

health; budget reconciliation; 2021-2022.

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

## HOUSE BILL 2896

### AN ACT

AMENDING TITLE 8, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-512.02; AMENDING TITLE 20, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-126; AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-206; AMENDING SECTION 30-654, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-147 AND 36-148; AMENDING SECTIONS 36-446.02, 36-446.04, 36-557, 36-591, 36-592, 36-594 AND 36-672, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.2; AMENDING SECTIONS 36-694, 36-694.01 AND 36-1201, ARIZONA REVISED STATUTES; AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 31; REPEALING SECTION 41-3021.11, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3022.26; AMENDING SECTION 46-452.02, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO HEALTH BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 8, chapter 4, article 4, Arizona Revised Statutes,  
3 is amended by adding section 8-512.02, to read:

4 8-512.02. Comprehensive health plan expenditure authority  
5 fund; reversion

6 A. THE DEPARTMENT SHALL ESTABLISH AND MAINTAIN A COMPREHENSIVE  
7 HEALTH PLAN EXPENDITURE AUTHORITY FUND, WHICH IS A SEPARATE FUND TO  
8 DISTINGUISH THE DEPARTMENT'S REVENUES AND THE DEPARTMENT'S EXPENDITURES  
9 PURSUANT TO SECTION 8-512 FROM OTHER PROGRAMS THAT ARE FUNDED AND  
10 ADMINISTERED BY THE DEPARTMENT. THE FUND SHALL BE USED TO PAY  
11 ADMINISTRATIVE AND PROGRAM COSTS ASSOCIATED WITH PROVIDING COMPREHENSIVE  
12 MEDICAL CARE, DENTAL CARE AND BEHAVIORAL HEALTH SERVICES PURSUANT TO  
13 SECTION 8-512. THE COMPREHENSIVE HEALTH PLAN EXPENDITURE AUTHORITY FUND  
14 CONSISTS OF:

15 1. MONIES PAID BY THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
16 ADMINISTRATION PURSUANT TO THE CONTRACT.

17 2. AMOUNTS PAID BY THIRD-PARTY PAYORS.

18 3. GIFTS, DONATIONS AND GRANTS FROM ANY SOURCE.

19 4. INTEREST ON MONIES DEPOSITED IN THE COMPREHENSIVE HEALTH PLAN  
20 EXPENDITURE AUTHORITY FUND.

21 B. ALL MONIES FROM CAPITATED PAYMENTS IN THE COMPREHENSIVE HEALTH  
22 PLAN EXPENDITURE AUTHORITY FUND THAT ARE UNEXPENDED AND UNENCUMBERED AT  
23 THE END OF THE FISCAL YEAR REVERT TO THE STATE GENERAL FUND ON OR BEFORE  
24 JUNE 30 OF THE FOLLOWING FISCAL YEAR. THE TRANSFER AMOUNT MAY BE ADJUSTED  
25 TO PAY NONMEDICAID CLAIMS INCURRED BY THE DEPARTMENT.

26 Sec. 2. Title 20, chapter 1, article 1, Arizona Revised Statutes,  
27 is amended by adding section 20-126, to read:

28 20-126. Department; annual medical loss ratio report;  
29 posting; definition

30 A. ON OR BEFORE MARCH 31 OF EACH YEAR, THE DEPARTMENT SHALL PREPARE  
31 AN ANNUAL REPORT ON THE MEDICAL LOSS RATIO FOR EACH DENTAL INSURER DOING  
32 BUSINESS IN THIS STATE. IN CALCULATING THE MEDICAL LOSS RATIO, THE  
33 DEPARTMENT SHALL USE DATA SUBMITTED BY DENTAL INSURERS IN EXISTING  
34 REQUIRED REGULATORY FILINGS, INCLUDING ALL OF THE FOLLOWING:

35 1. ADJUSTED INCURRED ANNUAL DENTAL CLAIMS IN THIS STATE.

36 2. ANNUAL DENTAL INSURANCE PREMIUMS EARNED IN THIS STATE.

37 3. ANNUAL INCURRED FEDERAL AND STATE TAXES, LICENSING FEES AND  
38 REGULATORY FEES ON DENTAL PREMIUMS IN THIS STATE.

39 B. THE DEPARTMENT SHALL POST THE CALCULATED ANNUAL MEDICAL LOSS  
40 RATIO FOR EACH DENTAL INSURER ON THE DEPARTMENT'S WEBSITE.

41 C. FOR THE PURPOSES OF THIS SECTION, "DENTAL INSURER" MEANS A  
42 DENTAL SERVICE CORPORATION PURSUANT TO CHAPTER 4, ARTICLE 3 OF THIS TITLE,  
43 HEALTH CARE SERVICES ORGANIZATION PURSUANT TO CHAPTER 4, ARTICLE 9 OF THIS  
44 TITLE, DISABILITY INSURER PURSUANT TO CHAPTER 6, ARTICLE 4 OF THIS TITLE

1 OR GROUP OR BLANKET DISABILITY INSURER PURSUANT TO CHAPTER 6, ARTICLE 5 OF  
2 THIS TITLE THAT OFFERS, ISSUES OR RENEWS A CONTRACT, EVIDENCE OF COVERAGE  
3 OR POLICY COVERING DENTAL SERVICES.

4 Sec. 3. Title 23, chapter 2, article 1, Arizona Revised Statutes,  
5 is amended by adding section 23-206, to read:

6 23-206. Employers; accommodations required

7 IF AN EMPLOYER RECEIVES NOTICE FROM AN EMPLOYEE THAT THE EMPLOYEE'S  
8 SINCERELY HELD RELIGIOUS BELIEFS, PRACTICES OR OBSERVANCES PREVENT THE  
9 EMPLOYEE FROM TAKING THE COVID-19 VACCINATION, THE EMPLOYER SHALL PROVIDE  
10 A REASONABLE ACCOMMODATION UNLESS THE ACCOMMODATION WOULD POSE AN UNDU  
11 HARDSHIP AND MORE THAN A DE MINIMUS COST TO THE OPERATION OF THE  
12 EMPLOYER'S BUSINESS.

13 Sec. 4. Section 30-654, Arizona Revised Statutes, is amended to  
14 read:

15 30-654. Powers and duties of the department

16 A. The department may:

17 1. Accept grants or other contributions from the federal government  
18 or other sources, public or private, to be used by the department to carry  
19 out any of the purposes of this chapter.

20 2. Do all things necessary, within the limitations of this chapter,  
21 to carry out the powers and duties of the department.

22 3. Conduct an information program, including:

23 (a) Providing information on the control and regulation of sources  
24 of radiation and related health and safety matters, on request, to members  
25 of the legislature, the executive offices, state departments and agencies  
26 and county and municipal governments.

27 (b) Providing such published information, audiovisual  
28 presentations, exhibits and speakers on the control and regulation of  
29 sources of radiation and related health and safety matters to the state's  
30 educational system at all educational levels as may be arranged.

31 (c) Furnishing to citizen groups, on request, speakers and such  
32 audiovisual presentations or published materials on the control and  
33 regulation of sources of radiation and related health and safety matters  
34 as may be available.

35 (d) Conducting, sponsoring or cosponsoring and actively  
36 participating in the professional meetings, symposia, workshops, forums  
37 and other group informational activities concerned with the control and  
38 regulation of sources of radiation and related health and safety matters  
39 when representation from this state at such meetings is determined to be  
40 important by the department.

41 B. The department shall:

42 1. Regulate the use, storage and disposal of sources of radiation.

- 1           2. Establish procedures for purposes of selecting any proposed  
2 permanent disposal site located within this state for low-level  
3 radioactive waste.
- 4           3. Coordinate with the department of transportation and the  
5 corporation commission in regulating the transportation of sources of  
6 radiation.
- 7           4. Assume primary responsibility for and provide necessary  
8 technical assistance to handle any incidents, accidents and emergencies  
9 involving radiation or sources of radiation occurring within this state.
- 10          5. Adopt rules deemed necessary to administer this chapter in  
11 accordance with title 41, chapter 6.
- 12          6. Adopt uniform radiation protection and radiation dose standards  
13 to be as nearly as possible in conformity with, and in no case  
14 inconsistent with, the standards contained in the regulations of the  
15 United States nuclear regulatory commission and the standards of the  
16 United States public health service. In the adoption of the standards,  
17 the department shall consider the total occupational radiation exposure of  
18 individuals, including that from sources that are not regulated by the  
19 department.
- 20          7. Adopt rules for personnel monitoring under the close supervision  
21 of technically competent people in order to determine compliance with  
22 safety rules adopted under this chapter.
- 23          8. Adopt a uniform system of labels, signs and symbols and the  
24 posting of the labels, signs and symbols to be affixed to radioactive  
25 products, especially those transferred from person to person.
- 26          9. By rule, require adequate training and experience of persons  
27 using sources of radiation with respect to the hazards of excessive  
28 exposure to radiation in order to protect health and safety.
- 29          10. Adopt standards for the storage of radioactive material and for  
30 security against unauthorized removal.
- 31          11. Adopt standards for the disposal of radioactive materials into  
32 the air, water and sewers and burial in the soil in accordance with 10  
33 Code of Federal Regulations part 20.
- 34          12. Adopt rules that are applicable to the shipment of radioactive  
35 materials in conformity with and compatible with those established by the  
36 United States nuclear regulatory commission, the department of  
37 transportation, the United States department of the treasury and the  
38 United States postal service.
- 39          13. In individual cases, impose additional requirements to protect  
40 health and safety or grant necessary exemptions that will not jeopardize  
41 health or safety, or both.
- 42          14. Make recommendations to the governor and furnish such technical  
43 advice as required on matters relating to the utilization and regulation  
44 of sources of radiation.

