

House Engrossed Senate Bill

health profession regulatory boards; membership

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

SENATE BILL 1235

AN ACT

AMENDING SECTIONS 32-802, 32-901, 32-1203, 32-1402, 32-1502, 32-1602, 32-1672, 32-1702, 32-1801, 32-1902, 32-2002, 32-2062 AND 32-2502, ARIZONA REVISED STATUTES; AMENDING TITLE 32, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 27; AMENDING SECTIONS 32-2902, 32-3252, 32-3402, 32-3502, 32-3902, 32-4102, 32-4202 AND 36-446.02, ARIZONA REVISED STATUTES; RELATING TO HEALTH PROFESSION REGULATORY BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-802, Arizona Revised Statutes, is amended to
3 read:

4 32-802. State board of podiatry examiners; members;
5 compensation; employees; immunity

6 A. The state board of podiatry examiners is established consisting
7 of five members who are appointed by the governor PURSUANT TO SECTION
8 38-211, EXCEPT THAT:

9 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
10 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
11 MEMBER POSITION BY A MAJORITY VOTE.

12 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
13 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

14 B. Each member shall be appointed for a term of five years, to
15 begin and end on February 1.

16 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
17 member of the board shall submit a full set of fingerprints to the
18 governor for the purpose of obtaining a state and federal criminal records
19 check pursuant to section 41-1750 and Public Law 92-544. The department
20 of public safety may exchange this fingerprint data with the federal
21 bureau of investigation.

22 ~~C.~~ D. Three members of the board shall have practiced podiatry
23 continuously in this state for ~~not less than~~ AT LEAST two years
24 immediately preceding appointment and shall have A valid ~~licenses~~ LICENSE
25 to practice podiatry. Two members of the board shall be ~~lay persons~~
26 LAYPERSONS. All members of the board shall be citizens of the United
27 States.

28 ~~D.~~ E. A vacancy on the board occurring other than by the
29 expiration of a term shall be filled by appointment by the governor for
30 the unexpired term.

31 ~~E.~~ F. All appointments shall be made promptly, and in the case of
32 the vacancy of a professional member or members, appointment shall be made
33 no later than ninety days from the expiration of the term or vacancy.

34 ~~F.~~ G. The term of any member, at the discretion of the board, may
35 end and the office be declared vacant for the member's failure to attend
36 three consecutive meetings of the board.

37 ~~G.~~ H. Members of the board shall receive compensation of ~~fifty~~
38 ~~dollars~~ \$50 for each day of actual service in the business of the board.

39 ~~H.~~ I. Subject to title 41, chapter 4, article 4, the board may
40 employ personnel, including trained investigators, as it deems necessary
41 to carry out the purposes of this chapter.

42 ~~I.~~ J. Members and personnel of the board are personally immune
43 from suit with respect to all acts done and actions taken in good faith
44 and in furtherance of the purposes of this chapter.

1 Sec. 2. Section 32-901, Arizona Revised Statutes, is amended to
2 read:

3 32-901. State board of chiropractic examiners; members;
4 removal; immunity

5 A. The state board of chiropractic examiners is established
6 consisting of ~~three~~ FIVE MEMBERS WHO ARE APPOINTED BY THE GOVERNOR
7 PURSUANT TO SECTION 38-211, EXCEPT THAT:

8 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
9 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
10 MEMBER POSITION BY A MAJORITY VOTE.

11 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
12 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

13 B. THREE MEMBERS OF THE BOARD SHALL BE licensed chiropractors and
14 two MEMBERS OF THE BOARD SHALL BE consumer members ~~who are appointed by~~
15 ~~the governor~~. One member shall be appointed each year for a term of five
16 years, to begin and end on July 1.

17 ~~B.~~ C. Before appointment by the governor ~~OR BOARD~~, a prospective
18 member of the board shall submit a full set of fingerprints to the
19 governor for the purpose of obtaining a state and federal criminal records
20 check pursuant to section 41-1750 and Public Law 92-544. The department
21 of public safety may exchange this fingerprint data with the federal
22 bureau of investigation.

