AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3227.01; RELATING TO HEALTH PROFESSIONALS.

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

Section 1. Title 32, chapter 32, article 1, Arizona Revised Statutes, is amended by adding section 32-3227.01, to read:

32-3227.01. Health professionals; use of titles; prohibitions; enforcement; definitions

A. A health professional may use only the following license titles and designations in all advertisements, professional communications and professional identifications in a clinical setting:

1. For a physician who is licensed pursuant to chapter 13 of this title or a medical resident who has completed medical school and is enrolled in a residency program, "doctor of medicine", "dr.", "physician" or "M.D.".

2. For a physician who is licensed pursuant to chapter 17 of this title or a medical resident who has completed medical school and is enrolled in a residency program, "doctor of osteopathic medicine", "dr.", "physician" or "D.O.".

3. For a physician who is licensed pursuant to chapter 13 or 17 of this title and who is certified by the American Board of Medical Specialties or the American Osteopathic Association certifying board or who is board eligible, the specialty designation "surgeon", "dermatologist", "anesthesiologist", "cardiologist", "endocrinologist", "gastroenterologist", "general practitioner", "gynecologist", "hematologist", "internist", "intensivist", "laryngologist", "nephrologist", "neurologist", "obstetrician", "oncologist", "ophthalmologist", "orthopedic surgeon", "orthopedist", "osteopath", "otologist", "otolaryngologist", "otorhinolaryngologist", "pathologist", "pediatrician", "primary care physician", "proctologist", "psychiatrist", "radiologist", "rheumatologist", "rhinologist", "urologist" or "dentist", as applicable, or any other title, word, abbreviation, description of services or designation to indicate that the person is licensed to practice medicine.

4. For a registered nurse who is licensed pursuant to chapter 15 of this title, "registered nurse" or "R.N.".

5. For a licensed practical nurse who is licensed pursuant to chapter 15 of this title, "licensed practical nurse" or "L.P.N.".

6. For an advanced practice registered nurse who is licensed pursuant to chapter 15 of this title, "A.P.R.N." and one of the following role titles:
   (a) "certified registered nurse anesthetist", "anesthetist" or "C.R.N.A.".
   (b) "clinical nurse specialist" or "C.N.S.".
   (c) "certified nurse practitioner" or "C.N.P.".
   (d) "certified nurse midwife" or "C.N.M.".
7. FOR A PHYSICIAN ASSISTANT WHO IS LICENSED PURSUANT TO CHAPTER 25 OF THIS TITLE, "PHYSICIAN ASSISTANT" OR "P.A.".

B. AN ADVANCED PRACTICE REGISTERED NURSE MAY NOT USE A MEDICAL TITLE OR MEDICAL SPECIALTY TITLE SPECIFIED IN SUBSECTION A, PARAGRAPHS 1, 2 AND 3 OF THIS SECTION EITHER ALONE OR IN COMBINATION WITH ANY NURSING TITLE.

C. HEALTH PROFESSIONALS WHO ARE NOT SPECIFIED IN SUBSECTION A OF THIS SECTION MAY USE THE APPROPRIATE TITLE OR TITLES AS INDICATED IN THE APPLICABLE STATUTES REGULATING THAT HEALTH PROFESSION.

D. AN ADVERTISEMENT BY A HEALTH PROFESSIONAL SHALL DISCLOSE ONLY THE APPLICABLE LICENSE, AS SET FORTH IN THIS TITLE OR BY THE APPLICABLE STATUTES IF NOT LISTED IN THIS TITLE, UNDER WHICH THE HEALTH PROFESSIONAL IS AUTHORIZED TO PROVIDE HEALTH CARE SERVICES. MEDICAL TITLES AND MEDICAL SPECIALTY TITLES MAY BE USED ONLY BY LICENSED PHYSICIANS AS SPECIFIED IN SUBSECTION A OF THIS SECTION. AN ADVERTISEMENT MUST COMPLY WITH BOTH OF THE FOLLOWING:

1. MAY NOT INCLUDE DECEPTIVE OR MISLEADING TERMS OR FALSE REPRESENTATIONS.
2. MUST INCLUDE THE HEALTH PROFESSIONAL'S NAME AND THE TYPE OF LICENSE THE HEALTH PROFESSIONAL HOLDS, AS SET FORTH IN THIS TITLE OR BY THE APPLICABLE STATUTES IF NOT LISTED IN THIS TITLE, REGULATING THE HEALTH PROFESSIONAL'S PROFESSION.

E. THIS SECTION DOES NOT:
1. PROHIBIT A HEALTH PROFESSIONAL FROM USING A TITLE OR TITLES PRESCRIBED IN THE APPLICABLE STATUTES REGULATING THAT HEALTH PROFESSION.
2. PROHIBIT ANY HEALTH PROFESSIONAL FROM DISPLAYING ACADEMIC DEGREES THAT THE HEALTH PROFESSIONAL HAS EARNED IN ANY CLINICAL SETTING.
3. PREVENT A HEALTH PROFESSIONAL FROM USING A PROFESSIONAL TITLE THAT ACCURATELY DESCRIBES THE HEALTH PROFESSIONAL'S QUALIFICATIONS AND CREDENTIALS IF SUCH USE IS NOT MISLEADING OR DECEPTIVE TO THE PUBLIC.

F. A VIOLATION OF THIS SECTION CONSTITUTES AN UNLAWFUL PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND TAKE APPROPRIATE ACTION AS PRESCRIBED BY TITLE 44, CHAPTER 10, ARTICLE 7.

G. FOR THE PURPOSES OF THIS SECTION:
(a) MEANS A COMMUNICATION, WHETHER PRINTED, ELECTRONIC OR ORAL, THAT NAMES A HEALTH PROFESSIONAL AND THE PRACTICE, PROFESSION OR INSTITUTION IN WHICH THE HEALTH PROFESSIONAL IS EMPLOYED, VOLUNTEERS OR OTHERWISE PROVIDES HEALTH CARE SERVICES.
(b) INCLUDES BUSINESS CARDS, IDENTIFICATION BADGES, LETTERHEAD, PATIENT BROCHURES, EMAILS TO PATIENTS AND PROSPECTIVE PATIENTS, WEBSITES, AUDIO AND VIDEO COMMUNICATIONS AND ANY OTHER COMMUNICATION THAT ADVERTISES HEALTH CARE SERVICES TO PATIENTS OR POTENTIAL PATIENTS.
2. "DECEPTIVE OR MISLEADING TERMS OR FALSE REPRESENTATIONS" INCLUDES THE USE OF TITLES, TERMS OR OTHER WORDS THAT MISSTATE, FALSELY DESCRIBE, FALSELY HOLD OUT OR FALSELY DETAIL A HEALTH PROFESSIONAL'S PROFESSIONAL SKILLS, TRAINING, EXPERTISE, EDUCATION, BOARD CERTIFICATION OR LICENSURE, INCLUDING THE MISAPPROPRIATION OF MEDICAL TITLES AND MEDICAL SPECIALTY TITLES BY PERSONS WHO ARE NOT LICENSED AS A PHYSICIAN PURSUANT TO CHAPTER 13 OR 17 OF THIS TITLE.

Sec. 2. **Short title**

This act may be cited as the "Medical Title Transparency and Patient Protection Act".