1           15. Conduct or cause to be conducted off-site radiological  
2 environmental monitoring of the air, water and soil surrounding any fixed  
3 nuclear facility, any uranium milling and tailing site and any uranium  
4 leaching operation, and maintain and report the data or results obtained  
5 by the monitoring as deemed appropriate by the department.

6           16. Develop and utilize information resources concerning radiation  
7 and radioactive sources.

8           17. Prescribe by rule a schedule of fees to be charged to  
9 categories of licensees and registrants of radiation sources, including  
10 academic, medical, industrial, waste, distribution and imaging categories.  
11 The fees shall cover a significant portion of the reasonable costs  
12 associated with processing the application for license or registration,  
13 renewal or amendment of the license or registration and the costs of  
14 inspecting the licensee or registrant activities and facilities, including  
15 the cost to the department of employing clerical help, consultants and  
16 persons possessing technical expertise and using analytical  
17 instrumentation and information processing systems.

18           18. Adopt rules establishing radiological standards, personnel  
19 standards and quality assurance programs to ensure the accuracy and safety  
20 of screening and diagnostic mammography.

21           C. The department shall deposit, pursuant to sections 35-146 and  
22 ~~35-147, the first \$300,000 in fees collected each fiscal year pursuant to~~  
23 ~~subsection B, paragraph 17 of this section and section 32-2805 in the~~  
24 ~~state general fund. The department shall deposit, pursuant to sections~~  
25 ~~35-146 and 35-147,~~ ninety percent of the **remaining** monies received from  
26 fees collected pursuant to subsection B, paragraph 17 of this section and  
27 section 32-2805 in the health services licensing fund established by  
28 section 36-414 and ten percent of the **remaining** monies received from fees  
29 collected pursuant to subsection B, paragraph 17 of this section and  
30 section 32-2805 in the state general fund.

31           Sec. 5. Title 36, chapter 1, article 2, Arizona Revised Statutes,  
32 is amended by adding sections 36-147 and 36-148, to read:

33           36-147. Annual expenditure report; medical marijuana fund;  
34 justice reinvestment fund

35           ON OR BEFORE JULY 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE  
36 JOINT LEGISLATIVE BUDGET COMMITTEE AN EXPENDITURE REPORT FOR THE PRECEDING  
37 FISCAL YEAR ON MONIES TRANSFERRED TO THE DEPARTMENT FROM THE MEDICAL  
38 MARIJUANA FUND PURSUANT TO SECTION 36-2817 AND MONIES TRANSFERRED TO THE  
39 DEPARTMENT FROM THE JUSTICE REINVESTMENT FUND PURSUANT TO SECTION 36-2863.  
40 THE REPORT SHALL INCLUDE EXPENDITURES BY PROGRAM AND A LIST OF GRANTS  
41 DISTRIBUTED BY THE DEPARTMENT. THE DEPARTMENT SHALL INDICATE WHEN ALL  
42 MONIES FROM TRANSFERS MADE PURSUANT TO SECTION 36-2817 HAVE BEEN SPENT.

1           36-148. Annual distribution report; smart and safe Arizona  
2                           fund

3           ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE STATE TREASURER SHALL  
4 REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE  
5 OF STRATEGIC PLANNING AND BUDGETING ON DISTRIBUTIONS MADE FROM THE SMART  
6 AND SAFE ARIZONA FUND ESTABLISHED BY SECTION 36-2856 TO THE DEPARTMENT OF  
7 HEALTH SERVICES, THE DEPARTMENT OF REVENUE, THE SUPREME COURT, THE  
8 DEPARTMENT OF PUBLIC SAFETY AND THE STATE TREASURER PURSUANT TO SECTION  
9 36-2856, SUBSECTION B. THE REPORT SHALL INCLUDE THE AMOUNT OF ACTUAL  
10 DISTRIBUTIONS MADE TO EACH ENTITY IN THE PRIOR FISCAL YEAR AND THE AMOUNT  
11 OF ESTIMATED DISTRIBUTIONS FOR THE CURRENT FISCAL YEAR.

12           Sec. 6. Section 36-446.02, Arizona Revised Statutes, is amended to  
13 read:

14           36-446.02. Board of examiners; terms; meetings; quorum;  
15                           effect of vacancies; compensation

16           A. The board of examiners of nursing care institution  
17 administrators and assisted living facility managers is established  
18 consisting of ~~nine~~ ELEVEN members appointed by the governor.

19           B. The board shall include:

20           1. One administrator who holds an active license issued pursuant to  
21 this article.

22           2. One manager who holds an active license issued pursuant to this  
23 article.

24           3. One administrator of a nonprofit or faith-based skilled nursing  
25 facility.

26           4. One administrator of a proprietary skilled nursing facility.

27           5. Two managers of an assisted living center as defined in section  
28 36-401.

29           6. One manager of an assisted living home as defined in section  
30 36-401.

31           7. Two public members who are not affiliated with a nursing care  
32 institution or an assisted living facility.

33           8. ONE PUBLIC MEMBER WHO REPRESENTS AN ORGANIZATION THAT ADVOCATES  
34 FOR THE ELDERLY.

35           9. ONE PERSON WHO IS A FAMILY MEMBER OF A RESIDENT IN EITHER A  
36 SKILLED NURSING FACILITY OR AN ASSISTED LIVING FACILITY AT THE TIME THE  
37 PERSON IS APPOINTED TO THE BOARD.

38           C. Board members who are not affiliated with a nursing care  
39 institution or an assisted living facility shall not have a direct  
40 financial interest in nursing care institutions or assisted living  
41 facilities.

42           D. A board member shall not serve on any other board relating to  
43 long-term care during the member's term with the board.

1 E. The term of a board member automatically ends when that member  
2 no longer meets the qualifications for appointment to the board. The  
3 board shall notify the governor of the board vacancy.

4 F. Board members who are not affiliated with a nursing care  
5 institution or an assisted living facility shall be appointed for ~~two-year~~  
6 TWO-YEAR terms. Board members who are the administrator of a nursing care  
7 institution or the manager of an assisted living facility shall be  
8 appointed for ~~three-year~~ THREE-YEAR terms.

9 G. A board member shall not serve for more than two consecutive  
10 terms.

11 H. The board shall meet at least twice a year.

12 I. A majority of the board members constitutes a quorum.

13 J. Board members are eligible to receive compensation as determined  
14 pursuant to section 38-611 for each day actually spent performing their  
15 duties under this chapter.

16 K. A board member who is absent from three consecutive regular  
17 meetings or who fails to attend more than fifty ~~per-cent~~ PERCENT of board  
18 meetings over the course of one calendar year vacates the board member's  
19 position. The board shall notify the governor of the vacancy.

20 Sec. 7. Section 36-446.04, Arizona Revised Statutes, is amended to  
21 read:

22 36-446.04. Qualifications; period of validity; exemption

23 A. The board shall issue a license as a nursing care institution  
24 administrator pursuant to its rules to any person who meets the following  
25 qualifications:

26 1. Is of good character.

27 2. Has satisfactorily completed a course of instruction and  
28 training approved by the board that:

29 (a) Is designed and sufficiently administered to give the applicant  
30 knowledge of the proper needs to be served by nursing care institutions.

31 (b) Includes a thorough background in the laws and rules governing  
32 the operation of nursing care institutions and the protection of the  
33 interests of the patients in nursing care institutions.

34 (c) Includes thorough training in elements of good health care  
35 facilities administration.

36 3. Has passed an examination administered by the board designed to  
37 test for competency in the subject matter referred to in this subsection.

38 4. Has met one of the following fingerprinting requirements:

39 (a) Has a valid fingerprint clearance card issued pursuant to title  
40 41, chapter 12, article 3.1.

41 (b) Has provided proof of the submission of an application for a  
42 fingerprint clearance card. An applicant who has been denied a  
43 fingerprint clearance card must also provide proof that the applicant

1 qualifies for a good cause exception hearing pursuant to section  
2 41-619.55.

3 B. A person who is licensed pursuant to this section must maintain  
4 a valid fingerprint clearance card during the valid period of the person's  
5 license.

6 C. The board shall issue a certificate as an assisted living  
7 facility manager pursuant to its rules to a person who meets the following  
8 qualifications:

9 1. Is of good character.

10 2. Has satisfactorily completed a course of instruction and  
11 training approved by the board that:

12 (a) Is designed and sufficiently administered to give the applicant  
13 knowledge of the proper needs to be served by an assisted living facility.

14 (b) Includes a thorough background in the laws governing the  
15 operation of assisted living facilities and the protection of the  
16 interests of the patients in assisted living facilities.

17 (c) Includes thorough training in elements of assisted living  
18 facility administration.

19 3. Has passed an examination administered by the board that is  
20 designed to test for competency in the subject matter prescribed in this  
21 subsection.

