CHAPTER 89

HOUSE BILL 2622

AN ACT

AMENDING SECTION 36-450.02, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

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

36-450.02. Nonretaliatory policy; definition

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

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

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

B. A THIRD-PARTY CONTRACTOR OF A HEALTH CARE INSTITUTION MAY NOT TAKE RETALIATORY ACTION AS PROSCRIBED IN THIS SECTION.

C. This section does not prohibit a health care institution THAT IS licensed pursuant to this chapter from taking action against a health professional for a purpose THAT IS not related to a report filed pursuant to section 36-450.01.

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

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

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

APPROVED BY THE GOVERNOR MARCH 23, 2021.