23 ~~C.~~ D. Each member of the board shall be a resident of this state,
24 and each of the licensed chiropractic members shall have practiced
25 chiropractic in this state for three years or more. The two consumer
26 members of the board shall not be in any manner connected with, or have an
27 interest in, any college or school of chiropractic or any person
28 practicing any form of healing or treatment of bodily or mental ailments.
29 A board member shall not receive compensation as an agent or employee of
30 or a contractor for an insurance company. This subsection does not
31 prevent ~~a~~ THE board member who is a licensed chiropractor from receiving
32 compensation from an insurance company for patient care as provided for in
33 a patient's insurance policy.

34 ~~D.~~ E. Before taking office, each board member shall take an oath
35 prescribed by law and shall affirm by oath that the board member meets the
36 qualifications as prescribed in this section.

37 ~~E.~~ F. The governor may remove board members for neglect of duty,
38 malfeasance or misfeasance in office. Vacancies occurring on the board
39 other than by expiration of a term shall be filled for the unexpired
40 portion of the term by appointment in the same manner as regular
41 appointments.

42 ~~F.~~ G. A member of the board may not serve more than two
43 consecutive terms.

1 ~~H.~~ H. A board member who acts within the board member's authority
2 is personally immune from civil liability with respect to all actions
3 taken in good faith pursuant to this chapter.

4 Sec. 3. Section 32-1203, Arizona Revised Statutes, is amended to
5 read:

6 32-1203. State board of dental examiners; members;
7 qualifications; terms

8 A. The state board of dental examiners is established consisting of
9 six licensed dentists, two licensed dental hygienists, two public members
10 and one business entity member WHO ARE appointed by the governor PURSUANT
11 TO SECTION 38-211, EXCEPT THAT:

12 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
13 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
14 MEMBER POSITION BY A MAJORITY VOTE.

15 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
16 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

17 B. EACH MEMBER OF THE BOARD SHALL BE APPOINTED for a term of four
18 years, to begin and end on January 1.

19 ~~C.~~ C. Before appointment by the governor OR BOARD, a prospective
20 member of the board shall submit a full set of fingerprints to the
21 governor for the purpose of obtaining a state and federal criminal records
22 check pursuant to section 41-1750 and Public Law 92-544. The department
23 of public safety may exchange this fingerprint data with the federal
24 bureau of investigation.

25 ~~D.~~ D. The business entity member and the public members may
26 participate in all board proceedings and determinations, except in
27 preparing, giving or grading examinations for licensure. THE dental
28 hygienist board members may participate in all board proceedings and
29 determinations, except in preparing, giving and grading examinations that
30 do not relate to dental hygiene procedures.

31 ~~E.~~ E. A board member shall not serve more than two consecutive
32 terms.

33 ~~F.~~ F. For the purposes of this section, the business entity member
34 must be an employee or owner of a registered business entity pursuant to
35 section 32-1213 and may not include a person who is licensed pursuant to
36 this chapter.

37 Sec. 4. Section 32-1402, Arizona Revised Statutes, is amended to
38 read:

39 32-1402. Arizona medical board; members; appointment;
40 qualifications; term; removal; compensation;
41 immunity; report

42 A. The Arizona medical board is established. The board consists of
43 twelve members, four of whom ~~shall~~ represent the public, and eight of whom
44 ~~shall be~~ ARE actively practicing medicine. One of the four public members
45 shall be a licensed practical nurse or a professional nurse, as defined in

1 chapter 15 of this title, with at least five years' experience. The eight
2 physicians must be from at least three different counties of ~~the~~ THIS
3 state. Not more than five of the board members may be from any one
4 county. Members of the board are appointed by the governor. All
5 appointments shall be made promptly. The governor shall make all
6 appointments pursuant to section 38-211, EXCEPT THAT:

7 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
8 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
9 MEMBER POSITION BY A MAJORITY VOTE.

10 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
11 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

12 B. Each doctor of medicine who is appointed to the board shall have
13 been a resident of this state and actively engaged in the practice of
14 medicine as a licensed physician in this state for at least the five years
15 before appointment.

