

REFERENCE TITLE: communicable disease information; 911 dispatchers

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2717**

Introduced by

Representatives Hernandez M: Aguilar, Austin, Blattman, Bravo, Cano, Contreras L, Cook, De Los Santos, Hernandez A, Hernandez C, Hernandez L, Longdon, Marshall, Montenegro, Ortiz, Payne, Quiñonez, Salman, Sandoval, Schwiebert, Shah, Stahl Hamilton, Travers, Wilmeth

AN ACT

AMENDING SECTION 36-661, ARIZONA REVISED STATUTES; RELATING TO COMMUNICABLE DISEASE INFORMATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-661, Arizona Revised Statutes, is amended to  
3 read:

4 36-661. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Acquired immune deficiency syndrome" has the same meaning as  
7 defined by the centers for disease control of the United States public  
8 health service.

9 2. "Capacity to consent" means a person's ability, determined  
10 without regard to the person's age, to understand and appreciate the  
11 nature and consequences of a proposed health care service, treatment or  
12 procedure and to make an informed decision concerning that service,  
13 treatment or procedure.

14 3. "Child" means an unemancipated person WHO IS under eighteen  
15 years of age.

16 4. "Communicable disease" means a contagious, epidemic or  
17 infectious disease THAT IS required to be reported to the local board of  
18 health or the department pursuant to chapter 1 of this title and this  
19 chapter.

20 5. "Communicable disease related information" means information  
21 regarding a communicable disease THAT IS in the possession of a person who  
22 provides health services or who obtains the information pursuant to the  
23 release of communicable disease related information.

24 6. "Contact" means a spouse or sex partner of a protected person, a  
25 person who has shared hypodermic needles or syringes with a protected  
26 person or a person WHO IS otherwise exposed to a protected person with a  
27 communicable disease in a manner that poses an epidemiologically  
28 significant risk of transmission of that disease.

29 7. "Department" means the department of health services.

30 8. "Director" means the director of the department ~~of health~~  
31 ~~services~~.

32 9. "First responder" means a law enforcement officer, a  
33 firefighter, A 911 DISPATCHER or an ambulance attendant as defined in  
34 section 36-2201.

35 10. "Good Samaritan" means a person who renders emergency care or  
36 assistance in good faith and without compensation at the scene of any  
37 accident, fire or other life-threatening emergency and who believes that a  
38 significant exposure risk occurred while the person rendered care or  
39 assistance.

40 11. "Health care decision maker" has the same meaning prescribed in  
41 section 12-2801.

42 12. "Health care provider" means a physician, nurse or other person  
43 involved in providing health services.

44 13. "Health facility" means a health care institution as defined in  
45 section 36-401, a blood bank, blood center, milk bank, sperm bank, organ

1 or tissue bank or clinical laboratory or a health care services  
2 organization holding a certificate of authority pursuant to section  
3 20-1054.

4 14. "Health service" means public or private care, treatment,  
5 clinical laboratory tests, counseling or educational service for adults or  
6 children and acute, chronic, custodial, residential, outpatient, home or  
7 other health care or activities related to ~~the detection~~ DETECTING,  
8 reporting, ~~prevention~~ PREVENTING and ~~control of~~ CONTROLLING communicable  
9 or preventable diseases.

10 15. "HIV" means the human immunodeficiency virus.

11 16. "HIV infection" means infection with the human immunodeficiency  
12 virus or a related virus identified as a probable causative agent of  
13 acquired immune deficiency syndrome.

14 17. "HIV-related illness" means an illness that may result from or  
15 be associated with HIV infection.

16 18. "HIV-related information" means information concerning whether  
17 a person has had an HIV-related test or has AN HIV infection, AN  
18 HIV-related illness or acquired immune deficiency syndrome and includes  
19 information that identifies or reasonably ~~permits~~ ALLOWS identification of  
20 that person or the person's contacts.

21 19. "HIV-related test" means a laboratory test or series of tests  
22 for the virus, components of the virus or antibodies to the virus thought  
23 to indicate the presence of HIV infection.

24 20. "Occupational significant exposure risk" means a significant  
25 exposure risk that occurs in the performance of a health care provider's  
26 professional duties or a first responder's official duties.

27 21. "Protected person" means a person who takes an HIV-related test  
28 or who has been diagnosed as having AN HIV infection, acquired immune  
29 deficiency syndrome, AN HIV-related illness or another communicable  
30 disease.

31 22. "Significant exposure risk" means contact with another person  
32 in a manner that, if the other person has a communicable disease, poses an  
33 epidemiologically significant risk of transmission of that disease as  
34 determined by the department.