

REFERENCE TITLE: hospitals; interfacility transport

State of Arizona
House of Representatives
Fifty-seventh Legislature
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2025

HB 2124

Introduced by
Representatives Willoughby, Biasiucci, Carbone, Kupper

AN ACT

AMENDING SECTIONS 36-2201 AND 36-2233, ARIZONA REVISED STATUTES; 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.

- 1 6. "Ambulance attendant" means any of the following:
- 2 (a) An emergency medical technician, an advanced emergency medical
- 3 technician, an emergency medical technician I-99 or a paramedic whose
- 4 primary responsibility is the care of patients in an ambulance and who
- 5 meets the standards and criteria adopted pursuant to section 36-2204.
- 6 (b) An emergency medical responder who is employed by an ambulance
- 7 service operating under section 36-2202 and whose primary responsibility
- 8 is driving an ambulance.
- 9 (c) A physician who is licensed pursuant to title 32, chapter 13
- 10 or 17.
- 11 (d) A professional nurse who is licensed pursuant to title 32,
- 12 chapter 15 and who meets the state board of nursing criteria to care for
- 13 patients in the prehospital care system.
- 14 (e) A professional nurse who is licensed pursuant to title 32,
- 15 chapter 15 and whose primary responsibility is the care of patients in an
- 16 ambulance during an interfacility transport.
- 17 7. "Ambulance service" means a person who owns and operates one or
- 18 more ambulances.
- 19 8. "Basic life support" means the level of assessment and care
- 20 identified in the scope of practice approved by the director for the
- 21 emergency medical responder and emergency medical technician.
- 22 9. "Bureau" means the bureau of emergency medical services and
- 23 trauma system in the department.
- 24 10. "Centralized medical direction communications center" means a
- 25 facility that is housed within a hospital, medical center or trauma center
- 26 or a freestanding communication center that meets the following criteria:
- 27 (a) Has the ability to communicate with ambulance services and
- 28 emergency medical services providers rendering patient care outside of the
- 29 hospital setting via radio and telephone.
- 30 (b) Is staffed twenty-four hours a day seven days a week by at
- 31 least a physician licensed pursuant to title 32, chapter 13 or 17.
- 32 11. "Certificate of necessity" means a certificate that is issued
- 33 to an ambulance service by the department and that describes the
- 34 following:
- 35 (a) The service area.
- 36 (b) The level of service.
- 37 (c) The type of service.
- 38 (d) The hours of operation.
- 39 (e) The effective date.
- 40 (f) The expiration date.
- 41 (g) The legal name and address of the ambulance service.
- 42 (h) The any limiting or special provisions the director prescribes.
- 43 12. "Council" means the emergency medical services council.
- 44 13. "Department" means the department of health services.

1 14. "Director" means the director of the department of health
2 services.
3 15. "DIRECT OWNER" MEANS A PERSON THAT HAS AN OWNERSHIP OR CONTROL
4 INTEREST IN A HOSPITAL TOTALING FIFTY-ONE PERCENT OR MORE.
5 ~~15.~~ 16. "Emergency medical care technician" means an individual
6 who has been certified by the department as an emergency medical
7 technician, an advanced emergency medical technician, an emergency medical
8 technician I-99 or a paramedic.
9 ~~16.~~ 17. "Emergency medical responder" as an ambulance attendant,
10 whose primary responsibility is driving an ambulance, means a person who
11 has successfully completed training in an emergency medical responder
12 program that is certified by the director or is approved by the emergency
13 medical services provider's administrative medical director on file with
14 the department or in an equivalent training program.
15 ~~17.~~ 18. "Emergency medical responder program" means a program that
16 has been submitted for review by the department and includes at least the
17 following:
18 (a) Emergency vehicle driver training.
19 (b) Cardiopulmonary resuscitation certification.
20 (c) Automated external defibrillator training.
21 (d) Training in the use of noninvasive diagnostic devices,
22 including blood glucose monitors and pulse oximeters.
23 (e) Training on obtaining a patient's vital signs, including blood
24 pressure, pulse and respiratory rate.
25 ~~18.~~ 19. "Emergency medical services" means those services required
26 following an accident or an emergency medical situation:
27 (a) For on-site emergency medical care.
28 (b) To transport the sick or injured by a licensed ground or air
29 ambulance.
30 (c) In using emergency communications media.
31 (d) In using emergency receiving facilities.
32 (e) In administering initial care and preliminary treatment
33 procedures by emergency medical care technicians.
34 ~~19.~~ 20. "Emergency medical services provider" means any
35 governmental entity, quasi-governmental entity or corporation whether
36 public or private that renders emergency medical services in this state.
37 ~~20.~~ 21. "Emergency medical technician" means a person who has been
38 trained in an emergency medical technician program certified by the
39 director or in an equivalent training program and who is certified by the
40 director as qualified to render services pursuant to section 36-2205.
41 ~~21.~~ 22. "Emergency receiving facility" means a licensed health
42 care institution that offers emergency medical services, is staffed
43 twenty-four hours a day and has a physician on call.
44 ~~22.~~ 23. "Fit and proper" means that the director determines that
45 an applicant for a certificate of necessity, A HOSPITAL PROVIDING