16 C. The term of office of a member of the board is five years,
17 commencing on July 1 and terminating on July 1 of the fifth year. Each
18 member is eligible for reappointment for not more than one additional
19 term. However, the term of office for a member of the board appointed to
20 fill a vacancy occasioned other than by expiration of a full term is for
21 the unexpired portion of that term. Each member may be appointed only
22 once to fill a vacancy caused other than by expiration of a term. The
23 governor may reappoint that member to not more than two additional full
24 terms. Each member of the board shall continue to hold office until the
25 appointment and qualification of that member's successor, subject to the
26 following exceptions:

27 1. A member of the board, after notice and a hearing before the
28 governor, may be removed on a finding by the governor of continued neglect
29 of duty, incompetence, or unprofessional or dishonorable conduct, in
30 which event that member's term shall end when the governor makes this
31 finding.

32 2. The term of any member automatically ends:

33 (a) On death.

34 (b) On written resignation submitted to the board chairman or to
35 the governor.

36 (c) On absence from ~~the~~ THIS state for a period of more than six
37 months.

38 (d) For failure to attend three consecutive meetings of the board.

39 (e) Five years after retirement from the active practice of
40 medicine.

41 D. The board shall annually elect, from among its membership, a
42 ~~chairman~~ CHAIRPERSON, a ~~vice-chairman~~ VICE CHAIRPERSON and a secretary,
43 who shall hold their respective offices at the pleasure of the board.

1 E. Board members are eligible to receive compensation in the amount
2 of up to ~~two hundred fifty dollars~~ \$250 per day for each day of actual
3 service in the business of the board, including time spent in preparation
4 for and attendance at board meetings, and all expenses necessarily and
5 properly incurred in attending meetings of the board.

6 F. Members of the board are personally immune from suit with
7 respect to all acts done and actions taken in good faith and in
8 furtherance of the purposes of this chapter.

9 G. The ARIZONA MEDICAL board shall submit a written report to the
10 governor, the Arizona regulatory board of physician assistants and the
11 members of the health and human services committee of the senate and the
12 health committee of the house of representatives, or their successor
13 committees, ~~no~~ NOT later than August 31 of each year on the ARIZONA
14 MEDICAL board's licensing and disciplinary activities for the previous
15 fiscal year. The report must include both of the following:

16 1. Information regarding staff turnover that indicates whether the
17 person was temporary, part-time or full-time and in which department or
18 division the person worked.

19 2. The number of investigators who have been hired and how many of
20 them have completed the investigator training program required by section
21 32-1405.

22 H. Public members appointed to the board may submit a separate
23 written report to the governor ~~by~~ ON OR BEFORE August 31 of each year
24 setting forth their comments relative to the board's licensing and
25 disciplinary activities for the previous fiscal year.

26 Sec. 5. Section 32-1502, Arizona Revised Statutes, is amended to
27 read:

28 32-1502. Naturopathic physicians medical board; members;
29 appointment; qualifications; terms; immunity

30 A. The naturopathic physicians medical board is established
31 consisting of the following members:

32 1. Four physician members WHO ARE appointed by the governor. Each
33 physician member shall be:

34 (a) A resident of this state for at least five years immediately
35 preceding the appointment.

36 (b) A doctor of naturopathic medicine with a degree from a
37 naturopathic school or college approved by the board who has engaged in
38 full-time practice of naturopathic medicine for at least five years
39 immediately preceding the appointment.

40 2. Three public members WHO ARE appointed by the governor. Each
41 public member shall:

42 (a) Be a resident of this state for at least five years immediately
43 preceding the appointment.

1 (b) Not be connected, in any manner, with or have any interest in a
2 school of medicine, a health care institution or any person practicing any
3 form of healing or treatment of bodily or mental ailments.

4 (c) Demonstrate an interest in the health problems in this state.

5 B. ALL MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
6 PURSUANT TO SECTION 38-211, EXCEPT THAT:

7 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
8 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
9 MEMBER POSITION BY A MAJORITY VOTE.

10 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
11 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

12 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
13 member of the board shall submit a full set of fingerprints to the
14 governor for the purpose of obtaining a state and federal criminal records
15 check pursuant to section 41-1750 and Public Law 92-544. The department
16 of public safety may exchange this fingerprint data with the federal
17 bureau of investigation.

18 ~~C.~~ D. The terms of office of the physician members and the public
19 members are five years to begin and end on June 30. Each physician member
20 and each public member continue to hold office until the appointment and
21 qualification of their successors, subject to the following exceptions:

22 1. A member of the board may be removed from office if the governor
23 finds the member was guilty of malfeasance, misfeasance or dishonorable
24 conduct.

