

REFERENCE TITLE: **physicians; naturopathic medicine**

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

# **SB 1016**

Introduced by  
Senator Barto

## **AN ACT**

**AMENDING SECTIONS 12-2801, 13-1415, 15-157, 15-203, 15-843, 28-3167, 28-3315, 36-663, 36-664, 36-1673 AND 36-2351, ARIZONA REVISED STATUTES; RELATING TO NATUROPATHIC PHYSICIANS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section. 1. Section 12-2801, Arizona Revised Statutes, is amended  
3 to read:

4 12-2801. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Genetic test" or "genetic testing":

7 (a) Means a test of a person's genes, genetic sequence, gene  
8 products or chromosomes for abnormalities or deficiencies, including  
9 carrier status, that:

10 (i) Are linked to physical or mental disorders or impairments.

11 (ii) Indicate a susceptibility to any illness, disease, impairment  
12 or other disorder, whether physical or mental.

13 (iii) Demonstrate genetic or chromosomal damage due to any  
14 environmental factor.

15 (b) Does not include:

16 (i) Chemical, blood and urine analyses that are widely accepted and  
17 used in clinical practice and that are not used to determine genetic  
18 traits.

19 (ii) Tests used in a criminal investigation or prosecution or as a  
20 result of a criminal conviction.

21 (iii) Tests for the presence of the human immunodeficiency virus.

22 (iv) Tests to determine paternity conducted pursuant to title 25,  
23 chapter 6, article 1.

24 (v) Tests given for use in biomedical research that is conducted to  
25 generate scientific knowledge about genes or to learn about the genetic  
26 basis of disease or for developing pharmaceutical and other treatment of  
27 disease.

28 2. "Health care decision maker" means a person who is authorized to  
29 make health care treatment decisions for the patient, including a parent  
30 of a minor and a person who is authorized to make these decisions pursuant  
31 to title 14, chapter 5, article 2 or 3 or section 8-514.05, 36-3221,  
32 36-3231 or 36-3281.

33 3. "Health care provider" means physicians licensed pursuant to  
34 title 32, chapter 13, 14 or 17, physician assistants licensed pursuant to  
35 title 32, chapter 25, registered nurse practitioners licensed pursuant to  
36 title 32, chapter 15, health care institutions as defined in section  
37 36-401 and clinical laboratories licensed pursuant to title 36, chapter  
38 4.1.

39 Sec. 2. Section 13-1415, Arizona Revised Statutes, is amended to  
40 read:

41 13-1415. Human immunodeficiency virus and sexually  
42 transmitted disease testing; victim's rights;  
43 petition; definitions

44 A. A defendant, including a defendant who is a minor, who is  
45 alleged to have committed a sexual offense or another offense involving

1 significant exposure is subject to a court order that requires the  
2 defendant to submit to testing for the human immunodeficiency virus and  
3 other sexually transmitted diseases and to consent to the release of the  
4 test results to the victim.

5 B. Pursuant to subsection A of this section, the prosecuting  
6 attorney, if requested by the victim, or, if the victim is a minor, by the  
7 parent or guardian of the minor, shall petition the court for an order  
8 requiring that the person submit a specimen, to be determined by the  
9 submitting entity, for laboratory testing by the department of health  
10 services or another licensed laboratory for the presence of the human  
11 immunodeficiency virus and other sexually transmitted diseases. The  
12 court, within ten days, shall determine if sufficient evidence exists to  
13 indicate that significant exposure occurred. If the court makes this  
14 finding or the act committed against the victim is a sexual offense it  
15 shall order that the testing be performed in compliance with rules adopted  
16 by the department of health services. The prosecuting attorney shall  
17 provide the victim's name and last known address of record to the  
18 department of health services for notification purposes. The victim's  
19 name and address are confidential, except that the department of health  
20 services may disclose the information to a local health department for  
21 victim notification purposes.

22 C. After a specimen has been tested pursuant to subsection B of  
23 this section, the laboratory that performed the test shall report the  
24 results to the submitting entity.

25 D. The submitting entity shall provide the results to the  
26 department of health services or a local health department. The  
27 department of health services or a local health department shall notify  
28 the victim of the results of the test conducted pursuant to subsection B  
29 of this section and shall counsel the victim regarding the health  
30 implications of the results.

31 E. The submitting entity or the department of health services shall  
32 notify the person tested of the results of the test conducted pursuant to  
33 subsection B of this section and shall counsel the person regarding the  
34 health implications of the results. If the submitting entity does not  
35 notify the person tested of the test results, the submitting entity shall  
36 provide both the name and last known address of record of the person  
37 tested and the test results to the department of health services or a  
38 local health department for notification purposes.

39 F. Notwithstanding any other law, copies of the test results shall  
40 be provided only to the victim of the crime, the person tested, the  
41 submitting entity and the department of health services.

42 G. For the purposes of this section:

43 1. "Sexual offense" means oral sexual contact, sexual contact or  
44 sexual intercourse as defined in section 13-1401.

- 1           2. "Sexually transmitted diseases" means:  
2           (a) Chlamydia.  
3           (b) Genital herpes.  
4           (c) Gonorrhea.  
5           (d) Syphilis.  
6           (e) Trichomonas.  
7           3. "Significant exposure" means contact of the victim's ruptured or  
8 broken skin or mucous membranes with a person's blood or body fluids,  
9 other than tears, saliva or perspiration, of a magnitude that the centers  
10 for disease control have epidemiologically demonstrated can result in  
11 transmission of the human immunodeficiency virus.  
12           4. "Submitting entity" means one of the following:  
13           (a) A local health department.  
14           (b) A health unit of the state department of corrections.  
15           (c) A health unit of any detention facility.  
16           (d) A physician licensed pursuant to title 32, chapter 13, 14, 17  
17 or 29.