22 4. Provides documentation satisfactory to the board that the  
23 applicant has completed two thousand eighty hours of paid work experience  
24 in a health related field within the preceding five years as prescribed by  
25 board rule.

26 5. Has met one of the following fingerprinting requirements:

27 (a) Has a valid fingerprint clearance card issued pursuant to title  
28 41, chapter 12, article 3.1.

29 (b) Has provided proof of the submission of an application for a  
30 fingerprint clearance card. An applicant who has been denied a  
31 fingerprint clearance card must also provide proof that the applicant  
32 qualifies for a good cause exception hearing pursuant to section  
33 41-619.55.

34 D. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, BEGINNING  
35 JULY 1, 2021, ALL NEW LICENSES AND CERTIFICATIONS ISSUED BY THE BOARD MUST  
36 BE APPROVED BY BOTH THE BOARD AND THE DEPARTMENT OF HEALTH SERVICES.

37 ~~E.~~ E. A person who is certified pursuant to this section must  
38 maintain a valid fingerprint clearance card during the valid period of the  
39 person's certificate.

40 ~~F.~~ F. In lieu of the requirements contained in subsection A,  
41 paragraph 2 or subsection C, paragraph 2, an applicant may present  
42 satisfactory evidence to the board of sufficient education and training in  
43 the areas listed in that paragraph.





1 C. Contracts between the department and a school district or  
2 districts are subject to approval by the department of education.

3 D. This article does not make the department or the state  
4 responsible for funding programs beyond the limits of legislative  
5 appropriation for the programs. This article does not require a SERVICE  
6 provider ~~of services~~ to provide unreimbursed services to the department or  
7 its clients.

8 E. Contracts to provide community developmental disability services  
9 shall require that:

10 1. The contractor is obligated to operate a program or service in  
11 strict accordance with the standards adopted for that program or service  
12 by the department.

13 2. If state funding is provided for a particular program the  
14 contractor, to the extent of positions available that are being purchased  
15 by the department, shall provide services to a client with a developmental  
16 disability who has been evaluated and placed by the department.

17 3. All contractors must carry liability insurance in amounts  
18 approved by the risk management division of the department of  
19 administration and file proof of insurance with the risk management  
20 division. The director may waive that requirement on a ~~case by case~~  
21 CASE-BY-CASE basis on a finding that insurance for the program or service  
22 is not practicably available at affordable rates and that it is necessary  
23 that the program or service be provided by the contractor.

24 4. All clients enrolled in programs have all the same specified  
25 rights as they would have if enrolled in a program operated directly by  
26 the state.

27 5. Except for emergency placement pursuant to section 36-560,  
28 subsection N, payment shall not be made based on program services provided  
29 to a client if a placement evaluation has not been made, and no individual  
30 program has been prepared and when, based on that placement evaluation, no  
31 recommendation has been made to enroll the client in the particular  
32 program service.

33 F. This article does not require a contracted agency to provide  
34 unreimbursed services to the department or a client of the department.

35 G. Contracts ~~for the TO~~ purchase ~~of~~ residential care services other  
36 than those community residential settings licensed pursuant to this  
37 chapter, in addition to other general requirements applicable to purchase  
38 of care contractors, shall:

39 1. Provide for mandatory inspection by the department every two  
40 years for facilities other than group homes.

41 2. Provide for mandatory monitoring by the department for health,  
42 safety, contractual and programmatic standards at least every six months,  
43 unless the department has granted deemed status to the service provider or  
44 the service provider received a score of at least ninety-five percent on

1 the most recent monitoring visit. If the department has granted deemed  
2 status or awarded the service provider with a score of at least  
3 ninety-five percent on the most recent monitoring visit, ~~it~~ THE DEPARTMENT  
4 shall monitor that SERVICE provider once each year. On A determination by  
5 the department that there is reasonable cause to believe a service  
6 provider is not adhering to the department's programmatic or contractual  
7 requirements, the department and any duly designated employee or agent of  
8 the department may enter on and into the premises at any reasonable time  
9 for the purpose of determining the SERVICE PROVIDER'S state of compliance  
10 with the DEPARTMENT'S programmatic or contractual requirements ~~of the~~  
11 ~~department.~~

12 3. Provide for mandatory investigation by the department in  
13 response to complaints within ten working days, except that in those  
14 instances that pose a danger to the client, the department shall conduct  
15 the investigation immediately. Health and safety complaints related to  
16 group homes shall be referred to the department of health services on  
17 receipt. The department of health services shall share all incident  
18 reports related to health and safety with the division of developmental  
19 disabilities.

20 4. Except for group homes licensed by the department of health  
21 services, specify the health and safety and sanitation codes and other  
22 codes or standards applicable to the facility or to the operation of the  
23 facility by the contractor other than group homes.

24 5. Provide for mandatory periodic reports to be filed by the  
25 provider contractor with the department with respect to the operation of  
26 the facility.

27 6. Provide that the facility and the books and records of the  
28 facility and of the provider are subject to inspection at any time by  
29 employees of the department or designees of the department.

30 7. Provide that parents and guardians of persons with developmental  
31 disabilities residing at the facility, members of the developmental  
32 disabilities advisory council, and members of other recognized and ongoing  
33 advocacy groups for persons with developmental disabilities may inspect  
34 the facility at reasonable times.

35 H. Contracts for the purchase of residential care services shall  
36 require a community residential setting to be licensed pursuant to this  
37 chapter other than group homes licensed by the department of health  
38 services.

39 I. Contracts for the purchase of day program or employment  
40 services, in addition to the other general requirements applicable to the  
41 purchase of client services, must provide for mandatory monitoring by the  
42 department for health, safety, contractual, programmatic and quality  
43 assurance standards at least once every six months, unless the department  
44 has granted deemed status to the service provider. If the department has

1 granted deemed status to the service provider, the department shall  
2 monitor that SERVICE provider once each year. The department and any duly  
3 designated employee or agent of the department may enter on or into the  
4 service provider's premises at any reasonable time for the purpose of  
5 determining the SERVICE PROVIDER'S state of compliance with the  
6 department's programmatic, contractual and quality assurance requirements.

7 J. The division shall ensure that all contracted developmental  
8 disabilities service providers rendering services pursuant to this chapter  
9 are reimbursed in accordance with title XIX of the social security act.

10 K. Contracts for client services issued by the department shall  
11 include language outlining the provisions for a grievance and appeal  
12 procedure. The director shall provide notice to SERVICE providers not  
13 less than thirty days before the issuance of an amendment to a qualified  
14 vendor agreement. The decision of the director regarding qualified vendor  
15 agreement amendments may be appealed pursuant to title 41, chapter 6,  
16 article 10. The grievance process applicable to these contracts shall  
17 comply with title XIX requirements.

18 L. As a condition of contracts with any developmental disabilities  
19 service provider, the director shall require terms that conform with state  
20 and federal laws, title XIX statutes and regulations and quality  
21 standards. The director shall further require contract terms that ensure  
22 performance by the provider of the provisions of each contract executed  
23 pursuant to this article.

24 M. The division shall establish a rate structure that ensures an  
25 equitable funding basis for private nonprofit or ~~for-profit~~ FOR-PROFIT  
26 agencies for services pursuant to subsection B of this section and section  
27 36-2943. In each fiscal year, the division shall review and adjust the  
28 rate structure based on section 36-2959. A rate book shall be published  
29 and updated by the division to announce the rate structure that shall be  
30 incorporated by reference in contracts for client services.

31 N. The division shall disclose to a service provider in the  
32 individual program plan, and in all meetings resulting from a response to  
33 a vendor call, any historical and behavioral information necessary for the  
34 SERVICE provider to be able to anticipate the client's future behaviors  
35 and needs, including summary information from the program review  
36 committee, unusual incident reports reviewed by the independent oversight  
37 committee and behavioral treatment plans. The division shall redact the  
38 client's identification from this information.

39 O. Service providers are authorized to engage in the following  
40 activities in accordance with a client's individual program plan:

- 41 1. Administer medications, including assisting with the client's  
42 self-administration of medications.
- 43 2. Log, store, remove and dispose of medications.
- 44 3. Maintain medications and protocols for direct care.

1 4. Serve as the client's representative payee if requested by the  
2 client or the client's guardian and approved by the payer.

3 P. The department may adopt rules establishing procedures for  
4 engaging in the activities listed in subsection 0 of this section.

5 Q. To protect the health and safety of a client, a SERVICE provider  
6 must notify the division within twenty-four hours if an emergency  
7 situation exists in which the SERVICE provider is unable to meet the  
8 health or safety needs of the client.

9 R. On notification of an emergency situation, the department shall  
10 hold an individual program plan meeting within fifteen days after  
11 notification to recommend any changes, including whether there is a need  
12 for temporary additional staffing to provide appropriate care for a  
13 client, and develop a plan within thirty days after notification to  
14 resolve the situation.

15 S. SERVICE PROVIDERS SHALL DEVELOP AND IMPLEMENT POLICIES AND  
16 PROCEDURES REGARDING THE COMMUNICATION TO RESPONSIBLE PERSONS OF A SERIOUS  
17 INCIDENT AFFECTING A CLIENT WHO IS LIVING IN A COMMUNITY RESIDENTIAL  
18 SETTING WITHIN TWENTY-FOUR HOURS AFTER THE SERIOUS INCIDENT OCCURS.