25 2. The term of any member automatically ends on resignation,
26 permanent removal from this state or removal from this state for a period
27 of more than six months.

28 ~~D.~~ E. There shall be no monetary liability on the part of and no
29 cause of action shall arise against the members of the board, the
30 secretary-treasurer or permanent or temporary personnel of the board for
31 any act done or proceeding undertaken or performed in good faith and in
32 furtherance of the purposes of this chapter.

33 Sec. 6. Section 32-1602, Arizona Revised Statutes, is amended to
34 read:

35 32-1602. Arizona state board of nursing; members; terms;
36 immunity

37 A. The Arizona state board of nursing is established consisting of
38 eleven members who are appointed by the governor PURSUANT TO SECTION
39 38-211, EXCEPT THAT:

40 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
41 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
42 MEMBER POSITION BY A MAJORITY VOTE.

43 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
44 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

1 B. Six members shall be registered nurses, including at least one
2 registered nurse practitioner, clinical nurse specialist or certified
3 registered nurse anesthetist. One member shall be a nursing assistant or
4 a nursing assistant educator. Two members shall represent the public and
5 two members shall be licensed practical nurses. Members shall be
6 appointed for a term of five years, to begin and end on June 30.

7 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
8 member of the board shall submit a full set of fingerprints to the
9 governor for the purpose of obtaining a state and federal criminal records
10 check pursuant to section 41-1750 and Public Law 92-544. The department
11 of public safety may exchange this fingerprint data with the federal
12 bureau of investigation.

13 ~~C.~~ D. On or before May 1 each year and at any other time a vacancy
14 on the board occurs, the governor shall make an appointment or
15 appointments to the board. AN appointment to fill a vacancy other than by
16 expiration shall be for the unexpired term. A person shall not serve more
17 than two consecutive terms as a member of the board.

18 ~~D.~~ E. The governor may remove any person from the board for
19 neglect of any duty imposed by law or for incompetency or unprofessional
20 or dishonorable conduct.

21 ~~E.~~ F. A board member's term automatically ends:

22 1. On the death of the member.

23 2. On the member's written resignation submitted to the board
24 president or to the governor.

25 3. On the member's failure to attend three consecutive board
26 meetings.

27 ~~F.~~ G. A board member who acts within the scope of board duties,
28 without malice and in the reasonable belief that the member's action is
29 warranted by law is not subject to civil liability.

30 Sec. 7. Section 32-1672, Arizona Revised Statutes, is amended to
31 read:

32 32-1672. State board of dispensing opticians; members;
33 qualifications; terms; removal; immunity

34 A. The state board of dispensing opticians is established
35 consisting of seven members WHO ARE appointed by the governor PURSUANT TO
36 SECTION 38-211, EXCEPT THAT:

37 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
38 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
39 MEMBER POSITION BY A MAJORITY VOTE.

40 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
41 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

42 B. Five members of the board shall be licensees in good standing
43 under this chapter. Two members of the board shall be public members.

44 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
45 member of the board shall submit a full set of fingerprints to the

1 governor for the purpose of obtaining a state and federal criminal records
2 check pursuant to section 41-1750 and Public Law 92-544. The department
3 of public safety may exchange this fingerprint data with the federal
4 bureau of investigation.

5 ~~D.~~ D. Each member shall serve for a term of five years expiring on
6 the first day in January of the appropriate year. A member shall not
7 serve for more than two complete consecutive terms.

8 ~~E.~~ E. The board shall elect from among its membership a ~~chairman~~
9 CHAIRPERSON and such other officers as it deems necessary, who shall hold
10 their offices at the pleasure of the board.

11 ~~F.~~ F. Members of the board are eligible to receive compensation in
12 the amount of ~~fifty dollars~~ \$50 for each day of actual service in the
13 business of the board.

14 ~~G.~~ G. The governor may remove a board member from office if the
15 governor determines that the member is guilty of malfeasance, misfeasance
16 or dishonorable conduct.

17 ~~H.~~ H. The board, the secretary-treasurer of the board and
18 permanent and temporary board personnel are immune from civil liability
19 for any act the board, its officers and board personnel perform in good
20 faith and in furtherance of this chapter.