18           Sec. 3. Section 15-157, Arizona Revised Statutes, is amended to  
19 read:

20           15-157. Emergency administration of epinephrine  
21                         auto-injectors by trained personnel; immunity

22           Pursuant to a standing order issued by the chief medical officer of  
23 the department of health services, the chief medical officer of a county  
24 health department, a doctor of medicine licensed pursuant to title 32,  
25 chapter 13, **A DOCTOR OF NATUROPATHIC MEDICINE LICENSED PURSUANT TO TITLE**  
26 **32, CHAPTER 14**, a doctor of osteopathic medicine licensed pursuant to  
27 title 32, chapter 17, a nurse practitioner licensed pursuant to title 32,  
28 chapter 15 or a physician assistant licensed pursuant to title 32, chapter  
29 25, an employee of a school district or charter school who is trained in  
30 the administration of epinephrine auto-injectors may administer or assist  
31 in the administration of epinephrine auto-injectors to a pupil or an adult  
32 whom the employee believes in good faith to be exhibiting symptoms of  
33 anaphylactic shock while at school or at school-sponsored activities.  
34 Each school district and charter school may stock two or more juvenile  
35 doses and two or more adult doses of epinephrine auto-injectors at each  
36 school pursuant to a standing order issued by the chief medical officer of  
37 the department of health services, the chief medical officer of a county  
38 health department, a doctor of medicine licensed pursuant to title 32,  
39 chapter 13, **A DOCTOR OF NATUROPATHIC MEDICINE LICENSED PURSUANT TO TITLE**  
40 **32, CHAPTER 14**, a doctor of osteopathic medicine licensed pursuant to  
41 title 32, chapter 17, a nurse practitioner licensed pursuant to title 32,  
42 chapter 15 or a physician assistant licensed pursuant to title 32,  
43 chapter 25. A school district or charter school may accept monetary  
44 donations for or apply for grants for the purchase of epinephrine  
45 auto-injectors or may participate in third-party programs to obtain

1 epinephrine auto-injectors at fair market, free or reduced prices. The  
2 chief medical officer of the department of health services, the chief  
3 medical officer of a county health department, a doctor of medicine  
4 licensed pursuant to title 32, chapter 13, **A DOCTOR OF NATUROPATHIC**  
5 **MEDICINE LICENSED PURSUANT TO TITLE 32, CHAPTER 14**, a doctor of  
6 osteopathic medicine licensed pursuant to title 32, chapter 17, a nurse  
7 practitioner licensed pursuant to title 32, chapter 15 or a physician  
8 assistant licensed pursuant to title 32, chapter 25, a school district, a  
9 charter school and employees of a school district or charter school are  
10 immune from civil liability with respect to all decisions made and actions  
11 taken that are based on good faith implementation of the requirements of  
12 this section, except in cases of gross negligence, wilful misconduct or  
13 intentional wrongdoing.

14 Sec. 4. Section 15-203, Arizona Revised Statutes, is amended to  
15 read:

16 **15-203. Powers and duties**

17 A. The state board of education shall:

18 1. Exercise general supervision over and regulate the conduct of  
19 the public school system and adopt any rules and policies it deems  
20 necessary to accomplish this purpose.

21 2. Keep a record of its proceedings.

22 3. Make rules for its own government.

23 4. Determine the policy and work undertaken by it.

24 5. Subject to title 41, chapter 4, article 4, employ staff.

25 6. Prescribe and supervise the duties of its employees pursuant to  
26 title 41, chapter 4, article 4, if not otherwise prescribed by statute.

27 7. Delegate to the superintendent of public instruction the  
28 execution of board policies and rules.

29 8. Recommend to the legislature changes or additions to the  
30 statutes pertaining to schools.

31 9. Prepare, publish and distribute reports concerning the  
32 educational welfare of this state.

33 10. Prepare a budget for expenditures necessary for proper  
34 maintenance of the board and accomplishment of its purposes and present  
35 the budget to the legislature.

36 11. Aid in the enforcement of laws relating to schools.

37 12. Prescribe a minimum course of study in the common schools,  
38 minimum competency requirements for the promotion of pupils from the third  
39 grade and minimum course of study and competency requirements for the  
40 promotion of pupils from the eighth grade. The state board of education  
41 shall prepare a fiscal impact statement of any proposed changes to the  
42 minimum course of study or competency requirements and, on completion,  
43 shall send a copy to the director of the joint legislative budget  
44 committee and the executive director of the school facilities board. The  
45 state board of education shall not adopt any changes in the minimum course

1 of study or competency requirements in effect on July 1, 1998 that will  
2 have a fiscal impact on school capital costs.

3 13. Prescribe minimum course of study and competency requirements  
4 for the graduation of pupils from high school. The state board of  
5 education shall prepare a fiscal impact statement of any proposed changes  
6 to the minimum course of study or competency requirements and, on  
7 completion, shall send a copy to the director of the joint legislative  
8 budget committee and the executive director of the school facilities  
9 board. The state board of education shall not adopt any changes in the  
10 minimum course of study or competency requirements in effect on July 1,  
11 1998 that will have a fiscal impact on school capital costs.

12 14. Pursuant to section 15-501.01, supervise and control the  
13 certification of persons engaged in instructional work directly as any  
14 classroom, laboratory or other teacher or indirectly as a supervisory  
15 teacher, speech therapist, principal or superintendent in a school  
16 district, including school district preschool programs, or any other  
17 educational institution below the community college, college or university  
18 level, and prescribe rules for certification.

19 15. Adopt a list of approved tests for determining special  
20 education assistance to gifted pupils as defined in and as provided in  
21 chapter 7, article 4.1 of this title. The adopted tests shall provide  
22 separate scores for quantitative reasoning, verbal reasoning and nonverbal  
23 reasoning and shall be capable of providing reliable and valid scores at  
24 the highest ranges of the score distribution.

25 16. Adopt rules governing the methods for the administration of all  
26 proficiency examinations.

27 17. Adopt proficiency examinations for its use and determine the  
28 passing score for the proficiency examinations.

29 18. Include within its budget the cost of contracting for the  
30 purchase, distribution and scoring of the examinations as provided in  
31 paragraphs 16 and 17 of this subsection.

32 19. Supervise and control the qualifications of professional  
33 nonteaching school personnel and prescribe standards relating to  
34 qualifications. The standards shall not require the business manager of a  
35 school district to obtain certification from the state board of education.

36 20. Impose such disciplinary action, including the issuance of a  
37 letter of censure, suspension, suspension with conditions or revocation of  
38 a certificate, on a finding of immoral or unprofessional conduct.

39 21. Establish an assessment, data gathering and reporting system  
40 for pupil performance as prescribed in chapter 7, article 3 of this title,  
41 including qualifying examinations for the college credit by examination  
42 incentive program pursuant to section 15-249.06.

43 22. Adopt a rule to promote braille literacy pursuant to section  
44 15-214.

1           23. Adopt rules prescribing procedures for the investigation by the  
2 department of education of every written complaint alleging that a  
3 certificated person has engaged in immoral conduct.

4           24. For purposes of federal law, serve as the state board for  
5 vocational and technological education and meet at least four times each  
6 year solely to execute the powers and duties of the state board for  
7 vocational and technological education.

