

House Engrossed

hospitals; interfacility transport

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2124

AN ACT

AMENDING SECTIONS 36-2201, 36-2233 AND 36-2236, ARIZONA REVISED STATUTES;
AMENDING TITLE 36, CHAPTER 21.1, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-2248; RELATING TO EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-2201, Arizona Revised Statutes, is amended to
3 read:

4 36-2201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Administrative medical direction" means supervision of
7 emergency medical care technicians by a base hospital medical director,
8 administrative medical director or basic life support medical director.
9 For the purposes of this paragraph, "administrative medical director"
10 means a physician who is licensed pursuant to title 32, chapter 13 or 17
11 and who provides direction within the emergency medical services and
12 trauma system.

13 2. "Advanced emergency medical technician" means a person who has
14 been trained in an advanced emergency medical technician program certified
15 by the director or in an equivalent training program and who is certified
16 by the director to render services pursuant to section 36-2205.

17 3. "Advanced life support" means the level of assessment and care
18 identified in the scope of practice approved by the director for the
19 advanced emergency medical technician, emergency medical technician I-99
20 and paramedic.

21 4. "Advanced life support base hospital" means a health care
22 institution that offers general medical and surgical services, that is
23 certified by the director as an advanced life support base hospital and
24 that is affiliated by written agreement with a licensed ambulance service,
25 municipal rescue service, fire department, fire district or health
26 services district for medical direction, evaluation and control of
27 emergency medical care technicians.

28 5. "Ambulance":

29 (a) Means any publicly or privately owned surface, water or air
30 vehicle, including a helicopter, that contains a stretcher and necessary
31 medical equipment and supplies pursuant to section 36-2202 and that is
32 especially designed and constructed or modified and equipped to be used,
33 maintained or operated primarily to transport individuals who are sick,
34 injured or wounded or who require medical monitoring or aid.

35 (b) Does not include a surface vehicle that is owned and operated
36 by a private sole proprietor, partnership, private corporation or
37 municipal corporation for the emergency transportation and in-transit care
38 of its employees or a vehicle that is operated to accommodate an
39 incapacitated person or person with a disability who does not require
40 medical monitoring, care or treatment during transport and that is not
41 advertised as having medical equipment and supplies or ambulance
42 attendants.

43 6. "Ambulance attendant" means any of the following:

44 (a) An emergency medical technician, an advanced emergency medical
45 technician, an emergency medical technician I-99 or a paramedic whose

1 primary responsibility is the care of patients in an ambulance and who
2 meets the standards and criteria adopted pursuant to section 36-2204.

3 (b) An emergency medical responder who is employed by an ambulance
4 service operating under section 36-2202 and whose primary responsibility
5 is driving an ambulance.

6 (c) A physician who is licensed pursuant to title 32, chapter 13
7 or 17.

8 (d) A professional nurse who is licensed pursuant to title 32,
9 chapter 15 and who meets the state board of nursing criteria to care for
10 patients in the prehospital care system.

11 (e) A professional nurse who is licensed pursuant to title 32,
12 chapter 15 and whose primary responsibility is the care of patients in an
13 ambulance during an interfacility transport.

14 7. "Ambulance service" means a person who owns and operates one or
15 more ambulances.

16 8. "Basic life support" means the level of assessment and care
17 identified in the scope of practice approved by the director for the
18 emergency medical responder and emergency medical technician.

19 9. "Bureau" means the bureau of emergency medical services and
20 trauma system in the department.

21 10. "Centralized medical direction communications center" means a
22 facility that is housed within a hospital, medical center or trauma center
23 or a freestanding communication center that meets the following criteria:

24 (a) Has the ability to communicate with ambulance services and
25 emergency medical services providers rendering patient care outside of the
26 hospital setting via radio and telephone.

27 (b) Is staffed twenty-four hours a day seven days a week by at
28 least a physician licensed pursuant to title 32, chapter 13 or 17.

29 11. "Certificate of necessity" means a certificate that is issued
30 to an ambulance service by the department and that describes the
31 following:

32 (a) The service area.

33 (b) The level of service.

34 (c) The type of service.

35 (d) The hours of operation.

36 (e) The effective date.

37 (f) The expiration date.

38 (g) The legal name and address of the ambulance service.

39 (h) The any limiting or special provisions the director prescribes.

40 12. "Council" means the emergency medical services council.

41 13. "Department" means the department of health services.

42 14. "Director" means the director of the department of health
43 services.