21 Sec. 8. Section 32-1702, Arizona Revised Statutes, is amended to
22 read:

23 32-1702. State board of optometry; members; appointment;
24 qualifications; terms; removal; meetings

25 A. The state board of optometry is established consisting of the
26 following members who are appointed by the governor to staggered four-year
27 terms that end on July 1:

28 1. Five members who have been licensed and engaged in the active
29 practice of optometry in this state for at least three years immediately
30 before the appointment.

31 2. Two public members who do not have a direct or indirect interest
32 in the practice of optometry, opticianry or medicine.

33 B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
34 PURSUANT TO SECTION 38-211, EXCEPT THAT:

35 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
36 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
37 MEMBER POSITION BY A MAJORITY VOTE.

38 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
39 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

40 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
41 member of the board shall submit a full set of fingerprints to the
42 governor for the purpose of obtaining a state and federal criminal records
43 check pursuant to section 41-1750 and Public Law 92-544. The department
44 of public safety may exchange this fingerprint data with the federal
45 bureau of investigation.

1 ~~C.~~ D. The governor may remove any professional member for
2 incompetency or unprofessional conduct or if the member's license has been
3 revoked or suspended or if the member has been censured or placed on
4 probation. The governor may remove any member for neglect of duty or
5 improper conduct. The unexcused absence of a member for more than two
6 consecutive meetings is justification for removal. Appointment by the
7 governor to fill a vacancy caused other than by expiration of a term is
8 for the unexpired portion of the term.

9 ~~D.~~ E. A member of the board is ineligible to serve more than two
10 consecutive full terms. The completion of the unexpired portion of a full
11 term does not constitute a full term for purposes of this subsection.

12 ~~E.~~ F. The board shall conduct regular meetings at least six times
13 each year at times and places designated by the board or the governor.
14 Special meetings may be called that the president determines are necessary
15 to carry out the functions of the board, including meetings using
16 communications equipment that allows all members participating in the
17 meetings to hear each other.

18 ~~F.~~ G. A majority of the members of the board constitutes a quorum
19 and a majority vote of a quorum present at any meeting governs all actions
20 taken by the board.

21 Sec. 9. Section 32-1801, Arizona Revised Statutes, is amended to
22 read:

23 32-1801. Arizona board of osteopathic examiners in medicine
24 and surgery; members; qualifications; oath;
25 removal

26 A. The Arizona board of osteopathic examiners in medicine and
27 surgery is established consisting of seven members WHO ARE appointed by
28 the governor PURSUANT TO SECTION 38-211, EXCEPT THAT:

29 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
30 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
31 MEMBER POSITION BY A MAJORITY VOTE.

32 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
33 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

34 B. One member of the board shall be appointed each year for a term
35 of five years, to begin and end on April 15.

36 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
37 member of the board shall submit a full set of fingerprints to the
38 governor for the purpose of obtaining a state and federal criminal records
39 check pursuant to section 41-1750 and Public Law 92-544. The department
40 of public safety may exchange this fingerprint data with the federal
41 bureau of investigation.

42 ~~C.~~ D. Two members of the board shall be public members who ~~shall~~
43 ARE not ~~be~~ in any manner connected with, or DO NOT have an interest in,
44 any school of medicine or any person practicing any form of healing or
45 treatment of bodily or mental ailments and who ~~has~~ HAVE demonstrated an

1 interest in the health problems of ~~the~~ THIS state. The other five members
2 of the board shall have engaged in the practice of medicine as an
3 osteopathic physician in this state for at least five years preceding
4 their appointments, hold active licenses in good standing and, at the time
5 of appointment, be practicing medicine with direct patient contact. In
6 making appointments of each professional member of the board, the governor
7 shall consider a list of qualified persons submitted by the Arizona
8 osteopathic medical association and recommendations by any other
9 person. Members of the board shall continue in office until their
10 successors are appointed and qualified. Each board member, before
11 entering on ~~his~~ THE MEMBER'S duties, shall take an oath prescribed by law
12 and in addition thereto shall make an oath as to ~~his~~ THE MEMBER'S
13 qualifications as prescribed in this section. ~~No~~ A board member may NOT
14 serve more than two consecutive ~~five-year~~ FIVE-YEAR terms.