1 INTERFACILITY TRANSPORT or a certificate holder has the expertise,
2 integrity, fiscal competence and resources to provide ambulance service in
3 the service area.

4 24. "HOSPITAL" MEANS A CLASS OF HEALTH CARE INSTITUTION AS DEFINED
5 IN SECTION 36-401 THAT, THROUGH AN ORGANIZED MEDICAL STAFF, PROVIDES
6 INPATIENT BEDS, MEDICAL SERVICES, CONTINUOUS NURSING SERVICES AND
7 DIAGNOSES OR TREATMENT, OR BOTH, TO A PATIENT.

8 25. "INDIRECT OWNER":

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

11 (b) INCLUDES AN OWNERSHIP OR CONTROL INTEREST IN AN INDIRECT OWNER
12 TOTALING FIFTY-ONE PERCENT OR MORE AND A COMBINATION OF DIRECT OWNERSHIP
13 AND INDIRECT OWNERSHIP OR CONTROL INTERESTS TOTALING FIFTY-ONE PERCENT OR
14 MORE IN THE HOSPITAL.

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

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

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

27 ~~25.~~ 29. "National education standards" means the emergency medical
28 services education standards of the United States department of
29 transportation or other similar emergency medical services education
30 standards developed by that department or its successor agency.

31 ~~26.~~ 30. "Paramedic" means a person who has been trained in a
32 paramedic program certified by the director or in an equivalent training
33 program and who is certified by the director to render services pursuant
34 to section 36-2205.

35 ~~27.~~ 31. "Physician" means any person licensed pursuant to title
36 32, chapter 13 or 17.

37 ~~28.~~ 32. "Police dog":

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

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

1 ~~29.~~ 33. "Stretcher van" means a vehicle that contains a stretcher
2 and that is operated to accommodate an incapacitated person or person with
3 a disability who does not require medical monitoring, aid, care or
4 treatment during transport.

5 ~~30.~~ 34. "Suboperation station" means a physical facility or
6 location at which an ambulance service conducts operations for the
7 dispatch of ambulances and personnel and that may be staffed twenty-four
8 hours a day or less as determined by system use.

9 ~~31.~~ 35. "Trauma center" means any acute care hospital that
10 provides in-house twenty-four-hour daily dedicated trauma surgical
11 services that is designated pursuant to section 36-2225.

12 ~~32.~~ 36. "Trauma registry" means data collected by the department
13 on trauma patients and on the incidence, causes, severity, outcomes and
14 operation of a trauma system and its components.

15 ~~33.~~ 37. "Trauma system" means an integrated and organized
16 arrangement of health care resources having the specific capability to
17 perform triage, transport and provide care.

