

Senate Engrossed

assisted living; hyperbaric oxygen therapy

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SENATE BILL 1054

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-420.06; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-420.06, to read:

4 36-420.06. Assisted living; residents; mild hyperbaric oxygen
5 therapy; physician orders; informed consent;
6 rules

7 A. NOTWITHSTANDING ANY OTHER LAW, ASSISTED LIVING HOMES AND
8 ASSISTED LIVING CENTERS MAY OFFER MILD HYPERBARIC OXYGEN THERAPY TO THEIR
9 RESIDENTS THROUGH THE USE OF A CLASS II MILD HYPERBARIC OXYGEN CHAMBER
10 THAT HAS BEEN REGISTERED UNDER SECTION 510(k) OF THE FEDERAL FOOD, DRUG,
11 AND COSMETIC ACT (52 STAT. 1040; 21 UNITED STATES CODE SECTION 1 THROUGH
12 905) FOR HOME USE AS PRESCRIBED BY OR UNDER THE DIRECTION OF A PHYSICIAN
13 AND FROM WHICH RESIDENTS ARE ABLE TO INDEPENDENTLY EXTRICATE THEMSELVES.

14 B. AN ASSISTED LIVING HOME OR ASSISTED LIVING CENTER THAT OFFERS
15 MILD HYPERBARIC OXYGEN THERAPY TO ITS RESIDENTS PURSUANT TO THIS SECTION
16 SHALL:

17 1. ENSURE THAT THE USE OF THE MILD HYPERBARIC OXYGEN THERAPY BY
18 RESIDENTS IS PROVIDED ONLY ON THE ORDER OF A PHYSICIAN.

19 2. ENSURE THAT A FACILITY STAFF MEMBER WHO HAS RECEIVED TRAINING
20 APPROVED BY THE MANUFACTURER IS ON-SITE ANY TIME A RESIDENT RECEIVES MILD
21 HYPERBARIC OXYGEN THERAPY.

22 3. PROVIDE A NOTICE TO EACH RESIDENT WHO RECEIVES MILD HYPERBARIC
23 OXYGEN THERAPY THAT THE UNITED STATES FOOD AND DRUG ADMINISTRATION HAS
24 APPROVED THE DEVICE TO TREAT MILD SYMPTOMS CONSISTENT WITH ACUTE MOUNTAIN
25 SICKNESS AND THAT ANY OTHER USE IS CONSIDERED OFF-LABEL. THE NOTICE SHALL
26 PROVIDE KNOWN INFORMATION ABOUT CONTRAINDICATIONS AND RISKS AND RECOMMEND
27 THAT THE RESIDENT CONSULT THE RESIDENT'S TREATING PHYSICIAN ABOUT ANY
28 PERSONAL HEALTH RISKS.

29 C. AN ASSISTED LIVING HOME OR ASSISTED LIVING CENTER MAY NOT OFFER
30 MILD HYPERBARIC OXYGEN THERAPY TO A RESIDENT WHO REQUIRES DIRECTED CARE
31 SERVICES UNLESS THE THERAPY IS PROVIDED ON THE ORDER OF THE RESIDENT'S
32 TREATING PHYSICIAN AND THE RESIDENT OR THE RESIDENT'S AUTHORIZED
33 REPRESENTATIVE PROVIDES INFORMED CONSENT.

34 D. THE DEPARTMENT MAY ADOPT ANY NECESSARY RULES FOR THE PURPOSES OF
35 THIS SECTION.