15 ~~D.~~ E. The governor may remove A board ~~members if they fail~~ MEMBER
16 WHO FAILS to attend three or more board meetings within twelve
17 months. This does not include telephonic meetings of the board. The
18 governor may also remove A board ~~members~~ MEMBER for malfeasance,
19 misfeasance or incompetence in ~~their~~ office, unprofessional or
20 dishonorable conduct in ~~their~~ office or unprofessional or dishonorable
21 conduct. The governor shall appoint a qualified replacement to fill a
22 vacant position for the unexpired portion of the term.

23 Sec. 10. Section 32-1902, Arizona Revised Statutes, is amended to
24 read:

25 32-1902. Arizona state board of pharmacy; members;
26 qualifications; terms; oath; immunity

27 A. The Arizona state board of pharmacy is established consisting of
28 the following members who are appointed by the governor:

29 1. Six pharmacists, at least one of whom is a pharmacist employed
30 by a licensed hospital and at least one of whom is employed by a community
31 pharmacy and engaged in the day-to-day practice of pharmacy.

32 2. One pharmacy technician.

33 3. Two public members.

34 B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
35 PURSUANT TO SECTION 38-211, EXCEPT THAT:

36 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
37 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
38 MEMBER POSITION BY A MAJORITY VOTE.

39 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
40 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

41 ~~B.~~ C. To be qualified for appointment:

42 1. A pharmacist must be licensed as a pharmacist in this state or
43 any other jurisdiction for a period of at least ten years and licensed as
44 a pharmacist and a resident in this state for a period of at least five
45 years immediately before the date of appointment.

1 2. Each public member must be a resident of this state for a period
2 of at least five years immediately before the date of appointment.

3 3. A pharmacy technician must be a practicing pharmacy technician
4 in this state or any other jurisdiction for at least five years and be
5 licensed as a pharmacy technician and a resident of this state for at
6 least five years immediately before the date of appointment. A pharmacy
7 technician appointed before July 1, 2009 does not have to meet the minimum
8 five year licensure requirement of this paragraph.

9 ~~E.~~ D. Each pharmacist and pharmacy technician member shall serve
10 for a term of five years. Public members may serve for a term of five
11 years unless removed by the governor. The public members shall after the
12 first of every year present a written report to the governor. Vacancies
13 occurring on the board other than by expiration of term of office shall be
14 filled for the unexpired portion of the term only.

15 ~~D.~~ E. On or before January 15 of each year in which a pharmacist
16 or a pharmacy technician is to be appointed, the executive director of the
17 pharmacy association of Arizona may submit to the governor a list of the
18 names of at least seven of its members who have been nominated by the
19 association, and who meet the requirements as provided in this section
20 for the next occurring vacancy on the board. The governor may make
21 appointments of licensed pharmacists and pharmacy technicians to the board
22 from the nominees on the list or from others having the necessary
23 qualifications.

24 ~~E.~~ F. Appointees to the board within thirty days after their
25 appointment shall take and subscribe to an oath or affirmation, before a
26 properly qualified officer, that they will faithfully and impartially
27 perform the duties of their office. The executive director shall file the
28 oath or affirmation with the secretary of state.

29 ~~F.~~ G. Members of the board are personally exempt from suit with
30 respect to all acts done and actions taken in good faith and in
31 furtherance of this chapter.

32 Sec. 11. Section 32-2002, Arizona Revised Statutes, is amended to
33 read:

34 32-2002. Board of physical therapy; members; appointment;
35 qualifications; terms; removal; reimbursement;
36 immunity

37 A. The board of physical therapy is established consisting of
38 members WHO ARE appointed by the governor pursuant to section 38-211,
39 EXCEPT THAT:

40 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
41 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
42 MEMBER POSITION BY A MAJORITY VOTE.

43 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
44 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

1 B. Four members shall be physical therapists who are residents of
2 this state, possess an unrestricted license to practice physical therapy
3 in this state and have been practicing in this state for at least five
4 years before their appointment. One member shall be a physical therapist
5 assistant who is a resident of this state, possesses an unrestricted
6 license issued pursuant to this chapter and has been performing selected
7 interventions in this state for at least five years before the person's
8 appointment. The governor shall also appoint two public members who are
9 residents of this state and who are not affiliated with, and do not have a
10 financial interest in, any health care profession but who have an interest
11 in consumer rights.