19 Sec. 9. Section 36-591, Arizona Revised Statutes, is amended to  
20 read:

21 36-591. Group homes; licensing; notification requirements

22 ~~A. An adult developmental home or child developmental home shall be~~  
23 ~~licensed pursuant to this article.~~

24 ~~B.~~ A. Group homes, except for those described in subsection ~~E~~ D  
25 of this section, shall be licensed for health and safety by the department  
26 of health services pursuant to section 36-132.

27 ~~C.~~ B. The division shall notify the department of health services  
28 of:

29 1. Service providers ~~who~~ THAT enter into contracts with the  
30 division for group homes or intermediate care facilities for individuals  
31 with intellectual disabilities.

32 2. Any violation of health and safety standards observed during  
33 monitoring visits.

34 ~~D.~~ C. The department of health services shall immediately notify  
35 the division:

36 1. When THE LICENSE OF a group home or intermediate care facility  
37 for individuals with intellectual disabilities ~~license~~ has been denied,  
38 suspended or revoked.

39 2. Of any other licensing action taken on a group home or  
40 intermediate care facility for individuals with intellectual disabilities  
41 by the department of health services.

42 3. Of substantiated complaints regarding health and safety.

43 ~~E.~~ D. The division shall ensure that state-operated residential  
44 settings that are owned or leased facilities operated by the division meet

1 the same standards as group homes unless they are required to be licensed  
2 and certified as intermediate care facilities for individuals with  
3 intellectual disabilities pursuant to 42 Code of Federal Regulations part  
4 483, subpart I. An intermediate care facility for individuals with  
5 intellectual disabilities that is operated by the division or a private  
6 entity is required to be licensed pursuant to chapter 4 of this title and  
7 certified pursuant to 42 Code of Federal Regulations part 483, subpart I.

8 ~~F. The department shall annually visit each adult developmental~~  
9 ~~home and child developmental home and inspect the premises used for the~~  
10 ~~care of children or vulnerable adults for sanitation, fire and other~~  
11 ~~actual and potential hazards.~~

12 E. The department shall take any action it deems necessary to carry  
13 out the duties imposed by this section, including ~~the denial of~~ DENYING  
14 the application for licensure and ~~the suspension~~ SUSPENDING or ~~revocation~~  
15 REVOKING of the home's license.

16 Sec. 10. Section 36-592, Arizona Revised Statutes, is amended to  
17 read:

18 36-592. Adult developmental homes; child developmental homes;  
19 licensure requirements; inspections;  
20 investigations; third-party contractors; rules;  
21 definitions

22 A. AN ADULT DEVELOPMENTAL HOME OR CHILD DEVELOPMENTAL HOME SHALL BE  
23 LICENSED PURSUANT TO THIS ARTICLE.

24 ~~A.~~ B. An applicant for an adult developmental home or child  
25 developmental home license shall submit an application on a form  
26 prescribed by the department.

27 ~~B.~~ C. Before issuing or renewing a license to an applicant, the  
28 department shall investigate the activities and standards of care within  
29 the setting, the financial stability of the applicant, the character and  
30 training of the applicant and the adequacy of services. Before issuing or  
31 renewing a license, the department shall determine that the applicant is  
32 able to meet the emotional, physical, social, developmental, educational,  
33 cultural and intellectual needs of clients. The department by rule shall  
34 establish standards for licensure. The department shall maintain a system  
35 of independent oversight of licensing. The department may contract with  
36 third parties to perform services in connection with oversight and  
37 licensing. The department may not contract with the same third party for  
38 both oversight and licensure under this subsection.

39 ~~C.~~ D. Each license shall state in general terms the kind of  
40 setting the licensee is authorized to operate and shall prescribe the  
41 number, ages and sex of clients.

42 ~~D.~~ E. A licensee ~~who~~ THAT holds an adult developmental home or  
43 child developmental home license shall:

- 1 1. Comply with applicable health, safety and sanitation codes or  
2 standards and document its compliance.
- 3 2. File reports as prescribed by the department.
- 4 3. Allow the department to inspect or monitor its services and  
5 facility and the facility's books and records.
- 6 4. Comply with rules adopted by the department.
- 7 5. Provide for the health, safety and welfare of the licensee's  
8 clients.
- 9 6. Allow the inspection of the developmental home at reasonable  
10 times pursuant to section 36-595.01.
- 11 ~~F.~~ F. A license expires one year from the date of issuance.
- 12 ~~F.~~ G. For each adult developmental home and child developmental  
13 home, the department shall:
  - 14 ~~1. Conduct an annual licensing home visit.~~
  - 15 1. ANNUALLY VISIT AND INSPECT THE PREMISES USED FOR THE CARE OF  
16 CHILDREN OR VULNERABLE ADULTS FOR SANITATION, FIRE AND OTHER ACTUAL AND  
17 POTENTIAL HAZARDS. THE DEPARTMENT SHALL TAKE ANY ACTION IT DEEMS  
18 NECESSARY TO CARRY OUT THE DUTIES IMPOSED BY THIS SECTION, INCLUDING  
19 DENYING THE APPLICATION FOR LICENSURE AND SUSPENDING OR REVOKING THE  
20 HOME'S LICENSE.
  - 21 2. Monitor the settings for compliance with health, safety,  
22 contractual, programmatic and quality assurance standards at least two  
23 times per year. The department shall maintain a system of independent  
24 oversight of monitoring. The department may enter into a contract with  
25 third parties to perform services in connection with oversight and  
26 monitoring. The department may not contract with the same third party for  
27 both oversight and monitoring under this paragraph.
  - 28 3. Investigate a complaint within ten working days after receiving  
29 notice of the complaint, except that if there is a danger to a client, the  
30 department shall conduct the investigation immediately.
  - 31 4. NOTIFY THE PARENT OR GUARDIAN OF A DEVELOPMENTAL HOME RESIDENT  
32 OF ANY SERIOUS INCIDENT OR COMPLAINT AT THE DEVELOPMENTAL HOME INVOLVING  
33 THE CLIENT FOR WHOM THE PARENT OR GUARDIAN IS RESPONSIBLE.
- 34 ~~G.~~ H. The department shall establish by rule minimum  
35 qualifications, responsibilities and oversight for ~~the~~ licensing and  
36 monitoring ~~of~~ adult developmental homes and child developmental homes.  
37 The rules regarding minimum qualifications shall address professional  
38 judgment, conflicts of interest and training. The rules shall establish  
39 the frequency and type of visits for licensing and monitoring, maximum  
40 caseload ratios for those performing licensing and monitoring services and  
41 a system for appropriate public access to information regarding licensing  
42 and monitoring findings.

1 ~~H.~~ I. The department may contract with the same third party to  
2 perform services in connection with ~~the~~ licensing and monitoring ~~of~~ an  
3 adult developmental home or a child developmental home.

4 ~~I.~~ J. For the purposes of this section:

5 1. "Licensing" includes recruiting and verifying qualifications of  
6 applicants.

7 2. "Monitoring" includes monitoring health, safety, contractual,  
8 programmatic and quality assurance standards of an adult developmental  
9 home or child developmental home.

10 Sec. 11. Section 36-594, Arizona Revised Statutes, is amended to  
11 read:

12 36-594. Denial, suspension or revocation of license;  
13 definition

14 A. The department may deny, suspend or revoke a license pursuant to  
15 title 41, chapter 6, article 6 for any one or a combination of the  
16 following:

17 1. An applicant or licensee violates this chapter, rules adopted  
18 pursuant to this chapter, federal or state statutes or city or county  
19 ordinances or codes.

20 2. An applicant or licensee refuses to cooperate in obtaining or  
21 providing information the department deems necessary to determine if the  
22 department's standards have been met.

23 3. An employee, applicant, licensee or adult household member of an  
24 adult developmental home or child developmental home has been convicted  
25 of, has been found by a court to have committed or is reasonably believed  
26 to have committed a sex offense, a drug related offense, a theft related  
27 offense, a violence related offense, child abuse, child neglect,  
28 contributing to the delinquency of a minor or abuse or neglect of a  
29 vulnerable adult.

30 4. An employee, applicant, licensee or adult household member of an  
31 adult developmental home or child developmental home is the subject of a  
32 proposed substantiated or a substantiated finding of abuse, neglect or  
33 exploitation by adult protective services or the department of child  
34 safety.

35 5. An applicant or licensee materially misrepresents or wilfully  
36 fails to disclose information to the department relating to the  
37 applicant's or licensee's qualifications, experience or performance of  
38 responsibilities.

39 6. The department determines, using criteria established in statute  
40 or rule, that an applicant or licensee is unable or unwilling to meet the  
41 physical or emotional needs of clients.

42 7. An applicant, licensee or adult household member of an adult  
43 developmental home or child developmental home fails to obtain or maintain  
44 a fingerprint clearance card as required by section 36-594.02. **THE**



1 DENIAL, SUSPENSION OR REVOCATION OF A DEVELOPMENTAL HOME LICENSE DUE TO  
2 THE FAILURE TO OBTAIN OR MAINTAIN A LEVEL I FINGERPRINT CLEARANCE CARD AS  
3 REQUIRED BY SECTION 36-594.02 IS NOT AN APPEALABLE AGENCY ACTION.