8           25. Develop and maintain a handbook for use in the schools of this  
9 state that provides guidance for the teaching of moral, civic and ethical  
10 education. The handbook shall promote existing curriculum frameworks and  
11 shall encourage school districts to recognize moral, civic and ethical  
12 values within instructional and programmatic educational development  
13 programs for the general purpose of instilling character and ethical  
14 principles in pupils in kindergarten programs and grades one through  
15 twelve.

16           26. Require pupils to recite the following passage from the  
17 declaration of independence for pupils in grades four through six at the  
18 commencement of the first class of the day in the schools, except that a  
19 pupil shall not be required to participate if the pupil or the pupil's  
20 parent or guardian objects:

21                   We hold these truths to be self-evident, that all men  
22                   are created equal, that they are endowed by their creator with  
23                   certain unalienable rights, that among these are life, liberty  
24                   and the pursuit of happiness. That to secure these rights,  
25                   governments are instituted among men, deriving their just  
26                   powers from the consent of the governed. . . .

27           27. Adopt rules that provide for certification reciprocity pursuant  
28 to section 15-501.01.

29           28. Adopt rules that provide for the presentation of an honorary  
30 high school diploma to a person who has never obtained a high school  
31 diploma and who meets both of the following requirements:

32                   (a) Currently resides in this state.

33                   (b) Provides documented evidence from the department of veterans'  
34 services that the person enlisted in the armed forces of the United States  
35 and served in World War I, World War II, the Korean conflict or the  
36 Vietnam conflict.

37           29. Cooperate with the Arizona-Mexico commission in the governor's  
38 office and with researchers at universities in this state to collect data  
39 and conduct projects in the United States and Mexico on issues that are  
40 within the scope of the duties of the department of education and that  
41 relate to quality of life, trade and economic development in this state in  
42 a manner that will help the Arizona-Mexico commission to assess and  
43 enhance the economic competitiveness of this state and of the  
44 Arizona-Mexico region.

1           30. Adopt rules to define and provide guidance to schools as to the  
2 activities that would constitute immoral or unprofessional conduct of  
3 certificated persons.

4           31. Adopt guidelines to encourage pupils in grades nine, ten,  
5 eleven and twelve to volunteer for twenty hours of community service  
6 before graduation from high school. A school district that complies with  
7 the guidelines adopted pursuant to this paragraph is not liable for  
8 damages resulting from a pupil's participation in community service unless  
9 the school district is found to have demonstrated wanton or reckless  
10 disregard for the safety of the pupil and other participants in community  
11 service. For the purposes of this paragraph, "community service" may  
12 include service learning. The guidelines shall include the following:

13           (a) A list of the general categories in which community service may  
14 be performed.

15           (b) A description of the methods by which community service will be  
16 monitored.

17           (c) A consideration of risk assessment for community service  
18 projects.

19           (d) Orientation and notification procedures of community service  
20 opportunities for pupils entering grade nine, including the development of  
21 a notification form. The notification form shall be signed by the pupil  
22 and the pupil's parent or guardian, except that a pupil shall not be  
23 required to participate in community service if the parent or guardian  
24 notifies the principal of the pupil's school in writing that the parent or  
25 guardian does not wish the pupil to participate in community service.

26           (e) Procedures for a pupil in grade nine to prepare a written  
27 proposal that outlines the type of community service that the pupil would  
28 like to perform and the goals that the pupil hopes to achieve as a result  
29 of community service. The pupil's written proposal shall be reviewed by a  
30 faculty advisor, a guidance counselor or any other school employee who is  
31 designated as the community service program coordinator for that school.  
32 The pupil may alter the written proposal at any time before performing  
33 community service.

34           (f) Procedures for a faculty advisor, a guidance counselor or any  
35 other school employee who is designated as the community service program  
36 coordinator to evaluate and certify the completion of community service  
37 performed by pupils.

38           32. To facilitate the transfer of military personnel and their  
39 dependents to and from the public schools of this state, pursue, in  
40 cooperation with the Arizona board of regents, reciprocity agreements with  
41 other states concerning the transfer credits for military personnel and  
42 their dependents. A reciprocity agreement entered into pursuant to this  
43 paragraph shall:

44           (a) Address procedures for each of the following:

45           (i) The transfer of student records.



1 (ii) Awarding credit for completed coursework.

2 (iii) Permitting a student to satisfy the graduation requirements  
3 prescribed in section 15-701.01 through the successful performance on  
4 comparable exit-level assessment instruments administered in another  
5 state.

6 (b) Include appropriate criteria developed by the state board of  
7 education and the Arizona board of regents.

8 33. Adopt guidelines that school district governing boards shall  
9 use in identifying pupils who are eligible for gifted programs and in  
10 providing gifted education programs and services. The state board of  
11 education shall adopt any other guidelines and rules that it deems  
12 necessary in order to carry out the purposes of chapter 7, article 4.1 of  
13 this title.

14 34. For each of the alternative textbook formats of human-voiced  
15 audio, large-print and braille, designate alternative media producers to  
16 adapt existing standard print textbooks or to provide specialized  
17 textbooks, or both, for pupils with disabilities in this state. Each  
18 alternative media producer shall be capable of producing alternative  
19 textbooks in all relevant subjects in at least one of the alternative  
20 textbook formats. The board shall post the designated list of alternative  
21 media producers on its website.

22 35. Adopt a list of approved professional development training  
23 providers for use by school districts as provided in section 15-107,  
24 subsection J. The professional development training providers shall meet  
25 the training curriculum requirements determined by the state board of  
26 education in at least the areas of school finance, governance, employment,  
27 staffing, inventory and human resources, internal controls and  
28 procurement.

29 36. Adopt rules to prohibit a person who violates the notification  
30 requirements prescribed in section 15-183, subsection C, paragraph 8 or  
31 section 15-550, subsection C from certification pursuant to this title  
32 until the person is no longer charged or is acquitted of any offenses  
33 listed in section 41-1758.03, subsection B. The state board shall also  
34 adopt rules to prohibit a person who violates the notification  
35 requirements, certification surrender requirements or fingerprint  
36 clearance card surrender requirements prescribed in section 15-183,  
37 subsection C, paragraph 9 or section 15-550, subsection D from  
38 certification pursuant to this title for at least ten years after the date  
39 of the violation.

40 37. Adopt rules for the alternative certification of teachers of  
41 nontraditional foreign languages that allow for the passing of a  
42 nationally accredited test to substitute for the education coursework  
43 required for certification.

1           38. Adopt rules to define competency-based educational pathways for  
2 college and career readiness that may be used by schools. The rules shall  
3 include the following components:

4           (a) The establishment of learning outcomes that will be expected  
5 for students in a particular subject.

