



Bill Number: S.B. 1393

Floor Amendment

Reference to: Printed Bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Limits the scope of the legislation to treatment of COVID-19 or any COVID-19 variant.
2. Limits the applicability of the legislation from health care institutions to hospitals and health care providers.
3. Requires a hospital or health care provider to ensure that a patient who refuses treatment is counseled and given information on other treatment options.
4. Removes the requirement that health care institutions that violate a patient's right to treatment refusal pay penalties and damages to the individual.
5. Requires a hospital to notify a patient of the right to:
 - a) leave the hospital; and
 - b) petition a court if the right to leave is not honored.
6. States that it is not the hospital's responsibility to assist with the petition process.
7. Extends, from 24 hours to 48 hours, the time the superior court must enter judgment of whether preliminary injunctive relief should be granted, excluding, rather than including, holidays and weekends.
8. Specifies that the right to refuse treatment does not apply to minor children.
9. Specifies that the right to leave a hospital does not apply to:
 - a) the Arizona State Hospital;
 - b) minor children; or
 - c) court-ordered behavioral health evaluation or treatment.
10. Defines *health care provider* and *immediate family member*.

Amendment explanation prepared by Maelinn Chow

03/08/2022

BARTO FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1393
(Reference to printed bill)

- 1 Page 1, line 5, strike "violations; trial;"
- 2 Line 6, after "relief" insert "; definitions"
- 3 Line 7, after "A." strike remainder of line
- 4 Line 8, strike "TITLE, A HEALTH CARE INSTITUTION" insert "A HOSPITAL"; after
- 5 "TREATMENT" insert "FOR COVID-19 OR ANY VARIANT OF COVID-19"
- 6 Line 9, after "TREATMENT" insert a period strike remainder of line
- 7 Strike lines 10 and 11, insert "IF A PATIENT REFUSES A TREATMENT IN A HOSPITAL
- 8 FOR COVID-19 OR ANY VARIANT OF COVID-19, THE HOSPITAL AND HEALTH CARE
- 9 PROVIDER SHALL ENSURE THAT THE PATIENT IS COUNSELED AND GIVEN INFORMATION
- 10 ON OTHER TREATMENT OPTIONS THE PATIENT MAY RECEIVE."
- 11 Line 12, strike "INSTITUTION" insert "PROVIDER"
- 12 Line 13, after "TREATMENT" insert "FOR COVID-19 OR ANY VARIANT OF COVID-19"
- 13 Lines 15 and 16, strike "A PATIENT" insert "PATIENTS"
- 14 Strike lines 18 through 21
- 15 Reletter to conform
- 16 Line 22, strike "HEALTH CARE INSTITUTION" insert "HOSPITAL"
- 17 Line 25, after the period strike remainder of line
- 18 Strike lines 26 through 28, "THIS SUBSECTION DOES NOT APPLY TO THE ARIZONA
- 19 STATE HOSPITAL OR TO TREATMENT UNDER CHAPTER 5 OF THIS TITLE."
- 20 Line 30, after "TREATMENT" insert "FOR COVID-19 OR ANY VARIANT OF COVID-19"
- 21 Strike lines 32 through 44, insert:
- 22 "E. A HOSPITAL SHALL NOTIFY A PATIENT OF THE PATIENT'S RIGHT TO
- 23 LEAVE THE HOSPITAL AND THE PATIENT'S RIGHT TO PETITION A COURT IF THE RIGHT
- 24 TO LEAVE THE HOSPITAL IS NOT HONORED. THE PATIENT OR THE PATIENT'S
- 25 IMMEDIATE FAMILY MEMBER MAY PETITION THE COURT FOR THE PATIENT'S RIGHT TO

1 LEAVE THE HOSPITAL. IT IS NOT THE HOSPITAL'S RESPONSIBILITY TO ASSIST WITH
2 THE PETITION PROCESS."

3 Page 2, line 2, strike "D" insert "C"; strike "TWENTY-FOUR" insert "FORTY-EIGHT"

4 Line 3, strike "INCLUDING" insert "EXCLUDING"

5 Line 6, after "THE" strike remainder of line

6 Strike line 7

7 Line 8, strike "INCAPACITATED MINOR CHILD" insert "HOSPITAL"

8 Between lines 8 and 9, insert:

9 "G. THIS SECTION DOES NOT APPLY TO A MINOR CHILD.

10 H. FOR THE PURPOSES OF THIS SECTION:

11 1. "HEALTH CARE PROVIDER" MEANS A PHYSICIAN WHO IS LICENSED PURSUANT
12 TO TITLE 32, CHAPTER 13 OR 17, A NURSE PRACTITIONER WHO IS LICENSED
13 PURSUANT TO TITLE 32, CHAPTER 15 OR A PHYSICIAN ASSISTANT WHO IS LICENSED
14 PURSUANT TO TITLE 32, CHAPTER 25.

15 2. "IMMEDIATE FAMILY MEMBER" MEANS A PATIENT'S SPOUSE, PARENT,
16 CHILD, SIBLING, GRANDPARENT OR LEGAL GUARDIAN."

17 Amend title to conform

NANCY BARTO

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C: MH