4 8. An employee, applicant, licensee, volunteer or adult household  
5 member of an adult developmental home or child developmental home is  
6 alleged to have abused, neglected or exploited a vulnerable adult and the  
7 department of economic security intends to enter, pursuant to section  
8 46-458, a substantiated finding of abuse, neglect or exploitation of a  
9 vulnerable adult in the adult protective services registry.

10 B. For the purposes of this section, "vulnerable adult" has the  
11 same meaning prescribed in section 13-3623.

12 Sec. 12. Section 36-672, Arizona Revised Statutes, is amended to  
13 read:

14 36-672. Immunizations; department rules; prohibitions

15 A. Consistent with section 15-873, the director shall adopt rules  
16 prescribing required immunizations for school attendance, the approved  
17 means of immunization and indicated reinforcing immunizations for  
18 diseases, and identifying types of health agencies and health care  
19 providers ~~which~~ THAT may sign a laboratory evidence of immunity. The  
20 rules shall include the required doses, recommended optimum ages for  
21 administration of the immunizations, persons who are authorized  
22 representatives to sign on behalf of a health agency and other provisions  
23 necessary to implement this article.

24 B. The director, in consultation with the superintendent of public  
25 instruction, shall develop by rule standards for documentary proof.

26 C. ~~Immunization against the human papillomavirus is~~ THE FOLLOWING  
27 IMMUNIZATIONS ARE not required for school attendance:

28 1. THE IMMUNIZATION AGAINST THE HUMAN PAPILOMAVIRUS.

29 2. AN IMMUNIZATION FOR WHICH A UNITED STATES FOOD AND DRUG  
30 ADMINISTRATION EMERGENCY USE AUTHORIZATION HAS BEEN ISSUED.

31 D. AN IMMUNIZATION MUST BE PRESCRIBED BY A RULE ADOPTED PURSUANT TO  
32 SUBSECTION A OF THIS SECTION BEFORE THE IMMUNIZATION MAY BE REQUIRED FOR  
33 IN-PERSON SCHOOL ATTENDANCE.

34 E. PURSUANT TO SECTION 1-602, THIS SECTION DOES NOT PRECLUDE A  
35 PARENT'S RIGHT TO MAKE HEALTH CARE DECISIONS FOR THE PARENT'S MINOR CHILD.

36 Sec. 13. Title 36, chapter 6, Arizona Revised Statutes, is amended  
37 by adding article 4.2, to read:

38 ARTICLE 4.2. VACCINE PASSPORT PROHIBITIONS

39 36-681. COVID-19 vaccine passport; prohibitions

40 A. NOTWITHSTANDING ANY OTHER LAW, THIS STATE AND ANY CITY, TOWN OR  
41 COUNTY OF THIS STATE ARE PROHIBITED FROM ESTABLISHING A COVID-19 VACCINE  
42 PASSPORT OR REQUIRING EITHER OF THE FOLLOWING:

43 1. ANY PERSON TO BE VACCINATED FOR COVID-19.

1           2. A BUSINESS TO OBTAIN PROOF OF THE COVID-19 VACCINATION STATUS OF  
2 ANY PATRON ENTERING THE BUSINESS ESTABLISHMENT.

3           B. ANY LAW OR ORDINANCE ESTABLISHING A COVID-19 VACCINE PASSPORT IS  
4 VOID AND IS NOT ENFORCEABLE AGAINST ANY PERSON OR BUSINESS LOCATED IN THIS  
5 STATE.

6           36-682. Article application; exceptions

7           THIS ARTICLE DOES NOT DO EITHER OF THE FOLLOWING:

8           1. LIMIT AN INDIVIDUAL'S ABILITY TO REQUEST THAT THE INDIVIDUAL'S  
9 OWN VACCINATION RECORDS BE PROVIDED TO THAT INDIVIDUAL OR TO A THIRD PARTY  
10 TO WHOM THE INDIVIDUAL REQUESTS THE RECORDS BE RELEASED.

11           2. PROHIBIT A HEALTH CARE INSTITUTION LICENSED PURSUANT TO CHAPTER  
12 4 OF THIS TITLE FROM REQUIRING THE INSTITUTION'S EMPLOYEES TO BE  
13 VACCINATED.

14           Sec. 14. Section 36-694, Arizona Revised Statutes, is amended to  
15 read:

16           36-694. Report of blood tests; newborn screening program;  
17           committee; fee; definitions

18           A. When a birth or stillbirth is reported, the attending physician  
19 or other person required to ~~make a~~ report ~~of~~ the birth shall state on the  
20 certificate whether a blood test for syphilis was made on a specimen of  
21 blood taken from the woman who bore the child or from the umbilical cord  
22 at delivery, as required by section 36-693, and the approximate date when  
23 the specimen was taken.

24           B. When a birth is reported, the attending physician or person who  
25 is required to ~~make a~~ report ~~on~~ the birth shall order or cause to be  
26 ordered tests for certain congenital disorders, including hearing  
27 disorders. The results of tests for these disorders must be reported to  
28 the department of health services. The department of health services  
29 shall specify in rule the disorders, the process for collecting and  
30 submitting specimens and the reporting requirements for test results.

31           C. When a hearing test is performed on a newborn, the initial  
32 hearing test results and any subsequent hearing test results must be  
33 reported to the department of health services as prescribed by department  
34 rules.

35           D. The director of the department of health services shall  
36 establish a newborn screening program within the department to ensure that  
37 the testing for congenital disorders and the reporting of hearing test  
38 results required by this section are conducted in an effective and  
39 efficient manner. THE NEWBORN SCREENING PROGRAM SHALL INCLUDE ALL  
40 CONGENITAL DISORDERS THAT ARE INCLUDED ON THE RECOMMENDED UNIFORM  
41 SCREENING PANEL ADOPTED BY THE SECRETARY OF THE UNITED STATES DEPARTMENT  
42 OF HEALTH AND HUMAN SERVICES FOR BOTH CORE AND SECONDARY CONDITIONS.  
43 BEGINNING JANUARY 1, 2022, DISORDERS THAT ARE ADDED TO THE CORE AND  
44 SECONDARY CONDITIONS LIST OF THE RECOMMENDED UNIFORM SCREENING PANEL SHALL

1 BE ADDED TO THIS STATE'S NEWBORN SCREENING PANEL WITHIN TWO YEARS AFTER  
2 THEIR ADDITION TO THE RECOMMENDED UNIFORM SCREENING PANEL. The newborn  
3 screening program shall include an education program for the general  
4 public, the medical community, parents and professional groups. The  
5 director shall designate the state laboratory as the only testing facility  
6 for the program, except that the director may designate other laboratory  
7 testing facilities for conditions or tests added to the newborn screening  
8 program on or after July 24, 2014. If the director designates another  
9 laboratory testing facility for any condition or test, the director shall  
10 require the facility to follow all of the privacy and sample destruction  
11 time frames that are required of the state laboratory.

12 E. The newborn screening program shall establish and maintain a  
13 central database of newborns and infants who are tested for hearing loss  
14 and congenital disorders that includes information required in rule. Test  
15 results are confidential subject to the disclosure provisions of sections  
16 12-2801 and 12-2802.

17 F. If tests conducted pursuant to this section indicate that a  
18 newborn or infant may have a hearing loss or a congenital disorder, the  
19 screening program shall provide follow-up services to encourage the  
20 child's family to access evaluation services, specialty care and early  
21 intervention services.

22 G. The director shall establish a committee to provide  
23 recommendations and advice to the department on at least an annual basis  
24 regarding NEWBORN SCREENING BEST PRACTICES AND EMERGING TRENDS. ~~tests that~~  
25 ~~the committee believes should be included in the newborn screening~~  
26 ~~program. Any recommendation by the committee that a test be added to the~~  
27 ~~newborn screening program shall be accompanied by a cost-benefit analysis.~~

28 ~~H. The committee shall include the following members who are~~  
29 ~~appointed by the director and who serve without compensation or~~  
30 ~~reimbursement of expenses at the pleasure of the director:~~

31 ~~1. Seven physicians who are licensed pursuant to title 32, chapter~~  
32 ~~13 or 17 and who represent the medical specialties of endocrinology,~~  
33 ~~pediatrics, neonatology, family practice, otology and obstetrics.~~

34 ~~2. A neonatal nurse practitioner who is licensed and certified~~  
35 ~~pursuant to title 32, chapter 15.~~

36 ~~3. An audiologist who is licensed pursuant to chapter 17, article 4~~  
37 ~~of this title.~~

38 ~~4. A representative of an agency that provides services under part~~  
39 ~~6 of the individuals with disabilities education act.~~

40 ~~5. At least one parent of a child with a hearing loss or a~~  
41 ~~congenital disorder.~~

42 ~~6. A representative from the insurance industry who is familiar~~  
43 ~~with health care reimbursement issues.~~

1 ~~7. The director of the Arizona health care cost containment system~~  
2 ~~administration or the director's designee.~~

3 ~~8. A representative of the hospital or health care industry.~~

4 ~~i.~~ H. The director may establish by rule a fee that the department  
5 may collect for ~~operation of~~ OPERATING the newborn screening program,  
6 including contracting for the testing pursuant to this section. ~~The fee~~  
7 ~~for the first specimen and hearing test shall not exceed thirty-six~~  
8 ~~dollars.~~ THE DIRECTOR SHALL PRESENT ANY CHANGE TO THE FEE FOR THE NEWBORN  
9 SCREENING PROGRAM TO THE JOINT LEGISLATIVE BUDGET COMMITTEE FOR REVIEW.