6           (b) A process and criteria by which assessments may be identified  
7 or established to determine whether students have reached the desired  
8 competencies in a particular subject.

9           (c) A mechanism to allow pupils in grades seven through twelve who  
10 have demonstrated competency in a subject to immediately obtain credit for  
11 the mastery of that subject. The rules shall include a list of applicable  
12 subjects, including the level of competency required for each subject.

13           39. In consultation with the department of health services, the  
14 department of education, medical professionals, school health  
15 professionals, school administrators and an organization that represents  
16 school nurses in this state, adopt rules that prescribe the following for  
17 school districts and charter schools:

18           (a) Annual training in the administration of auto-injectable  
19 epinephrine for designated medical and nonmedical school personnel. The  
20 annual training prescribed in this subdivision is optional during any  
21 fiscal year in which a school does not stock epinephrine auto-injectors at  
22 the school during that fiscal year.

23           (b) Annual training for all school site personnel on the  
24 recognition of anaphylactic shock symptoms and the procedures to follow  
25 when anaphylactic shock occurs, following the national guidelines of the  
26 American academy of pediatrics. The annual training prescribed in this  
27 subdivision is optional during any fiscal year in which a school does not  
28 stock epinephrine auto-injectors at the school during that fiscal year.

29           (c) Procedures for the administration of epinephrine auto-injectors  
30 in emergency situations.

31           (d) Procedures for annually requesting a standing order for  
32 epinephrine auto-injectors pursuant to section 15-157 from the chief  
33 medical officer of the department of health services, the chief medical  
34 officer of a county health department, a doctor of medicine licensed  
35 pursuant to title 32, chapter 13, [A DOCTOR OF NATUROPATHIC MEDICINE](#)  
36 [LICENSED PURSUANT TO TITLE 32, CHAPTER 14](#) or a doctor of osteopathic  
37 medicine licensed pursuant to title 32, chapter 17.

38           (e) Procedures for reporting the use of epinephrine auto-injectors  
39 to the department of health services.

40           40. In consultation with the department of education, medical  
41 professionals, school health professionals, school administrators and an  
42 organization that represents school nurses in this state, adopt rules that  
43 prescribe the following for school districts and charter schools that  
44 elect to administer inhalers:

1 (a) Annual training in the recognition of respiratory distress  
2 symptoms and the procedures to follow when respiratory distress occurs, in  
3 accordance with good clinical practice, and the administration of  
4 inhalers, as directed on the prescription protocol, by designated medical  
5 and nonmedical school personnel.

6 (b) Requirements for school districts and charter schools that  
7 elect to administer inhalers to designate at least two employees at each  
8 school to be trained in the recognition of respiratory distress symptoms  
9 and the procedures to follow when respiratory distress occurs, in  
10 accordance with good clinical practice, and at least two employees at each  
11 school to be trained in the administration of inhalers, as directed on the  
12 prescription protocol.

13 (c) Procedures for the administration of inhalers in emergency  
14 situations, as directed on the prescription protocol.

15 (d) Procedures for annually requesting a standing order for  
16 inhalers and spacers or holding chambers pursuant to section 15-158 from  
17 the chief medical officer of a county health department, a physician  
18 licensed pursuant to title 32, chapter 13, 14 or 17 or a nurse  
19 practitioner licensed pursuant to title 32, chapter 15.

20 (e) Procedures for notifying a parent once an inhaler has been  
21 administered.

22 41. Adopt rules for certification that allow substitute teachers  
23 who can demonstrate primary teaching responsibility in a classroom as  
24 defined by the state board of education to use the time spent in that  
25 classroom toward the required capstone experience for standard teaching  
26 certification.

27 42. For the purposes of Sandra Day O'Connor civics celebration day  
28 instruction under section 15-710.01, develop a list of recommended  
29 resources relating to civics education that align with the academic  
30 standards prescribed by the state board of education in social studies  
31 pursuant to sections 15-701 and 15-701.01. The state board shall  
32 establish a process that allows public schools to recommend resources for  
33 addition to the list.

34 B. The state board of education may:

35 1. Contract.

36 2. Sue and be sued.

37 3. Distribute and score the tests prescribed in chapter 7, article  
38 3 of this title.

39 4. Provide for an advisory committee to conduct hearings and  
40 screenings to determine whether grounds exist to impose disciplinary  
41 action against a certificated person, whether grounds exist to reinstate a  
42 revoked or surrendered certificate and whether grounds exist to approve or  
43 deny an initial application for certification or a request for renewal of  
44 a certificate. The board may delegate its responsibility to conduct

1 hearings and screenings to its advisory committee. Hearings shall be  
2 conducted pursuant to title 41, chapter 6, article 6.

3 5. Proceed with the disposal of any complaint requesting  
4 disciplinary action or with any disciplinary action against a person  
5 holding a certificate as prescribed in subsection A, paragraph 14 of this  
6 section after the suspension or expiration of the certificate or surrender  
7 of the certificate by the holder.

8 6. Assess costs and reasonable attorney fees against a person who  
9 files a frivolous complaint or who files a complaint in bad faith. Costs  
10 assessed pursuant to this paragraph shall not exceed the expenses incurred  
11 by the department of education in the investigation of the complaint.

12 Sec. 5. Section 15-843, Arizona Revised Statutes, is amended to  
13 read:

14 15-843. Pupil disciplinary proceedings

15 A. An action concerning discipline, suspension or expulsion of a  
16 pupil is not subject to title 38, chapter 3, article 3.1, except that the  
17 governing board of a school district shall post regular notice and shall  
18 take minutes of any hearing held by the governing board concerning the  
19 discipline, suspension or expulsion of a pupil.

20 B. The governing board of any school district, in consultation with  
21 the teachers and parents of the school district, shall prescribe rules for  
22 the discipline, suspension and expulsion of pupils. The rules shall be  
23 consistent with the constitutional rights of pupils and shall include at  
24 least the following:

25 1. Penalties for excessive pupil absenteeism pursuant to section  
26 15-803, including failure in a subject, failure to pass a grade,  
27 suspension or expulsion.

28 2. Procedures for the use of corporal punishment if allowed by the  
29 governing board.

30 3. Procedures for the reasonable use of physical force by  
31 certificated or classified personnel in self-defense, defense of others  
32 and defense of property.

33 4. Procedures for dealing with pupils who have committed or who are  
34 believed to have committed a crime.

35 5. A notice and hearing procedure for cases concerning the  
36 suspension of a pupil for more than ten days.

37 6. Procedures and conditions for readmission of a pupil who has  
38 been expelled or suspended for more than ten days.