44 15. "DIRECT OWNER" MEANS A PERSON THAT HAS AN OWNERSHIP OR CONTROL
45 INTEREST IN A HOSPITAL TOTALING FIFTY-ONE PERCENT OR MORE.

1 ~~15.~~ 16. "Emergency medical care technician" means an individual
2 who has been certified by the department as an emergency medical
3 technician, an advanced emergency medical technician, an emergency medical
4 technician I-99 or a paramedic.

5 ~~16.~~ 17. "Emergency medical responder" as an ambulance attendant,
6 whose primary responsibility is driving an ambulance, means a person who
7 has successfully completed training in an emergency medical responder
8 program that is certified by the director or is approved by the emergency
9 medical services provider's administrative medical director on file with
10 the department or in an equivalent training program.

11 ~~17.~~ 18. "Emergency medical responder program" means a program that
12 has been submitted for review by the department and includes at least the
13 following:

- 14 (a) Emergency vehicle driver training.
- 15 (b) Cardiopulmonary resuscitation certification.
- 16 (c) Automated external defibrillator training.
- 17 (d) Training in the use of noninvasive diagnostic devices,
18 including blood glucose monitors and pulse oximeters.
- 19 (e) Training on obtaining a patient's vital signs, including blood
20 pressure, pulse and respiratory rate.

21 ~~18.~~ 19. "Emergency medical services" means those services required
22 following an accident or an emergency medical situation:

- 23 (a) For on-site emergency medical care.
- 24 (b) To transport the sick or injured by a licensed ground or air
25 ambulance.
- 26 (c) In using emergency communications media.
- 27 (d) In using emergency receiving facilities.
- 28 (e) In administering initial care and preliminary treatment
29 procedures by emergency medical care technicians.

30 ~~19.~~ 20. "Emergency medical services provider" means any
31 governmental entity, quasi-governmental entity or corporation whether
32 public or private that renders emergency medical services in this state.

33 ~~20.~~ 21. "Emergency medical technician" means a person who has been
34 trained in an emergency medical technician program certified by the
35 director or in an equivalent training program and who is certified by the
36 director as qualified to render services pursuant to section 36-2205.

37 ~~21.~~ 22. "Emergency receiving facility" means a licensed health
38 care institution that offers emergency medical services, is staffed
39 twenty-four hours a day and has a physician on call.

40 ~~22.~~ 23. "Fit and proper" means that the director determines that
41 an applicant for a certificate of necessity or a certificate holder has
42 the expertise, integrity, fiscal competence and resources to provide
43 ambulance service in the service area.

44 24. "HOSPITAL" MEANS A CLASS OF HEALTH CARE INSTITUTION AS DEFINED
45 IN SECTION 36-401 THAT, THROUGH AN ORGANIZED MEDICAL STAFF, PROVIDES

1 INPATIENT BEDS, MEDICAL SERVICES, CONTINUOUS NURSING SERVICES AND
2 DIAGNOSES OR TREATMENT, OR BOTH, TO A PATIENT.

3 25. "INDIRECT OWNER":

4 (a) MEANS A PERSON THAT HAS AN OWNERSHIP OR CONTROL INTEREST IN A
5 DIRECT OWNER TOTALING FIFTY-ONE PERCENT OR MORE.

6 (b) INCLUDES AN OWNERSHIP OR CONTROL INTEREST IN AN INDIRECT OWNER
7 TOTALING FIFTY-ONE PERCENT OR MORE AND A COMBINATION OF DIRECT OWNERSHIP
8 AND INDIRECT OWNERSHIP OR CONTROL INTERESTS TOTALING FIFTY-ONE PERCENT OR
9 MORE IN THE HOSPITAL.

10 26. "INTERFACILITY TRANSPORT" MEANS AN AMBULANCE TRANSPORT OF A
11 PATIENT FROM ONE HEALTH CARE INSTITUTION TO ANOTHER HEALTH CARE
12 INSTITUTION AS DEFINED IN SECTION 36-401.

13 ~~23.~~ 27. "Medical record" means any patient record, including
14 clinical records, prehospital care records, medical reports, laboratory
15 reports and statements, any file, film, record or report or oral
16 statements relating to diagnostic findings, treatment or outcome of
17 patients, whether written, electronic or recorded, and any information
18 from which a patient or the patient's family might be identified.

19 ~~24.~~ 28. "National certification organization" means a national
20 organization that tests and certifies the ability of an emergency medical
21 care technician and whose tests are based on national education standards.

