

Senate Engrossed House Bill

~~dental board; licensure; renewal~~
(now: medical records; destruction; classification)

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

HOUSE BILL 2137

AN ACT

AMENDING TITLE 13, CHAPTER 37, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3733; RELATING TO MEDICAL RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 37, Arizona Revised Statutes, is
3 amended by adding section 13-3733, to read:

4 13-3733. Failure to maintain adequate records; intentional
5 destruction of records; classification; definition

6 A. A PERSON COMMITS FAILURE TO MAINTAIN ADEQUATE RECORDS IF THE
7 ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM DETERMINES THAT A SUFFICIENT
8 BASIS EXISTS THAT THE PERSON HAS ENGAGED IN FRAUD RELATED TO THE ARIZONA
9 HEALTH CARE COST CONTAINMENT SYSTEM, THE ARIZONA HEALTH CARE COST
10 CONTAINMENT SYSTEM REFERS THE INVESTIGATION TO A CRIMINAL JUSTICE AGENCY
11 AND, WHEN SUBMITTING A CLAIM FOR OR RECEIVING PAYMENT FOR BEHAVIORAL
12 HEALTH SERVICES PURSUANT TO TITLE 36, CHAPTER 29, ARTICLE 1 OR TITLE 36,
13 CHAPTER 34, THE PERSON DOES EITHER OF THE FOLLOWING:

14 1. KNOWINGLY FAILS TO MAINTAIN RECORDS THAT ARE NECESSARY TO
15 DISCLOSE THE NATURE OF THE BEHAVIORAL HEALTH SERVICES FOR WHICH A CLAIM
16 WAS SUBMITTED OR PAYMENT WAS RECEIVED OR RECORDS THAT ARE NECESSARY TO
17 FULLY DISCLOSE ALL INCOME AND EXPENDITURES ON WHICH RATES OF PAYMENT WERE
18 BASED IN ACCORDANCE WITH SECTION 12-2297.

19 2. KNOWINGLY FAILS TO REPORT THE DESTRUCTION OF RECORDS THAT ARE
20 NECESSARY TO DISCLOSE THE NATURE OF THE BEHAVIORAL HEALTH SERVICES FOR
21 WHICH A CLAIM WAS SUBMITTED OR PAYMENT WAS RECEIVED OR RECORDS THAT ARE
22 NECESSARY TO FULLY DISCLOSE ALL INCOME AND EXPENDITURES ON WHICH RATES OF
23 PAYMENT WERE BASED.

24 B. A PERSON WHO VIOLATES SUBSECTION A, PARAGRAPH 1 OF THIS SECTION
25 IS GUILTY OF A CLASS 1 MISDEMEANOR. A PERSON WHO VIOLATES SUBSECTION A,
26 PARAGRAPH 2 OF THIS SECTION IS GUILTY OF A CLASS 2 MISDEMEANOR.

27 C. FOR THE PURPOSES OF THIS SECTION, "BEHAVIORAL HEALTH SERVICES"
28 HAS THE SAME MEANING PRESCRIBED IN SECTION 36-401.