39 7. Procedures for appeal to the governing board of the suspension  
40 of a pupil for more than ten days, if the decision to suspend the pupil  
41 was not made by the governing board.

42 8. Procedures for appeal of the recommendation of the hearing  
43 officer or officers designated by the board as provided in subsection F of  
44 this section at the time the board considers the recommendation.

1           9. Disciplinary policies for the confinement of pupils left alone  
2 in an enclosed space. These policies shall include the following:

3           (a) A process for prior written parental notification that  
4 confinement may be used for disciplinary purposes and that is included in  
5 the pupil's enrollment packet or admission form.

6           (b) A process for prior written parental consent before confinement  
7 is allowed for any pupil in the school district. The policies shall  
8 provide for an exemption to prior written parental consent if a school  
9 principal or teacher determines that the pupil poses imminent physical  
10 harm to self or others. The school principal or teacher shall make  
11 reasonable attempts to notify the pupil's parent or guardian in writing by  
12 the end of the same day that confinement was used.

13           10. Procedures that require the school district to annually report  
14 to the department of education in a manner prescribed by the department  
15 the number of suspensions and expulsions that involve the possession, use  
16 or sale of an illegal substance under title 13, chapter 34 and the type of  
17 illegal substance involved in each suspension or expulsion. The  
18 department of education shall compile this information and annually post  
19 the information on its website. The information shall comply with the  
20 family educational rights and privacy act of 1974 (P.L. 93-380; 88 Stat.  
21 57; 20 United States Code section 1232g) and not include personally  
22 identifiable information and shall show the number of suspensions and  
23 expulsions associated with each illegal substance aggregated statewide and  
24 by county.

25           C. Penalties adopted pursuant to subsection B, paragraph 1 of this  
26 section for excessive absenteeism shall not be applied to pupils who have  
27 completed the course requirements and whose absence from school is due  
28 solely to illness, disease or accident as certified by a person who is  
29 licensed pursuant to title 32, chapter 7, 13, 14, 15 or 17.

30           D. The governing board shall:

31           1. Support and assist teachers in the implementation and  
32 enforcement of the rules prescribed pursuant to subsection B of this  
33 section.

34           2. Develop procedures allowing teachers and principals to recommend  
35 the suspension or expulsion of pupils.

36           3. Develop procedures allowing teachers and principals to  
37 temporarily remove disruptive pupils from a class.

38           4. Delegate to the principal the authority to remove a disruptive  
39 pupil from the classroom.

40           E. If a pupil withdraws from school after receiving notice of  
41 possible action concerning discipline, expulsion or suspension, the  
42 governing board may continue with the action after the withdrawal and may  
43 record the results of such action in the pupil's permanent file.

1 F. In all action concerning the expulsion of a pupil, the governing  
2 board of a school district shall:

3 1. Be notified of the intended action.

4 2. Either:

5 (a) Decide, in executive session, whether to hold a hearing or to  
6 designate one or more hearing officers to hold a hearing to hear the  
7 evidence, prepare a record and bring a recommendation to the board for  
8 action and whether the hearing shall be held in executive session.

9 (b) Provide by policy or vote at its annual organizational meeting  
10 that all hearings concerning the expulsion of a pupil conducted pursuant  
11 to this section will be conducted before a hearing officer selected from a  
12 list of hearing officers approved by the governing board.

13 3. Give written notice, at least five working days before the  
14 hearing by the governing board or the hearing officer or officers  
15 designated by the governing board, to all pupils subject to expulsion and  
16 their parents or guardians of the date, time and place of the hearing. If  
17 the governing board decides that the hearing is to be held in executive  
18 session, the written notice shall include a statement of the right of the  
19 parents or guardians or an emancipated pupil who is subject to expulsion  
20 to object to the governing board's decision to have the hearing held in  
21 executive session. Objections shall be made in writing to the governing  
22 board.

23 G. If a parent or guardian or an emancipated pupil who is subject  
24 to expulsion disagrees that the hearing should be held in executive  
25 session, it shall be held in an open meeting unless:

26 1. If only one pupil is subject to expulsion and disagreement  
27 exists between that pupil's parents or guardians, the governing board,  
28 after consultations with the pupil's parents or guardians or the  
29 emancipated pupil, shall decide in executive session whether the hearing  
30 will be in executive session.

31 2. If more than one pupil is subject to expulsion and disagreement  
32 exists between the parents or guardians of different pupils, separate  
33 hearings shall be held subject to this section.

34 H. This section does not prevent the pupil who is subject to  
35 expulsion or suspension, and the pupil's parents or guardians and legal  
36 counsel, from attending any executive session pertaining to the proposed  
37 disciplinary action, from having access to the minutes and testimony of  
38 the executive session or from recording the session at the parent's or  
39 guardian's expense.

40 I. In schools employing a superintendent or a principal, the  
41 authority to suspend a pupil from school is vested in the superintendent,  
42 principal or other school officials granted this power by the governing  
43 board of the school district.

44 J. In schools that do not have a superintendent or principal, a  
45 teacher may suspend a pupil from school.

1 K. In all cases of suspension, it shall be for good cause and shall  
2 be reported within five days to the governing board by the superintendent  
3 or the person imposing the suspension.

4 L. Rules pertaining to the discipline, suspension and expulsion of  
5 pupils shall not be based on race, color, religion, sex, national origin  
6 or ancestry. If the department of education, the auditor general or the  
7 attorney general determines that a school district is substantially and  
8 deliberately not in compliance with this subsection and if the school  
9 district has failed to correct the deficiency within ninety days after  
10 receiving notice from the department of education, the superintendent of  
11 public instruction may withhold the monies the school district would  
12 otherwise be entitled to receive from the date of the determination of  
13 noncompliance until the department of education determines that the school  
14 district is in compliance with this subsection.

15 M. The principal of each school shall ensure that a copy of all  
16 rules pertaining to discipline, suspension and expulsion of pupils is  
17 distributed to the parents of each pupil at the time the pupil is enrolled  
18 in school.

19 N. The principal of each school shall ensure that all rules  
20 pertaining to the discipline, suspension and expulsion of pupils are  
21 communicated to students at the beginning of each school year, and to  
22 transfer students at the time of their enrollment in the school.

23 O. School districts may refer a pupil who has been subject to  
24 discipline, suspension or expulsion pursuant to this section to a career  
25 and college readiness program for at-risk students established pursuant to  
26 section 15-707.

