



ARIZONA HOUSE OF REPRESENTATIVES

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Second Regular Session

Senate: DPA/SE 5-3-0-0 | 3rd Read: 16-13-1-0

House: JUD DPA 6-4-0-0

SB 1567: employers; vaccinations; religious exemption

Sponsor: Senator Barto, LD 15

Caucus & COW

Overview

Prohibits employers, including health care institutions, from denying a religious exemption for the COVID-19 vaccination and prescribes a form to be used by employees to apply for exemption status.

History

Employers are required to provide a reasonable accommodation, barring situations that would cause the organization an undue hardship, to employees who provide notice of their sincerely held religious beliefs that prevent the employee from receiving the COVID-19 vaccination ([A.R.S. § 23-206](#)).

The Centers for Medicare and Medicaid Services instituted an interim rule on COVID-19 in which facilities that are certified by Medicare and Medicaid must require employees to be vaccinated against COVID-19 ([86 FR § 61555](#)).

Provisions

1. Prohibits employers from questioning an employee's religious beliefs. (Sec. 1)
2. States employers may not discriminate against employees concerning employment, wages or benefits based on vaccination status. (Sec. 1)
3. Prescribes a form in which employees can claim a religious exemption from the COVID-19 vaccination. (Sec. 1)
4. Specifies employers that receive a completed COVID-19 exemption form must allow the employee to opt-out of the employer's COVID-19 vaccination mandate. (Sec. 1)
5. Prohibits employers from sharing employee's exemption status with employees or other entities unless absolutely necessary to process the request and states employers must not create a database of religious exemption requests. (Sec. 1)
6. Requires health care institutions to comply, to the extent required under federal law, with the COVID-19 exemption and form prescribed under this law. (Sec. 2)
7. Allows a health care institution employee to file a complaint with the Department of Health Services following the employee's denial of a religious exemption and subsequent termination, or if the health care institution did not offer the employee the religious exemption form. (Sec. 2)
8. Directs the Department of Health Services to investigate all COVID-19 exemption complaints and make determinations on specified information. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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9. Instructs the Department of Health Services to notify the health care institution and allow the employer the opportunity to correct the non-compliance, following a determination that the employee was not offered, or improperly applied or denied an exemption and was terminated. (Sec. 2)
10. Defines *COVID-19, functional equivalent of termination and sincerely held religious beliefs*. (Sec. 1)

Amendments

Committee on Judiciary

1. Allows an employee to file a complaint with the Attorney General following the employer's denial of a religious exemption and subsequent termination of the employee.
2. Directs the Attorney General to investigate complaints alleging an employer did not offer a religious exemption form or improperly applied or denied a religious exemption and the employee was terminated.
3. Requires employers to notify employees of the complaint process.
4. Specifies that this law does not apply to employers, other than health care institutions, whose vaccination mandates are mandated by law.