10 I. NOT LATER THAN SIXTY DAYS AFTER THE DEPARTMENT ADJUSTS THE  
11 NEWBORN SCREENING PROGRAM FEE ESTABLISHED PURSUANT TO SUBSECTION H OF THIS  
12 SECTION:

13 1. EACH HEALTH INSURER THAT IS SUBJECT TO TITLE 20 SHALL UPDATE ITS  
14 HOSPITAL RATES THAT INCLUDE NEWBORN SCREENING TO REFLECT THE INCREASE.

15 2. FOR THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM AND  
16 CONTRACTORS ACTING PURSUANT TO CHAPTER 29, ARTICLE 1 OF THIS TITLE THAT  
17 ARE NOT SUBJECT TO TITLE 20, THE ARIZONA HEALTH CARE COST CONTAINMENT  
18 SYSTEM SHALL UPDATE ITS HOSPITAL RATES THAT INCLUDE NEWBORN SCREENING TO  
19 REFLECT THE INCREASE.

20 J. For the purposes of this section:

21 1. "Infant" means a child who is twenty-nine days of age to two  
22 years of age.

23 2. "Newborn" means a child who is not more than twenty-eight days  
24 of age.

25 Sec. 15. Section 36-694.01, Arizona Revised Statutes, is amended to  
26 read:

27 36-694.01. Newborn screening program fund; use; exemption

28 A. The newborn screening program fund is established. The  
29 department of health services shall administer the fund. The fund  
30 consists of fees collected pursuant to section 36-694 and gifts, GRANTS  
31 and donations received by the department.

32 B. Subject to legislative appropriation, the department shall use  
33 fund monies to support the operation of the newborn screening program  
34 prescribed under section 36-694 and rules adopted under that section.

35 C. Monies in the fund are exempt from the provisions of section  
36 35-190 relating to lapsing of appropriations.

37 Sec. 16. Section 36-1201, Arizona Revised Statutes, is amended to  
38 read:

39 36-1201. Juvenile group homes; service contracts; registry;  
40 definitions

41 A. State agencies that contract directly with group homes or  
42 regional behavioral health authorities that, as part of their contracts  
43 with the department of health services, subcontract with group homes shall

1 require in each contract awarded, renewed or amended the following minimum  
2 provisions:

3 1. The group home shall provide a safe, clean and humane  
4 environment for the residents.

5 2. The group home is responsible for ~~the supervision of~~ SUPERVISING  
6 the residents while in the group home environment or while residents are  
7 engaged in any off-site activities organized or sponsored by and under the  
8 direct supervision and control of the group home or affiliated with the  
9 group home.

10 3. All group home contractors shall be licensed by either the  
11 department of health services, the department of child safety or the  
12 department of economic security.

13 4. The award of a group home contract from an appropriate  
14 contracting authority is not a guarantee that children will be placed at  
15 the group home.

16 5. A ~~license~~ LICENSING violation by the group home that is not  
17 corrected pursuant to this section may also be considered a contract  
18 violation.

19 6. State agencies and regional behavioral health authorities may  
20 share information regarding group home contractors. The shared  
21 information shall not include information that personally identifies  
22 residents of group homes.

23 7. The following contract remedies:

24 (a) A schedule of financial sanctions in an amount of up to \$500  
25 per violation that the contracting authority, after completing an  
26 investigation, may assess against the group home contractor for a  
27 substantiated contract violation relating to the health, care or safety of  
28 a resident or the safety of a neighbor. A financial sanction may be  
29 imposed for a contract violation related to the safety of a neighbor only  
30 if the conduct that constitutes the violation would be sufficient to form  
31 the basis for a civil cause of action for damages on the part of the  
32 neighbor whether or not such a civil action has been filed. These  
33 sanctions may be imposed by either deducting the amount of the sanction  
34 from any payment due or withholding future payments. The deduction or  
35 withholding may occur after any hearing available to the contractor.

36 (b) The contracting authority's right to remove residents from the  
37 group home or suspend new placements to the group home until the  
38 ~~contracting~~ CONTRACT violation is corrected.

39 (c) The contracting authority's right to cancel the contract.

40 8. Within ten business days after the contracting authority  
41 receives a complaint relating to a group home, the contracting authority  
42 shall notify the group home provider and either initiate an investigation  
43 or refer the investigation to the licensing authority. If any complaint  
44 concerns an immediate threat to the health and safety of a child, the

1 complaint shall be immediately referred to the licensing authority. If  
2 the contracting authority determines that a violation has occurred, it  
3 shall:

4 (a) Notify all other contracting authorities of the violation.

5 (b) Coordinate a corrective action plan consistent with the  
6 severity of the violation.

7 (c) Require the corrective action plan to be implemented within  
8 ninety days.

9 9. If a licensing deficiency is not corrected in a timely manner to  
10 the satisfaction of the licensing authority, the contracting authority may  
11 cancel the contract immediately on notice to the group home and may remove  
12 the residents.

13 10. A person may bring a complaint against any state agency that  
14 violates this section pursuant to title 41, chapter 6, article 6 or 10, as  
15 applicable. In addition to any costs or fees awarded to a person  
16 resulting from a complaint of a violation of this section, the agency  
17 shall revert the sum of \$5,000 from its general fund operating  
18 appropriation to the state treasurer for deposit in the state general fund  
19 for each violation that is upheld by an administrative law judge or  
20 hearing officer. The legislature shall appropriate monies that revert  
21 under this section to a similar program that provides direct services to  
22 children.

23 B. When a licensing authority has determined that a ~~license~~  
24 LICENSING violation has occurred or is occurring, the licensing authority  
25 shall notify the appropriate contracting authority of the licensing  
26 violation.

27 C. A group home's record of contract violations and licensing  
28 violations may be considered by any contracting authority when it  
29 evaluates any request for proposals.

30 D. The department of health services shall establish a central  
31 registry of juvenile group homes licensed by this state. Each agency that  
32 is subject to the requirements of this section shall provide updated  
33 information for the registry to the department of health services every  
34 six months. The registry shall include the following information  
35 regarding each group home:

36 1. The location of the group home, including satellite facilities.

37 2. The number of residents at the group home and its satellite  
38 facilities.

39 3. The current, updated emergency contacts for the group home and  
40 its satellite facilities.

41 4. The current, updated contacts for the group home's licensing  
42 authority.

43 E. If the municipality in which a group home is located requests  
44 the department of health services to provide information from the

1 registry, the department shall provide the information every six months to  
2 the municipality.

3 F. For the purposes of this article:

4 1. "Contract violation" means a licensing violation or a failure of  
5 the group home to comply with those provisions of its contract relating to  
6 subsection A, paragraphs 1, 2 and 3 of this section.

7 2. "Contracting authority" means a regional behavioral health  
8 authority or the state agency or its division, office, section, bureau or  
9 program that is responsible for ~~the administration~~ ADMINISTERING and  
10 monitoring ~~of~~ contracts with group homes.

11 3. "Group home":

12 (a) Means a residential facility that is licensed to serve more  
13 than four minors at any one time, that is licensed by the department of  
14 health services pursuant to chapter 4 of this title or section 36-591,  
15 subsection ~~B~~ A or by the department of child safety pursuant to title 8,  
16 chapter 4, article 4 and that provides services pursuant to a contract for  
17 minors determined to be dependent as defined in section 8-201 or  
18 delinquent or incorrigible pursuant to section 8-341, or for minors with  
19 developmental disabilities, mental health or substance abuse needs. ~~Group~~  
20 ~~home~~

21 (b) Does not include hospitals, nursing homes, child crisis and  
22 domestic violence shelters, adult homes, foster homes, facilities subject  
23 to any transient occupancy tax or behavioral health service agencies that  
24 provide twenty-four hour or continuous physician availability.

25 4. "Licensing authority" means the state agency or its division,  
26 office, section, bureau or program that is responsible for licensing group  
27 homes.

28 5. "Licensing violation" means a determination by the licensing  
29 authority that the group home is not in compliance with licensing  
30 requirements as prescribed in statute or rule.

31 6. "Neighbor" means a person residing within a one-quarter mile  
32 radius of the group home.

33 7. "Resident" means any person who is placed in a group home  
34 pursuant to a contract with a contracting authority.

35 Sec. 17. Title 36, Arizona Revised Statutes, is amended by adding  
36 chapter 31, to read:

37 CHAPTER 31

38 SEXUAL VIOLENCE SERVICES

39 ARTICLE 1. GENERAL PROVISIONS

40 36-3101. Definitions

41 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

42 1. "DEPARTMENT" MEANS THE DEPARTMENT OF ECONOMIC SECURITY.

1           2. "PROGRAM ADMINISTRATOR" HAS THE SAME MEANING PRESCRIBED IN  
2 SECTION 36-3001.