27 Sec. 6. Section 28-3167, Arizona Revised Statutes, is amended to  
28 read:

29 28-3167. Medical code information on license; rules; immunity

30 A. The department shall provide on each driver license and on each  
31 nonoperating identification license a space where a licensee may indicate  
32 that the licensee suffers from some type of adverse medical condition  
33 using a medical code prescribed by the department if the licensee presents  
34 a signed statement from a physician who is licensed pursuant to title 32,  
35 chapter 13, 14 or 17 or a registered nurse practitioner who is licensed  
36 pursuant to title 32, chapter 15 stating that the person suffers from the  
37 condition.

38 B. The department shall prescribe by rule a medical code to  
39 identify the medical conditions using a system of numerals or letters  
40 commonly accepted by the medical profession. Except for the purposes of  
41 entering the medical code on the driver license or nonoperating  
42 identification license, and unless the person affirmatively requests in  
43 writing that the person wants the medical code as part of the computer  
44 record, the department shall not maintain the medical code in the

1 department computer after the department issues the driver license or  
2 nonoperating identification license.

3 C. The department and this state are exempt from liability for  
4 damages from the use of medical code information provided on a license  
5 pursuant to this section.

6 Sec. 7. Section 28-3315, Arizona Revised Statutes, is amended to  
7 read:

8 28-3315. Period of suspension, revocation or  
9 disqualification; unlicensed drivers; definitions

10 A. The department shall not suspend, revoke or disqualify a driver  
11 license or privilege to drive a motor vehicle on the public highways for  
12 more than one year from the date of a conviction or judgment, if any,  
13 against a person for which this chapter makes revocation, suspension or  
14 disqualification mandatory or from the date the notice is sent pursuant to  
15 section 28-3318 if no conviction was involved, except as permitted under  
16 subsection E of this section and sections 28-3312, 28-3319 and 28-3320.

17 B. A person whose license or privilege to drive a motor vehicle on  
18 the public highways has been revoked may apply for reinstatement of the  
19 person's license as provided by law after the cause of the revocation is  
20 removed or after expiration of the revocation period prescribed by law.  
21 The department may reinstate the person's driver license after the  
22 department reviews an applicant's driving record in this state or another  
23 state or other sufficient evidence to determine that:

- 24 1. All withdrawal actions are complete.
- 25 2. The applicant has not been convicted of or found responsible for  
26 any traffic violations within twelve months preceding application.
- 27 3. All other statutory requirements are satisfied.

28 C. The department shall not accept an application for reinstatement  
29 of a driver license until after the twelve month period prescribed in  
30 subsection B of this section has elapsed.

31 D. If the department reinstates a person's driver license or  
32 driving privilege for a revocation that is related to alcohol or other  
33 drugs, the department may accept an evaluation that was performed within  
34 the previous twelve months from a physician, a psychologist, a physician  
35 assistant, a registered nurse practitioner or a substance abuse counselor  
36 indicating that, in the opinion of the physician, psychologist, physician  
37 assistant, registered nurse practitioner or substance abuse counselor, the  
38 condition does not affect or impair the person's ability to safely operate  
39 a motor vehicle. For the purposes of reinstating a license or driving  
40 privilege pursuant to this article, the department may rely on the opinion  
41 of a physician, a psychologist, a physician assistant, a registered nurse  
42 practitioner or a substance abuse counselor.

43 E. Notwithstanding subsections A and B of this section:

- 44 1. A person whose license or privilege to drive is revoked pursuant  
45 to section 28-3304, subsection A, paragraph 1 or 11 is not entitled to



1 have the person's license or privilege renewed or restored for three  
2 years.

3 2. A person whose license or privilege to drive is revoked pursuant  
4 to section 13-1209 is not entitled to have the person's license or  
5 privilege renewed or restored for the period of time ordered by the court.

6 3. If a license, permit or privilege to drive is revoked pursuant  
7 to section 28-661, subsection E the license, permit or privilege may not  
8 be renewed or restored except as prescribed by section 28-661, subsections  
9 E and F.

10 4. A person whose license, permit or privilege to drive is revoked  
11 pursuant to section 28-661, subsection G is not entitled to have the  
12 person's license, permit or privilege renewed or restored for three years.

13 F. If an unlicensed driver commits an offense for which a driver  
14 license could be suspended, revoked or disqualified, the department shall  
15 not accept the unlicensed driver's application for a driver license for a  
16 period equal to the period of time that applies to a driver with a  
17 license. If the offense is one for which a driver license could be  
18 revoked, the department shall not accept the unlicensed driver's  
19 application for a driver license unless ~~it~~ THE APPLICATION includes an  
20 evaluation from a physician, psychologist, physician assistant, registered  
21 nurse practitioner or substance abuse counselor on the habits and driving  
22 ability of the person and ~~that~~ the evaluator is satisfied that it is safe  
23 to grant the privilege of driving a motor vehicle on the public highways.

24 G. The expiration of a person's license during the period of time  
25 it is under suspension, revocation or disqualification does not invalidate  
26 or terminate the suspension, revocation or disqualification.

27 H. A person whose license or privilege to drive a motor vehicle on  
28 the public highways has been suspended pursuant to section 28-3306,  
29 subsection A, paragraph 5 or section 28-3314 may apply for a new license  
30 as provided by law after the cause for suspension is removed or after  
31 expiration of the suspension period prescribed by law if both of the  
32 following conditions are met:

33 1. The department is satisfied, after reviewing the medical  
34 condition and driving ability of the person, that it is safe to grant the  
35 person the privilege of driving a motor vehicle on the public highways.

36 2. If the person has a medical condition related to alcohol or  
37 other drugs, the department may accept an evaluation form from a  
38 physician, a psychologist, a physician assistant, a registered nurse  
39 practitioner or a substance abuse counselor indicating that, in the  
40 opinion of the physician, psychologist, physician assistant, registered  
41 nurse practitioner or substance abuse counselor, the condition does not  
42 affect or impair the person's ability to operate a motor vehicle in a safe  
43 manner.

1 I. For the purposes of this section:

2 1. "Physician" means a physician who is licensed pursuant to title  
3 32, chapter 13, 14, 17 or 29.

4 2. "Physician assistant" means a physician assistant who is  
5 licensed pursuant to title 32, chapter 25.

6 3. "Psychologist" means a psychologist who is licensed pursuant to  
7 title 32, chapter 19.1.

8 4. "Registered nurse practitioner" means a registered nurse  
9 practitioner who is licensed pursuant to title 32, chapter 15.

10 5. "Substance abuse counselor" has the same meaning prescribed in  
11 section 28-3005.