22 ~~25.~~ 29. "National education standards" means the emergency medical
23 services education standards of the United States department of
24 transportation or other similar emergency medical services education
25 standards developed by that department or its successor agency.

26 ~~26.~~ 30. "Paramedic" means a person who has been trained in a
27 paramedic program certified by the director or in an equivalent training
28 program and who is certified by the director to render services pursuant
29 to section 36-2205.

30 ~~27.~~ 31. "Physician" means any person licensed pursuant to title
31 32, chapter 13 or 17.

32 ~~28.~~ 32. "Police dog":

33 (a) Means a specially trained dog that is owned or used by a law
34 enforcement department or agency of this state or any political
35 subdivision of this state and that is used in the course of the
36 department's or agency's official work.

37 (b) Includes a search and rescue dog, service dog, accelerant
38 detection canine or other dog that is in use by the law enforcement
39 department or agency for official duties.

40 ~~29.~~ 33. "Stretcher van" means a vehicle that contains a stretcher
41 and that is operated to accommodate an incapacitated person or person with
42 a disability who does not require medical monitoring, aid, care or
43 treatment during transport.

44 ~~30.~~ 34. "Suboperation station" means a physical facility or
45 location at which an ambulance service conducts operations for the

1 dispatch of ambulances and personnel and that may be staffed twenty-four
2 hours a day or less as determined by system use.

3 ~~31.~~ 35. "Trauma center" means any acute care hospital that
4 provides in-house twenty-four-hour daily dedicated trauma surgical
5 services that is designated pursuant to section 36-2225.

6 ~~32.~~ 36. "Trauma registry" means data collected by the department
7 on trauma patients and on the incidence, causes, severity, outcomes and
8 operation of a trauma system and its components.

9 ~~33.~~ 37. "Trauma system" means an integrated and organized
10 arrangement of health care resources having the specific capability to
11 perform triage, transport and provide care.

12 ~~34.~~ 38. "Validated testing procedure" means a testing procedure
13 that includes practical skills, or attests practical skills proficiency on
14 a form developed by the department by the educational training program,
15 identified pursuant to section 36-2204, paragraph 2, that is certified as
16 valid by an organization capable of determining testing procedure and
17 testing content validity and that is recommended by the medical direction
18 commission and the emergency medical services council before the
19 director's approval.

20 ~~35.~~ 39. "Wheelchair van" means a vehicle that contains or that is
21 designed and constructed or modified to contain a wheelchair and that is
22 operated to accommodate an incapacitated person or person with a
23 disability who does not require medical monitoring, aid, care or treatment
24 during transport.

25 Sec. 2. Section 36-2233, Arizona Revised Statutes, is amended to
26 read:

27 36-2233. Certificate of necessity to operate an ambulance
28 service; notification of interested parties;
29 exceptions; service areas

30 A. Any person wishing to operate an ambulance service in this state
31 shall apply to the department on a form prescribed by the director for a
32 certificate of necessity.

33 B. THE CURRENT CERTIFICATE OF NECESSITY HOLDERS WHOSE SERVICE AREAS
34 OVERLAP A PROPOSED SERVICE AREA OF AN APPLICANT THAT IS A DIRECT OWNER OR
35 INDIRECT OWNER OF A HOSPITAL AND THAT IS APPLYING FOR A CERTIFICATE OF
36 NECESSITY TO PERFORM ONLY INTERFACILITY TRANSPORT OF PATIENTS TO AND FROM
37 THE APPLICANT'S HEALTH CARE INSTITUTIONS IN ACCORDANCE WITH SECTION
38 36-2248 MAY NOT APPEAL THE DIRECTOR'S DECISION.

39 C. A CERTIFICATE OF NECESSITY HOLDER WHOSE CERTIFICATE OF NECESSITY
40 ALLOWS ONLY INTERFACILITY TRANSPORT OF PATIENTS TO AND FROM THE
41 CERTIFICATE OF NECESSITY HOLDER'S HEALTH CARE INSTITUTIONS IN ACCORDANCE
42 WITH SECTION 36-2248 MAY NOT TAKE ANY ACTION TO PREVENT ANOTHER
43 CERTIFICATE OF NECESSITY HOLDER FROM AMENDING A CERTIFICATE OF NECESSITY
44 TO REMOVE SOME OR ALL OF THE CERTIFICATE OF NECESSITY HOLDERS' OVERLAPPING
45 SERVICE AREA.