3           36-3102. Sexual violence service fund; purpose; exemption

4           A. THE SEXUAL VIOLENCE SERVICE FUND IS ESTABLISHED CONSISTING OF  
5 LEGISLATIVE APPROPRIATIONS, GRANTS AND CONTRIBUTIONS. THE PROGRAM  
6 ADMINISTRATOR SHALL ADMINISTER THE FUND FOR THE PURPOSES PRESCRIBED IN  
7 THIS ARTICLE. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION  
8 AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING  
9 OF APPROPRIATIONS.

10           B. THE DEPARTMENT, IN CONSULTATION WITH THE FEDERALLY DESIGNATED  
11 STATEWIDE COALITION TO END SEXUAL VIOLENCE, SHALL ESTABLISH PROGRAM  
12 PRIORITIES FOR THE FUND. THE DEPARTMENT SHALL SPEND MONIES IN THE FUND TO  
13 PROVIDE GRANTS TO SERVICE PROVIDERS FOR VICTIMS OF SEXUAL VIOLENCE.

14           36-3103. Sexual violence service providers; requirements;  
15 eligibility

16           A. TO BE ELIGIBLE TO RECEIVE A GRANT UNDER THIS ARTICLE, A SEXUAL  
17 VIOLENCE SERVICE PROVIDER SHALL ADHERE TO STATEWIDE SERVICE STANDARDS FOR  
18 SEXUAL VIOLENCE PROGRAMS THAT ARE APPROVED BY THE DEPARTMENT IN  
19 COLLABORATION WITH THE FEDERALLY DESIGNATED STATEWIDE COALITION TO END  
20 SEXUAL VIOLENCE.

21           B. A SEXUAL VIOLENCE SERVICE PROVIDER DOES NOT QUALIFY FOR GRANT  
22 MONIES IF THE SERVICE PROVIDER DISCRIMINATES IN ITS ADMISSION OR PROVISION  
23 OF SERVICES ON THE BASIS OF RACE, GENDER, RELIGION, COLOR, AGE,  
24 DISABILITY, MARITAL STATUS, NATIONAL ORIGIN OR ANCESTRY.

25           36-3104. Methodology for allocating grant monies

26           THE DEPARTMENT, IN CONSULTATION WITH THE FEDERALLY DESIGNATED  
27 STATEWIDE COALITION TO END SEXUAL VIOLENCE, SHALL DEVELOP A WEIGHTED  
28 METHODOLOGY FOR ALLOCATING GRANT MONIES THAT CONSIDERS ALL OF THE  
29 FOLLOWING:

- 30           1. THE NEED FOR SERVICES.
- 31           2. EXISTING SERVICES.
- 32           3. GEOGRAPHIC LOCATION.
- 33           4. POPULATION RATIOS.

34           36-3105. Annual report

35           ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT SHALL PROVIDE AN  
36 ANNUAL REPORT TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES  
37 AND THE PRESIDENT OF THE SENATE THAT INCLUDES INFORMATION FROM EACH SEXUAL  
38 VIOLENCE SERVICE PROVIDER THAT RECEIVES GRANT MONIES PURSUANT TO THIS  
39 ARTICLE ON THE POPULATION SERVED. IN PREPARING THE REPORT THE DEPARTMENT  
40 SHALL CONSULT WITH THE FEDERALLY DESIGNATED STATEWIDE COALITION TO END  
41 SEXUAL VIOLENCE. THE DEPARTMENT SHALL PROVIDE A COPY OF THIS REPORT TO  
42 THE SECRETARY OF STATE.

43           Sec. 18. Repeal

44           Section 41-3021.11, Arizona Revised Statutes, is repealed.



1           Sec. 19. Title 41, chapter 27, article 2, Arizona Revised Statutes,  
2 is amended by adding section 41-3022.26, to read:

3           41-3022.26. Board of examiners of nursing care institution  
4                                   administrators and assisted living facility  
5                                   managers; termination March 31, 2022

6           A. THE BOARD OF EXAMINERS OF NURSING CARE INSTITUTION  
7 ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS TERMINATES ON  
8 MARCH 31, 2022.

9           B. TITLE 36, CHAPTER 4, ARTICLE 6 AND THIS SECTION ARE REPEALED ON  
10 JANUARY 1, 2023.

11          Sec. 20. Section 46-452.02, Arizona Revised Statutes, is amended to  
12 read:

13          46-452.02. State long-term care ombudsman; duties; immunity  
14                                   from liability

15          A. A representative of the office of the state long-term care  
16 ombudsman who performs the official duties of the long-term care ombudsman  
17 ~~shall~~ IS not ~~be~~ liable under state law for the good faith performance of  
18 official duties.

19          B. Official duties of the office of the state long-term care  
20 ombudsman include authority to:

21           1. Enter long-term care facilities to communicate with residents.

22           2. Hear, investigate and attempt to resolve complaints by  
23 agreement, mediation or conciliation.

24           3. Render advice to residents of facilities.

25           4. Refer cases involving abuse, neglect, exploitation or health and  
26 safety to adult protective services or the appropriate licensing agency.

27           5. Make appropriate referrals to legal services or other community  
28 services.

29           6. ASSUME such other responsibilities as required pursuant to the  
30 older Americans act of 1965, as amended (P.L. ~~100175, sec. 307 (A) (12)~~  
31 ~~100-175~~; 42 United States Code ~~3027(A) (12)~~ SECTION 3027(a)(12)).

32          C. SUBJECT TO AVAILABLE MONIES, THE OFFICE OF THE STATE LONG-TERM  
33 CARE OMBUDSMAN SHALL VISIT EACH LONG-TERM CARE FACILITY IN THIS STATE  
34 WITHOUT PRIOR NOTICE AT LEAST TWO TIMES EACH CALENDAR YEAR TO SPEAK WITH  
35 RESIDENTS OF THE LONG-TERM CARE FACILITY, OR THE RESIDENT'S REPRESENTATIVE  
36 IF THE RESIDENT IS NONVERBAL, WITHOUT THE PRESENCE OF THE FACILITY'S  
37 STAFF. THE REQUIREMENTS OF THIS SUBSECTION ARE IN ADDITION TO ANY  
38 FOLLOW-UP IN RESPONSE TO A COMPLAINT.

39          ~~E.~~ D. Official duties of the office of the state long-term care  
40 ombudsman do not include activities performed by a licensed health care  
41 provider as defined in section 12-561.

1           Sec. 21. Nursing care institution and assisted living  
2                           facility study committee; membership; duties;  
3                           report; delayed repeal

4           A. The nursing care institution and assisted living facility study  
5 committee is established consisting of the following members:

6           1. Two members of the house of representatives who represent  
7 different political parties and who are appointed by the speaker of the  
8 house of representatives. The speaker of the house of representatives  
9 shall designate one of these members to serve as cochairperson of the  
10 study committee.

11          2. Two members of the senate who represent different political  
12 parties and who are appointed by the president of the senate. The  
13 president of the senate shall designate one of these members to serve as  
14 cochairperson of the study committee.

15          3. One representative of the governor's office.

16          4. The director of the department of health services or the  
17 director's designee.

18          5. The state long-term care ombudsman or the ombudsman's designee.

19          6. Two representatives from organizations that advocate for the  
20 elderly who are appointed by the governor.

21          7. Two licensed nursing care institution administrators who are  
22 currently employed as administrators of skilled nursing facilities, one of  
23 whom is from a nonprofit facility and one of whom is from a proprietary  
24 facility. The president of the senate shall appoint both of these  
25 members.

26          8. Two licensed assisted living facility managers who are currently  
27 employed as managers of assisted living facilities, one of whom is from a  
28 nonprofit facility and one of whom is from a proprietary facility. The  
29 speaker of the house of representatives shall appoint both of these  
30 members.

31          9. Two licensed assisted living facility managers who are currently  
32 employed as managers of assisted living facility homes and who are  
33 appointed by the president of the senate.

34          10. Four family members of residents of a skilled nursing facility,  
35 assisted living facility or assisted living facility home who are  
36 appointed by the governor.

37          11. One health care professional who treats the elderly and who is  
38 appointed by the governor.

39          B. The study committee shall:

40          1. Consider whether the board of examiners of nursing care  
41 institution administrators and assisted living facility managers should be  
42 administered independently or the duties should be moved to the department  
43 of health services or another successor agency or licensing board.

1           2. Review and discuss the statutes related to disclosure of all  
2 felonies regardless of the applicants' fingerprint clearance card  
3 requirement.

4           3. Receive an update from the auditor general's office and the  
5 executive director of the board of examiners of nursing care institution  
6 administrators and assisted living facility managers on the auditor  
7 general's recommendations and the board's compliance with the  
8 recommendations to date.

9           4. Hear testimony about operational changes from the executive  
10 director of the board.

11           5. Discuss and research best practices to administer licenses.

12           6. Identify any additional efficiencies to make the board more  
13 responsive to the public and its licensees.

14           7. Review best practices relating to answering and investigating  
15 complaints.

16           8. Review and analyze the regulatory oversight of skilled nursing  
17 facilities and assisted living facilities by the state and federal  
18 government and the future needs of the industry.

19           C. Public members of the study committee are eligible to receive  
20 reimbursement of expenses pursuant to title 38, chapter 4, article 2,  
21 Arizona Revised Statutes.

22           D. On or before December 1, 2021, the study committee shall submit  
23 a report of its findings and recommendations to the governor, the  
24 president of the senate and the speaker of the house of representatives  
25 and shall provide a copy of this report to the secretary of state.