12 Sec. 8. Section 36-663, Arizona Revised Statutes, is amended to  
13 read:

14 36-663. HIV-related testing; restrictions; exceptions

15 A. Except as otherwise specifically authorized or required by this  
16 state or by federal law, before an HIV-related test is ordered by a health  
17 care provider, the health care provider shall ensure that oral or written  
18 informed consent information is provided to the subject of the test who  
19 has capacity to consent or, if the subject lacks capacity to consent, to a  
20 person authorized pursuant to law to consent to health care for that  
21 person. For the purposes of this subsection, "informed consent  
22 information" means information that explains HIV infection and the meaning  
23 of a positive test result and that indicates that the patient may ask  
24 questions and decline testing.

25 B. This section does not apply to the performance of an HIV-related  
26 test:

27 1. By a health care provider or health facility in relation to the  
28 procuring, processing, distributing or use of a human body or a human body  
29 part, including organs, tissues, eyes, bones, arteries, blood, semen, milk  
30 or other body fluids, for use in medical research or therapy or for  
31 transplantation to other persons.

32 2. If testing is requested by a health care provider or first  
33 responder who has had an occupational significant exposure risk to the  
34 patient's blood or bodily fluid. HIV-related testing under this paragraph  
35 may be performed under a general consent to receive treatment, except in  
36 an emergency when consent may be implied. Such testing may be performed  
37 under this paragraph only on receipt of a written request from a health  
38 care provider or first responder who documents the occurrence and  
39 information regarding the nature of the occupational significant exposure  
40 risk and the report is reviewed and confirmed by a health care provider  
41 who is both licensed pursuant to title 32, chapter 13, 14, 15 or 17 and  
42 competent to determine a significant exposure risk. A patient may not be  
43 forced to provide a blood sample for the purposes of this paragraph. When  
44 an HIV-related test is ordered, a health care provider shall provide the  
45 patient with the test results and information that explains HIV infection

1 and the meaning of a positive or negative test result and that indicates  
2 that the patient may ask questions.

3 3. For the purpose of research if the testing is performed in a  
4 manner by which the identity of the test subject is not known and may not  
5 be retrieved by the researcher.

6 4. On a deceased person, if the test is conducted in order to  
7 determine the cause of death or for epidemiologic or public health  
8 purposes.

9 5. In the course of providing necessary emergency medical treatment  
10 to a patient who lacks capacity to consent to HIV-related testing and for  
11 whom no person authorized pursuant to law to consent to health care for  
12 that person can be identified on a timely basis if the testing is  
13 necessary for the diagnosis and treatment of the emergency condition. The  
14 attending physician shall document the existence of an emergency medical  
15 condition, the necessity of the HIV-related testing to diagnose and treat  
16 the emergency condition and the patient's lack of capacity.

17 6. On a patient who lacks capacity to consent and for whom no  
18 person authorized pursuant to law to consent to health care for that  
19 person can be identified on a timely basis if the HIV-related testing is  
20 directly related to and necessary for the diagnosis and treatment of the  
21 person's medical condition. HIV-related testing shall be performed under  
22 these circumstances only on written certification by the attending  
23 physician and a consulting physician that the HIV-related testing is  
24 directly related to and necessary for the diagnosis and treatment of the  
25 patient's medical condition.

26 7. That is performed on an anonymous basis at a public health  
27 agency.

28 C. A medical examiner or alternate medical examiner may provide a  
29 blood sample from a deceased person for the purpose of HIV-related testing  
30 pursuant to subsection B, paragraph 2 of this section. A medical examiner  
31 or alternate medical examiner is not required to perform an HIV-related  
32 test for an occupational significant exposure risk.

33 Sec. 9. Section 36-664, Arizona Revised Statutes, is amended to  
34 read:

35 36-664. Confidentiality; exceptions

36 A. A person who obtains communicable disease related information in  
37 the course of providing a health service or obtains that information from  
38 a health care provider pursuant to an authorization shall not disclose or  
39 be compelled to disclose that information except as authorized by state or  
40 federal law, including the health insurance portability and accountability  
41 act privacy standards (45 Code of Federal Regulations part 160 and part  
42 164, subpart E), or pursuant to the following:

43 1. The protected person or, if the protected person lacks capacity  
44 to consent, the protected person's health care decision maker.

1           2. A health care provider or first responder who has had an  
2 occupational significant exposure risk to the protected person's blood or  
3 bodily fluid if the health care provider or first responder provides a  
4 written request that documents the occurrence and information regarding  
5 the nature of the occupational significant exposure risk and the report is  
6 reviewed and confirmed by a health care provider who is both licensed  
7 pursuant to title 32, chapter 13, 14, 15 or 17 and competent to determine  
8 a significant exposure risk. A health care provider who releases  
9 communicable disease information pursuant to this paragraph shall provide  
10 education and counseling to the person who has had the occupational  
11 significant exposure risk.

12           3. The department or a local health department for purposes of  
13 notifying a Good Samaritan pursuant to subsection E of this section.

14           4. An agent or employee of a health facility or health care  
15 provider to provide health services to the protected person or the  
16 protected person's child or for billing or reimbursement for health  
17 services.

18           5. A health facility or health care provider, in relation to the  
19 procurement, processing, distributing or use of a human body or a human  
20 body part, including organs, tissues, eyes, bones, arteries, blood, semen,  
21 milk or other body fluids, for use in medical education, research or  
22 therapy or for transplantation to another person.

23           6. A health facility or health care provider, or an organization,  
24 committee or individual designated by the health facility or health care  
25 provider, that is engaged in the review of professional practices,  
26 including the review of the quality, utilization or necessity of medical  
27 care, or an accreditation or oversight review organization responsible for  
28 the review of professional practices at a health facility or by a health  
29 care provider.

30           7. A private entity that accredits the health facility or health  
31 care provider and with whom the health facility or health care provider  
32 has an agreement requiring the agency to protect the confidentiality of  
33 patient information.

34           8. A federal, state, county or local health officer if disclosure  
35 is mandated by federal or state law.

36           9. A federal, state or local government agency authorized by law to  
37 receive the information. The agency is authorized to redisclose the  
38 information only pursuant to this article or as otherwise permitted by  
39 law.

40           10. An authorized employee or agent of a federal, state or local  
41 government agency that supervises or monitors the health care provider or  
42 health facility or administers the program under which the health service  
43 is provided. An authorized employee or agent includes only an employee or  
44 agent who, in the ordinary course of business of the government agency,

1 has access to records relating to the care or treatment of the protected  
2 person.

3 11. A person, health care provider or health facility to which  
4 disclosure is ordered by a court or administrative body pursuant to  
5 section 36-665.