1 ~~B.~~ D. Within one hundred eighty days after receiving an
2 application for a certificate of necessity as prescribed in this section,
3 the director shall make a determination based on whether necessity for the
4 ambulance service is found to exist and the applicant meets the
5 requirements of subsection ~~F~~ H of this section. If the director requests
6 additional information from the applicant after initial review, the
7 applicant shall have thirty business days to respond. On request, the
8 director may give the applicant one additional period of thirty business
9 days to respond. If the applicant fails to respond to the director's
10 request for additional information, the department shall deem the initial
11 or amended application withdrawn. An application deemed withdrawn is not
12 an appealable agency action pursuant to title 41, chapter 6, article
13 10. The applicant may appeal a denial only pursuant to section
14 36-2234. The one hundred eighty-day period for the director to make the
15 determination of necessity does not include the time the applicant uses to
16 respond to requests for additional information.

17 ~~C.~~ E. On receipt of an initial or amended application for a
18 certificate of necessity, the department shall post a notice of the
19 application on its website. Within thirty days after the department posts
20 a notice pursuant to this subsection, any interested party may provide
21 information to the director on a form in a department-approved format for
22 consideration. If an interested party fails to respond to the notice
23 within sixty days in a department-approved format, the information may not
24 be considered during the review of the application.

25 ~~D.~~ F. For the purposes of this section, a city, town, fire
26 district, fire authority or tribal government whose jurisdictional
27 boundaries in whole or in part are within the service area of a
28 certificate of necessity, an existing certificate of necessity holder
29 within the service area of the certificate of necessity or a hospital that
30 is licensed pursuant to chapter 4 of this title and that is located within
31 the service area of a certificate of necessity is considered to be an
32 interested party as a matter of law.

33 ~~E.~~ G. All interested parties shall be notified of any application
34 for an initial or amended certificate of necessity within fifteen days
35 after the application is filed, within fifteen days after the application
36 is complete and within fifteen days after a decision by the director. The
37 director's decision pursuant to subsection ~~F~~ H of this section is final
38 unless appealed pursuant to section 36-2234, subsection A.

39 ~~F.~~ H. The director shall issue a certificate of necessity if all
40 of the following apply:

41 1. The director finds that public necessity requires the service or
42 any part of the service proposed by the applicant.

43 2. The director finds that the applicant is fit and proper to
44 provide the service.

1 town, fire district, fire authority or other political subdivision. If
2 the jurisdictional boundaries of a city, town, fire district, fire
3 authority or other political subdivision expand, the service area in the
4 certificate of necessity expands to reflect those jurisdictional
5 boundaries, except as prescribed in section 36-2233, subsection ~~I~~ K,
6 paragraph 2. This subsection does not affect the validity of any
7 previously granted certificate for an unincorporated area lying within the
8 boundaries of a city.

9 E. If the population of a service area changes by ten percent or
10 more based on the most recent decennial census or five-year census
11 estimate, the department must conduct a review to determine whether
12 adjustments must be made to the response times in the service area, taking
13 into consideration the impact on rates and charges.

14 Sec. 4. Title 36, chapter 21.1, article 2, Arizona Revised
15 Statutes, is amended by adding section 36-2248, to read:

16 36-2248. Interfacility transports; right of first refusal;
17 documentation; definition

18 A. ANY AMBULANCE SERVICE THAT HOLDS A CERTIFICATE OF NECESSITY FOR
19 INTERFACILITY TRANSPORT AND WHOSE SERVICE AREA OVERLAPS WITH THE SERVICE
20 AREA OF A CERTIFICATE OF NECESSITY HOLDER WHOSE CERTIFICATE OF NECESSITY
21 ALLOWS ONLY INTERFACILITY TRANSPORT OF PATIENTS TO AND FROM THE
22 CERTIFICATE OF NECESSITY HOLDER'S HEALTH CARE INSTITUTIONS IN ACCORDANCE
23 WITH THIS SECTION SHALL HAVE THE RIGHT OF FIRST REFUSAL TO PROVIDE
24 INTERFACILITY TRANSPORTATION WITHIN THE AMBULANCE SERVICE'S SERVICE AREA
25 IF THE TRANSFER CAN BE MADE BOTH:

26 1. WITHIN THE ARRIVAL TIME FRAME SPECIFIED BY THE CURRENT
27 CERTIFICATE OF NECESSITY. IF THE CERTIFICATE OF NECESSITY DOES NOT HAVE A
28 SPECIFIED ARRIVAL TIME, THE ARRIVAL TIME MUST BE WITHIN THE TIME FRAME
29 SPECIFIED BY THE PATIENT'S TREATING MEDICAL PROVIDER BASED ON THE
30 PATIENT'S MEDICAL CONDITION.