26           E. This section is repealed from and after June 30, 2022.

27           Sec. 22. ALICS; county contributions; fiscal year 2021-2022

28           A. Notwithstanding section 11-292, Arizona Revised Statutes, county  
29 contributions for the Arizona long-term care system for fiscal year  
30 2021-2022 are as follows:

31	1. Apache	\$ 662,900
32	2. Cochise	\$ 4,551,700
33	3. Coconino	\$ 1,990,400
34	4. Gila	\$ 2,327,100
35	5. Graham	\$ 1,328,000
36	6. Greenlee	\$ 0
37	7. La Paz	\$ 357,100
38	8. Maricopa	\$184,272,900
39	9. Mohave	\$ 9,154,300
40	10. Navajo	\$ 2,744,100
41	11. Pima	\$ 44,073,400
42	12. Pinal	\$ 12,109,900
43	13. Santa Cruz	\$ 2,242,800



1 deposit the balance of the federal financial participation in the state  
2 general fund. If the certification provided is for an amount less than  
3 \$113,818,500 and the administration determines that the revised amount is  
4 not correct pursuant to the methodology used by the administration  
5 pursuant to section 36-2903.01, Arizona Revised Statutes, the  
6 administration shall notify the governor, the president of the senate and  
7 the speaker of the house of representatives and shall deposit the total  
8 amount of the federal financial participation in the state general fund.  
9 If the certification provided is for an amount greater than \$113,818,500,  
10 the administration shall distribute \$4,202,300 to the Maricopa county  
11 special health care district and shall deposit \$75,482,000 of the federal  
12 financial participation in the state general fund. The administration may  
13 make additional disproportionate share hospital payments to the Maricopa  
14 county special health care district pursuant to section 36-2903.01,  
15 subsection P, Arizona Revised Statutes, and subsection B of this section.

16 2. \$28,474,900 for the Arizona state hospital. The Arizona state  
17 hospital shall provide a certified public expense form for the amount of  
18 qualifying disproportionate share hospital expenditures made on behalf of  
19 this state to the administration on or before March 31, 2022. The  
20 administration shall assist the Arizona state hospital in determining the  
21 amount of qualifying disproportionate share hospital expenditures. Once  
22 the administration files a claim with the federal government and receives  
23 federal financial participation based on the amount certified by the  
24 Arizona state hospital, the administration shall deposit the entire amount  
25 of federal financial participation in the state general fund. If the  
26 certification provided is for an amount less than \$28,474,900, the  
27 administration shall notify the governor, the president of the senate and  
28 the speaker of the house of representatives and shall deposit the entire  
29 amount of federal financial participation in the state general fund. The  
30 certified public expense form provided by the Arizona state hospital must  
31 contain both the total amount of qualifying disproportionate share  
32 hospital expenditures and the amount limited by section 1923(g) of the  
33 social security act.

34 3. \$884,800 for private qualifying disproportionate share  
35 hospitals. The Arizona health care cost containment system administration  
36 shall make payments to hospitals consistent with this appropriation and  
37 the terms of the state plan, but payments are limited to those hospitals  
38 that either:

39 (a) Meet the mandatory definition of disproportionate share  
40 qualifying hospitals under section 1923 of the social security act.

41 (b) Are located in Yuma county and contain at least three hundred  
42 beds.

43 B. After the distributions made pursuant to subsection A of this  
44 section, the allocations of disproportionate share hospital payments made

1 pursuant to section 36-2903.01, subsection P, Arizona Revised Statutes,  
2 shall be made available first to qualifying private hospitals located  
3 outside the Phoenix metropolitan statistical area and the Tucson  
4 metropolitan statistical area before being made available to qualifying  
5 hospitals within the Phoenix metropolitan statistical area and the Tucson  
6 metropolitan statistical area.

7 Sec. 24. AHCCCS transfer; counties; federal monies; fiscal  
8 year 2021-2022

9 On or before December 31, 2022, notwithstanding any other law, for  
10 fiscal year 2021-2022 the Arizona health care cost containment system  
11 administration shall transfer to the counties the portion, if any, as may  
12 be necessary to comply with section 10201(c)(6) of the patient protection  
13 and affordable care act (P.L. 111-148), regarding the counties'  
14 proportional share of this state's contribution.

15 Sec. 25. County acute care contributions; fiscal year 2021-2022

16 A. Notwithstanding section 11-292, Arizona Revised Statutes, for  
17 fiscal year 2021-2022 for the provision of hospitalization and medical  
18 care, the counties shall contribute the following amounts:

19	1. Apache	\$ 268,800
20	2. Cochise	\$ 2,214,800
21	3. Coconino	\$ 742,900
22	4. Gila	\$ 1,413,200
23	5. Graham	\$ 536,200
24	6. Greenlee	\$ 190,700
25	7. La Paz	\$ 212,100
26	8. Maricopa	\$17,603,700
27	9. Mohave	\$ 1,237,700
28	10. Navajo	\$ 310,800
29	11. Pima	\$14,951,800
30	12. Pinal	\$ 2,715,600
31	13. Santa Cruz	\$ 482,800
32	14. Yavapai	\$ 1,427,800
33	15. Yuma	\$ 1,325,100

34 B. If a county does not provide funding as specified in subsection  
35 A of this section, the state treasurer shall subtract the amount owed by  
36 the county to the Arizona health care cost containment system fund and the  
37 long-term care system fund established by section 36-2913, Arizona Revised  
38 Statutes, from any payments required to be made by the state treasurer to  
39 that county pursuant to section 42-5029, subsection D, paragraph 2,  
40 Arizona Revised Statutes, plus interest on that amount pursuant to section  
41 44-1201, Arizona Revised Statutes, retroactive to the first day the  
42 funding was due. If the monies the state treasurer withholds are  
43 insufficient to meet that county's funding requirements as specified in  
44 subsection A of this section, the state treasurer shall withhold from any

1 other monies payable to that county from whatever state funding source is  
2 available an amount necessary to fulfill that county's requirement. The  
3 state treasurer may not withhold distributions from the Arizona highway  
4 user revenue fund pursuant to title 28, chapter 18, article 2, Arizona  
5 Revised Statutes.

6 C. Payment of an amount equal to one-twelfth of the total amount  
7 determined pursuant to subsection A of this section shall be made to the  
8 state treasurer on or before the fifth day of each month. On request from  
9 the director of the Arizona health care cost containment system  
10 administration, the state treasurer shall require that up to three months'  
11 payments be made in advance, if necessary.

12 D. The state treasurer shall deposit the amounts paid pursuant to  
13 subsection C of this section and amounts withheld pursuant to subsection B  
14 of this section in the Arizona health care cost containment system fund  
15 and the long-term care system fund established by section 36-2913, Arizona  
16 Revised Statutes.

17 E. If payments made pursuant to subsection C of this section exceed  
18 the amount required to meet the costs incurred by the Arizona health care  
19 cost containment system for the hospitalization and medical care of those  
20 persons defined as an eligible person pursuant to section 36-2901,  
21 paragraph 6, subdivisions (a), (b) and (c), Arizona Revised Statutes, the  
22 director of the Arizona health care cost containment system administration  
23 may instruct the state treasurer either to reduce remaining payments to be  
24 paid pursuant to this section by a specified amount or to provide to the  
25 counties specified amounts from the Arizona health care cost containment  
26 system fund and the long-term care system fund established by section  
27 36-2913, Arizona Revised Statutes.

28 F. The legislature intends that the Maricopa county contribution  
29 pursuant to subsection A of this section be reduced in each subsequent  
30 year according to the changes in the GDP price deflator. For the purposes  
31 of this subsection, "GDP price deflator" has the same meaning prescribed  
32 in section 41-563, Arizona Revised Statutes.

33 Sec. 26. Department of health services; fee reduction

34 The department of health services shall reduce the revenue generated  
35 from fees collected for services provided by the bureau of radiation  
36 control by \$300,000.

37 Sec. 27. Proposition 204 administration; exclusion; county  
38 expenditure limitations

39 County contributions for the administrative costs of implementing  
40 sections 36-2901.01 and 36-2901.04, Arizona Revised Statutes, that are  
41 made pursuant to section 11-292, subsection 0, Arizona Revised Statutes,  
42 are excluded from the county expenditure limitations.





1 operating the newborn screening program, including contracting for  
2 testing, not exceed the direct cost of the tests and the direct costs of  
3 operating the program, excluding any gifts, grants or donations or state  
4 or federal funding received by the department.

5 Sec. 34. Legislative intent; implementation of program

6 The legislature intends that for fiscal year 2021-2022 the Arizona  
7 health care cost containment system administration implement a program  
8 within the available appropriation.

9 Sec. 35. Purpose

10 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,  
11 the legislature continues the board of examiners of nursing care  
12 institution administrators and assisted living facility managers to  
13 promote the safe and professional regulation of nursing care institutions  
14 and assisted living facilities in this state.

15 Sec. 36. Retroactivity

16 Section 36-446.04, Arizona Revised Statutes, as amended by this act,  
17 section 41-3021.11, Arizona Revised Statutes, as repealed by this act, and  
18 section 41-3022.26, Arizona Revised Statutes, as added by this act, apply  
19 retroactively to from and after July 1, 2021.