6 12. The industrial commission or parties to an industrial  
7 commission of Arizona claim pursuant to section 23-908, subsection D and  
8 section 23-1043.02.

9 13. Insurance entities pursuant to section 20-448.01 and  
10 third-party payors or the payors' contractors.

11 14. Any person or entity as authorized by the patient or the  
12 patient's health care decision maker.

13 15. A person or entity as required by federal law.

14 16. The legal representative of the entity holding the information  
15 in order to secure legal advice.

16 17. A person or entity for research only if the research is  
17 conducted pursuant to applicable federal or state laws and regulations  
18 governing research.

19 18. A person or entity that provides services to the patient's  
20 health care provider, as defined in section 12-2291, and with whom the  
21 health care provider has a business associate agreement that requires the  
22 person or entity to protect the confidentiality of patient information as  
23 required by the health insurance portability and accountability act  
24 privacy standards (45 Code of Federal Regulations part 164, subpart E).

25 19. A county medical examiner or an alternate medical examiner  
26 directing an investigation into the circumstances surrounding a death  
27 pursuant to section 11-593.

28 B. At the request of the department of child safety or the  
29 department of economic security and in conjunction with the placement of  
30 children in foster care or for adoption or court-ordered placement, a  
31 health care provider shall disclose communicable disease information,  
32 including HIV-related information, to the department of child safety or  
33 the department of economic security.

34 C. A state, county or local health department or officer may  
35 disclose communicable disease related information if the disclosure is any  
36 of the following:

37 1. Specifically authorized or required by federal or state law.

38 2. Made pursuant to an authorization signed by the protected person  
39 or the protected person's health care decision maker.

40 3. Made to a contact of the protected person. The disclosure shall  
41 be made without identifying the protected person.

42 4. For the purposes of research as authorized by state and federal  
43 law.

44 D. The director may authorize the release of information that  
45 identifies the protected person to the national center for health

1 statistics of the United States public health service for the purposes of  
2 conducting a search of the national death index.

3 E. The department or a local health department shall disclose  
4 communicable disease related information to a Good Samaritan who submits a  
5 request to the department or the local health department. The request  
6 shall document the occurrence of the accident, fire or other  
7 life-threatening emergency and shall include information regarding the  
8 nature of the significant exposure risk. The department shall adopt rules  
9 that prescribe standards of significant exposure risk based on the best  
10 available medical evidence. The department shall adopt rules that  
11 establish procedures for processing requests from Good Samaritans pursuant  
12 to this subsection. The rules shall provide that the disclosure to the  
13 Good Samaritan shall not reveal the protected person's name and shall be  
14 accompanied by a written statement that warns the Good Samaritan that the  
15 confidentiality of the information is protected by state law.

16 F. An authorization to release communicable disease related  
17 information shall be signed by the protected person or, if the protected  
18 person lacks capacity to consent, the protected person's health care  
19 decision maker. An authorization shall be dated and shall specify to whom  
20 disclosure is authorized, the purpose for disclosure and the time period  
21 during which the release is effective. A general authorization for the  
22 release of medical or other information, including communicable disease  
23 related information, is not an authorization for the release of  
24 HIV-related information unless the authorization specifically indicates  
25 its purpose as an authorization for the release of confidential  
26 HIV-related information and complies with the requirements of this  
27 section.

28 G. A person to whom communicable disease related information is  
29 disclosed pursuant to this section shall not disclose the information to  
30 another person except as authorized by this section. This subsection does  
31 not apply to the protected person or a protected person's health care  
32 decision maker.

33 H. This section does not prohibit the listing of communicable  
34 disease related information, including acquired immune deficiency  
35 syndrome, HIV-related illness or HIV infection, in a certificate of death,  
36 autopsy report or other related document that is prepared pursuant to law  
37 to document the cause of death or that is prepared to release a body to a  
38 funeral director. This section does not modify a law or rule relating to  
39 access to death certificates, autopsy reports or other related documents.

40 I. If a person in possession of HIV-related information reasonably  
41 believes that an identifiable third party is at risk of HIV infection,  
42 that person may report that risk to the department. The report shall be  
43 in writing and include the name and address of the identifiable third  
44 party and the name and address of the person making the report. The  
45 department shall contact the person at risk pursuant to rules adopted by

1 the department. The department employee making the initial contact shall  
2 have expertise in counseling persons who have been exposed to or tested  
3 positive for HIV or acquired immune deficiency syndrome.

4 J. Except as otherwise provided pursuant to this article or subject  
5 to an order or search warrant issued pursuant to section 36-665, a person  
6 who receives HIV-related information in the course of providing a health  
7 service or pursuant to a release of HIV-related information shall not  
8 disclose that information to another person or legal entity or be  
9 compelled by subpoena, order, search warrant or other judicial process to  
10 disclose that information to another person or legal entity.

11 K. This section and sections 36-663, 36-666, 36-667 and 36-668 do  
12 not apply to persons or entities subject to regulation under title 20.

13 Sec. 10. Section 36-1673, Arizona Revised Statutes, is amended to  
14 read:

15 36-1673. Reporting of lead levels

16 The director shall adopt rules and regulations establishing an  
17 effective procedure under which all physicians licensed pursuant to ~~the~~  
18 ~~provisions of~~ title 32, chapter 13, 14 or 17 shall report to the  
19 department all analyses of blood samples which indicate significant levels  
20 of lead. The regulations shall include such necessary criteria to  
21 determine those levels of significance which shall be reported.

22 Sec. 11. Section 36-2351, Arizona Revised Statutes, is amended to  
23 read:

24 36-2351. Definitions

25 In this chapter, unless the context otherwise requires:

26 1. "Construction" means building, erection, fabrication or  
27 installation.

28 2. "Coordinating medical provider" means a physician or group of  
29 physicians, or any combination thereof, which has entered into an  
30 agreement with a county, incorporated city or town, health service  
31 district or the department to supervise the medical care offered at a  
32 medical clinic, as defined by this section.

33 3. "Department" means the department of health services.

34 4. "Health service district" means a health service district  
35 established pursuant to title 48, chapter 16, article 1.

36 5. "Hospital" means a health care institution licensed as a  
37 hospital pursuant to chapter 4, article 2 of this title.

38 6. "Medical clinic" means a facility, whether mobile or stationary,  
39 which provides ambulatory medical care in a medically-underserved area  
40 through the employment of physicians, professional nurses, physician  
41 assistants or other health care technical and paraprofessional personnel.

42 7. "Physician" means a physician licensed pursuant to title 32,  
43 chapter 13, 14 or 17.