12 ~~B.~~ C. Board members serve staggered four-year terms. Board
13 members shall not serve for more than two successive four-year terms or
14 for more than ten consecutive years. By approval of a majority of the
15 board, a member's service may extend at the completion of a four-year term
16 until a new member is appointed or the current member is reappointed.

17 ~~C.~~ D. If requested by the board, the governor may remove a board
18 member for misconduct, incompetence or neglect of duty.

19 ~~D.~~ E. Board members are eligible for reimbursement of expenses
20 pursuant to title 38, chapter 4, article 2 to cover necessary expenses for
21 attending each board meeting or for representing the board in an official
22 ~~board-approved~~ BOARD-APPROVED activity.

23 ~~E.~~ F. A board member who acts within the scope of board duties,
24 without malice and in the reasonable belief that the person's action is
25 warranted by law is immune from civil liability.

26 Sec. 12. Section 32-2062, Arizona Revised Statutes, is amended to
27 read:

28 32-2062. State board of psychologist examiners; members;
29 qualifications; appointments; terms; compensation;
30 immunity

31 A. The state board of psychologist examiners is established
32 consisting of ten members WHO ARE appointed by the governor pursuant to
33 section 38-211, EXCEPT THAT:

34 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
35 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
36 MEMBER POSITION BY A MAJORITY VOTE.

37 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
38 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

39 B. Each member of the board shall be a citizen of the United States
40 and a resident of this state at the time of appointment. Seven members
41 shall be licensed pursuant to this chapter. ~~, and~~ Three MEMBERS shall be
42 public members who are not eligible for licensure. The board shall have
43 at all times, except for the period when a vacancy exists, at least two
44 members who are licensed as psychologists and who are full-time faculty
45 members from universities in this state with a doctoral program in

1 psychology that meets the requirements of section 32-2071, at least three
2 members who are psychologists in professional practice and at least two
3 members who are behavior analysts in professional practice and who are
4 members of the committee on behavior analysts. The public members shall
5 not have a substantial financial interest in the health care industry and
6 shall not have a household member who is eligible for licensure under this
7 chapter.

8 C. Each member shall serve for a term of five years beginning and
9 ending on the third Monday in January.

10 D. A vacancy on the board occurring other than by the expiration of
11 term shall be filled by appointment by the governor for the unexpired term
12 as provided in subsection C of this section. The governor, after a
13 hearing, may remove any member of the board for misconduct, incompetency
14 or neglect of duty.

15 E. Board members shall receive compensation in the amount of ~~one~~
16 ~~hundred dollars~~ \$100 for each cumulative eight hours of actual service in
17 the business of the board and reimbursement of all expenses pursuant to
18 title 38, chapter 4, article 2.

19 F. Members of the board and its employees, consultants and test
20 examiners are personally immune from suit with respect to all acts done
21 and actions taken in good faith and in furtherance of the purposes of this
22 chapter.

23 Sec. 13. Section 32-2502, Arizona Revised Statutes, is amended to
24 read:

25 32-2502. Arizona regulatory board of physician assistants;
26 members; appointment; terms; immunity

27 A. The Arizona regulatory board of physician assistants is
28 established consisting of the following members:

29 1. Five physician assistants who hold a current regular license
30 pursuant to this chapter. The governor may appoint these members from a
31 list of qualified candidates submitted by the Arizona state association of
32 physician assistants. The governor may seek additional input and
33 nominations before the governor makes the physician assistant
34 appointments.

35 2. Two public members who are appointed by the governor.

36 3. Two physicians who are actively engaged in the practice of
37 medicine and who are licensed pursuant to chapter 17 of this title, one of
38 whom supervises or collaborates with a physician assistant at the time of
39 appointment, and who are appointed by the governor.

40 4. Two physicians who are actively engaged in the practice of
41 medicine and who are licensed pursuant to chapter 13 of this title, one of
42 whom supervises or collaborates with a physician assistant at the time of
43 appointment, and who are appointed by the governor.

44 B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
45 PURSUANT TO SECTION 38-211, EXCEPT THAT:

1 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
2 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
3 MEMBER POSITION BY A MAJORITY VOTE.