31 2. WITH THE MEDICAL EQUIPMENT AND TRAINED PERSONNEL NECESSARY TO
32 TRANSFER THE PATIENT SAFELY AS SPECIFIED IN THIS CHAPTER AND THE RULES
33 ADOPTED PURSUANT TO THIS CHAPTER AND WITHIN THE ASSIGNED PERSONNEL'S SCOPE
34 OF PRACTICE. FOR PEDIATRIC PATIENTS, THE PATIENT'S TREATING MEDICAL
35 PROVIDER MAY REQUEST SPECIALIZED PERSONNEL AND EQUIPMENT NECESSARY FOR THE
36 SCOPE OF THE PATIENT'S TRANSPORT.

37 B. THE TRANSFERRING HEALTH CARE INSTITUTION SHALL DOCUMENT ANY
38 COMMUNICATION MADE WITH EACH AMBULANCE SERVICE THAT HOLDS THE CERTIFICATE
39 OF NECESSITY FOR INTERFACILITY TRANSPORT AS DESCRIBED IN SUBSECTION A OF
40 THIS SECTION AND THE INTERFACILITY TRANSPORT DETAILS, INCLUDING ALL OF THE
41 FOLLOWING:

42 1. THE TRANSFER REQUEST, INCLUDING THE PATIENT'S CONDITION,
43 EQUIPMENT AND MEDICATIONS, THE TIME DETERMINED BY THE PATIENT'S TREATING
44 MEDICAL PROVIDER TO TRANSPORT AND THE TIME THE CALL WAS MADE TO EACH
45 AMBULANCE SERVICE.

1 2. THE REQUIRED TIME FRAME FOR THE TRANSFER AS SPECIFIED IN THE
2 CURRENT CERTIFICATE OF NECESSITY OR, IF THE CERTIFICATE OF NECESSITY DOES
3 NOT HAVE A SPECIFIED ARRIVAL TIME, THE ARRIVAL TIME SPECIFIED BY THE
4 PATIENT'S TREATING MEDICAL PROVIDER BASED ON THE PATIENT'S MEDICAL
5 CONDITION.

6 3. THE REQUIRED MEDICAL EQUIPMENT AND TRAINED PERSONNEL AS
7 PRESCRIBED IN THIS CHAPTER AND THE RULES ADOPTED PURSUANT TO THIS CHAPTER
8 OR, IN THE CASE OF A PEDIATRIC PATIENT, THE SPECIALIZED PERSONNEL AND
9 EQUIPMENT NECESSARY FOR THE SCOPE OF THE PATIENT'S TRANSPORT AS REQUESTED
10 BY THE PATIENT'S TREATING MEDICAL PROVIDER.

11 4. WHETHER EACH AMBULANCE SERVICE CONTACTED PURSUANT TO THIS
12 SECTION ACCEPTED OR DECLINED TO TRANSPORT THE PATIENT.

13 5. WHICH AMBULANCE SERVICE ULTIMATELY TRANSPORTED THE PATIENT AND
14 THE REASONS WHY.

15 C. IF ALL AMBULANCE SERVICES THAT HOLD A CERTIFICATE OF NECESSITY
16 FOR INTERFACILITY TRANSPORT AND WHOSE SERVICE AREA OVERLAPS WITH THE
17 SERVICE AREA OF THE CERTIFICATE OF NECESSITY HOLDER WHOSE CERTIFICATE OF
18 NECESSITY ALLOWS ONLY INTERFACILITY TRANSPORT OF PATIENTS TO AND FROM THE
19 CERTIFICATE OF NECESSITY HOLDER'S HEALTH CARE INSTITUTIONS IN ACCORDANCE
20 WITH THIS SECTION DECLINE TO TRANSPORT A PATIENT PURSUANT TO THIS SECTION,
21 THE TRANSFERRING HEALTH CARE INSTITUTION MAY MAKE OTHER INTERFACILITY
22 TRANSPORT ARRANGEMENTS FOR THE PATIENT.

23 D. FOR THE PURPOSES OF THIS SECTION, "TREATING MEDICAL PROVIDER"
24 MEANS A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17,
25 A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 15 OR A
26 PHYSICIAN ASSISTANT WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 25.