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

26 ~~35.~~ 39. "Wheelchair van" means a vehicle that contains or that is
27 designed and constructed or modified to contain a wheelchair and that is
28 operated to accommodate an incapacitated person or person with a
29 disability who does not require medical monitoring, aid, care or treatment
30 during transport.

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

33 36-2233. Certificate of necessity to operate an ambulance
34 service; notification of interested parties;
35 exceptions; service areas

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

39 B. Within one hundred eighty days after receiving an application
40 for a certificate of necessity as prescribed in this section, the director
41 shall make a determination based on whether necessity for the ambulance
42 service is found to exist and the applicant meets the requirements of
43 subsection F of this section. If the director requests additional
44 information from the applicant after initial review, the applicant shall
45 have thirty business days to respond. On request, the director may give

1 the applicant one additional period of thirty business days to respond.
2 If the applicant fails to respond to the director's request for additional
3 information, the department shall deem the initial or amended application
4 withdrawn. An application deemed withdrawn is not an appealable agency
5 action pursuant to title 41, chapter 6, article 10. The applicant may
6 appeal a denial only pursuant to section 36-2234. The one hundred
7 eighty-day period for the director to make the determination of necessity
8 does not include the time the applicant uses to respond to requests for
9 additional information.

10 C. On receipt of an initial or amended application for a
11 certificate of necessity, the department shall post a notice of the
12 application on its website. Within thirty days after the department posts
13 a notice pursuant to this subsection, any interested party may provide
14 information to the director on a form in a department-approved format for
15 consideration. If an interested party fails to respond to the notice
16 within sixty days in a department-approved format, the information may not
17 be considered during the review of the application.

18 D. For the purposes of this section, a city, town, fire district,
19 fire authority or tribal government whose jurisdictional boundaries in
20 whole or in part are within the service area of a certificate of
21 necessity, an existing certificate of necessity holder within the service
22 area of the certificate of necessity or a hospital that is licensed
23 pursuant to chapter 4 of this title and that is located within the service
24 area of a certificate of necessity is considered to be an interested party
25 as a matter of law.

26 E. All interested parties shall be notified of any application for
27 an initial or amended certificate of necessity within fifteen days after
28 the application is filed, within fifteen days after the application is
29 complete and within fifteen days after a decision by the director. The
30 director's decision pursuant to subsection F of this section is final
31 unless appealed pursuant to section 36-2234, subsection A.

32 F. The director shall issue a certificate of necessity if all of
33 the following apply:

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

36 2. The director finds that the applicant is fit and proper to
37 provide the service.

38 3. The applicant has paid the appropriate fees pursuant to section
39 36-2240.

40 4. The applicant has filed a surety bond pursuant to section
41 36-2237.

42 G. A certificate of necessity issued pursuant to subsection F of
43 this section shall be for all or part of the service proposed by the
44 applicant as determined necessary by the director for public convenience
45 and necessity.

- 1 H. This section does not require a certificate of necessity for:
2 1. Vehicles and persons that are exempt from a certificate of
3 registration pursuant to section 36-2217.
4 2. Ambulance services operating under temporary authority pursuant
5 to section 36-2242.
6 3. AMBULANCE SERVICES OWNED OR OPERATED BY A DIRECT OWNER OR
7 INDIRECT OWNER OF A HOSPITAL FOR INTERFACILITY TRANSPORTS. ALL RULES
8 ADOPTED BY THE DEPARTMENT PURSUANT TO THIS CHAPTER RELATING TO
9 INTERFACILITY TRANSPORTATION APPLY TO A DIRECT OWNER OR INDIRECT OWNER OF
10 A HOSPITAL THAT OPERATES AN AMBULANCE SERVICE FOR INTERFACILITY TRANSPORT.
11 I. The director may grant a service area by one or any combination
12 of the following descriptions:
13 1. Metes and bounds.
14 2. A city, town or political subdivision not limited to a specific
15 date. The merger or consolidation of two or more fire districts pursuant
16 to section 48-820 or 48-822 does not expand the service area boundaries of
17 an existing certificate of necessity.
18 3. A city, town or political subdivision as of a specific date that
19 does not include annexation.