRACTICE OF MEDICINE IN THIS STATE AND WHO IS NOT CURRENTLY UNDER BOARD DISCIPLINE

Sec. 3. Department of health services; medical boards report; delayed repeal

A. On or before January 1, 2024, and on or before January 1, 2025, the department of health services, in conjunction with the Arizona medical board and the Arizona board of osteopathic examiners in medicine and surgery, shall report to the president of the senate and the speaker of the house of representatives the number of medical graduate transitional

1 training permits that are issued and in force under sections 32-1432.04
2 and 32-1829.01, Arizona Revised Statutes, as added by this act, the number
3 of permittees who are placed with each type of eligible entity, the number
4 of permittees who are successfully accepted into accredited internship or
5 residency programs, the type and location of internship or residency
6 programs in which the permittees are accepted or declined and the number
7 and type of disciplinary actions taken against permittees and supervising
8 qualified physicians.

9 B. This section is repealed from and after December 31, 2025.

10 Sec. 4. Medical boards: rulemaking exemption

11 A. Notwithstanding any other law, for the purposes of this act, the
12 Arizona medical board and the Arizona board of osteopathic examiners in
13 medicine and surgery are exempt from the rulemaking requirements of title
14 41, chapter 6, Arizona Revised Statutes, for eighteen months after the
15 effective date of this act.

16 B. The Arizona medical board and the Arizona board of osteopathic
17 examiners in medicine and surgery shall adopt any rules necessary to
18 implement sections 32-1432.04 and 32-1829.01, Arizona Revised Statutes, as
19 added by this act, not later than six months after the effective date of
20 this act.

21 (EMERGENCY NOT ENACTED)

22 Sec. 5. Emergency

23 This act is an emergency measure that is necessary to preserve the
24 public peace, health or safety and is operative immediately as provided by
25 law.

APPROVED BY THE GOVERNOR MAY 10, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 10, 2021.