

REFERENCE TITLE: health facilities; duty of care

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

SB 1373

Introduced by
Senator Barto

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-420; 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. Title 36, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-420, to read:

4 36-420. Health care institutions; basic life support; first
5 aid

6 A. EACH HEALTH CARE INSTITUTION THAT IS LICENSED PURSUANT TO THIS
7 CHAPTER AND THAT PROVIDES CONGREGANT OR RESIDENTIAL CARE AND THE HEALTH
8 CARE INSTITUTION'S RESPECTIVE EMPLOYEES, AGENTS AND ASSIGNS HAVE AN
9 AFFIRMATIVE DUTY OF CARE FOR THEIR RESIDENTS.

10 B. HEALTH CARE INSTITUTIONS PRESCRIBED IN SUBSECTION A OF THIS
11 SECTION SHALL PROVIDE BOTH:

12 1. BASIC LIFE SUPPORT, INCLUDING INITIATING IMMEDIATE
13 CARDIOPULMONARY RESUSCITATION BEFORE THE ARRIVAL OF EMERGENCY MEDICAL
14 SERVICES, TO A RESIDENT WHO EXPERIENCES SYMPTOMS OF CARDIAC ARREST OR
15 CESSATION OF RESPIRATION. THE BASIC LIFE SUPPORT SHALL BE IN ACCORDANCE
16 WITH THAT RESIDENT'S ADVANCE DIRECTIVES AND DO-NOT-RESUSCITATE ORDER.
17 STAFF WHO ARE CERTIFIED IN CARDIOPULMONARY RESUSCITATION SHALL BE
18 AVAILABLE AT THE HEALTH CARE INSTITUTION AT ALL TIMES.

19 2. FIRST AID BEFORE THE ARRIVAL OF EMERGENCY MEDICAL SERVICES TO A
20 RESIDENT WHO EXPERIENCES EMERGENCY ILLNESS OR INJURY AND TO A NONINJURED
21 RESIDENT WHO HAS FALLEN AND IS UNABLE TO REASONABLY RECOVER INDEPENDENTLY.
22 THE FIRST AID SHALL BE IN ACCORDANCE WITH THE RESIDENT'S ADVANCE
23 DIRECTIVES AND DO-NOT-RESUSCITATE ORDER. STAFF WHO ARE CERTIFIED IN FIRST
24 AID SHALL BE AVAILABLE AT THE HEALTH CARE INSTITUTION AT ALL TIMES.

25 C. A HEALTH CARE INSTITUTION PRESCRIBED IN SUBSECTION A OF THIS
26 SECTION MAY NOT HAVE, ESTABLISH OR IMPLEMENT POLICIES THAT PREVENT
27 EMPLOYEES FROM PROVIDING IMMEDIATE CARDIOPULMONARY RESUSCITATION, FIRST
28 AID OR EMERGENCY CARE TO THE HEALTH CARE INSTITUTION'S RESIDENTS.