4 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
5 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

6 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
7 member of the board shall submit a full set of fingerprints to the
8 governor for the purpose of obtaining a state and federal criminal records
9 check pursuant to section 41-1750 and Public Law 92-544. The department
10 of public safety may exchange this fingerprint data with the federal
11 bureau of investigation.

12 ~~C.~~ D. The term of office of members of the board is four years, to
13 begin and end on July 1.

14 ~~D.~~ E. Each board member is eligible for appointment to not more
15 than two full terms, except that the term of office for a member WHO IS
16 appointed to fill a vacancy that is not caused by the expiration of a full
17 term is for the unexpired portion of that term and the governor may
18 reappoint that member to not more than two additional full terms. Each
19 board member may continue to hold office until the appointment and
20 qualification of that member's successor. The governor may remove a
21 member after notice and a hearing on a finding of continued neglect of
22 duty, incompetence or unprofessional or dishonorable conduct. That
23 member's term ends when the finding is made.

24 ~~E.~~ F. A board member's term automatically ends:

25 1. On written resignation submitted to the board chairperson or to
26 the governor.

27 2. If the member is absent from this state for more than six months
28 during a one-year period.

29 3. If the member fails to attend three consecutive regular board
30 meetings.

31 4. Five years after retirement from active practice.

32 ~~F.~~ G. Board members are immune from civil liability for all good
33 faith actions they take pursuant to this chapter.

34 Sec. 14. Title 32, Arizona Revised Statutes, is amended by adding
35 chapter 27, to read:

36 CHAPTER 27

37 HEALTH PROFESSION REGULATORY BOARD OVERSIGHT COUNCIL

38 ARTICLE 1. OVERSIGHT COUNCIL

39 32-2701. Definitions

40 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

41 1. "HEALTH PROFESSIONAL" MEANS A PERSON WHO IS CERTIFIED OR
42 LICENSED PURSUANT TO CHAPTER 7, 8, 11, 13, 14, 15, 15.1, 16, 17, 18, 19,
43 19.1, 25, 29, 33, 34, 35, 39, 41 OR 42 OF THIS TITLE OR TITLE 36, CHAPTER
44 4, ARTICLE 6.

2. "HEALTH PROFESSION REGULATORY BOARD" MEANS ANY BOARD THAT
REGULATES ONE OR MORE HEALTH PROFESSIONALS IN THIS STATE.

3. "MARKET-SENSITIVE ACTION" MEANS ACTIONS OR DECISIONS BY A HEALTH PROFESSION REGULATORY BOARD THAT CREATE BARRIERS TO MARKET PARTICIPATION AND RESTRICT COMPETITION, INCLUDING:

(a) MODIFYING EXAMINATION PASSAGE SCORES.

(b) ADOPTING OR MODIFYING ADVERTISING RESTRICTIONS.

(c) CHANGING FEES OR CIVIL PENALTIES.

(d) EXPANDING OR RESTRICTING THE SCOPE OF PRACTICE OF A LICENSEE OR CERTIFICATE HOLDER.

(e) DEMONSTRATING A PATTERN OF DISCIPLINARY OR DISCRIMINATORY ACTIONS THAT CREATE BARRIERS TO MARKET PARTICIPATION.

32-2702. Health profession regulatory board oversight
council; appointment; terms

A. THE HEALTH PROFESSION REGULATORY BOARD OVERSIGHT COUNCIL IS ESTABLISHED CONSISTING OF THREE MEMBERS, EACH OF WHOM IS A CURRENT EXECUTIVE DIRECTOR OF A HEALTH PROFESSION REGULATORY BOARD. THE GOVERNOR SHALL APPOINT EACH MEMBER OF THE OVERSIGHT COUNCIL BY LOT AND IN THE PRESENCE OF ALL CURRENT EXECUTIVE DIRECTORS OF THE HEALTH PROFESSION REGULATORY BOARDS. THE INITIAL OVERSIGHT COUNCIL MEMBERS SHALL BE APPOINTED ON OR BEFORE JANUARY 1, 2026 FOR STAGGERED THREE-YEAR TERMS. AN EXECUTIVE DIRECTOR MAY NOT SERVE ON THE OVERSIGHT COUNCIL FOR AT LEAST TWO FULL TERMS BEFORE REAPPOINTMENT. AN EXECUTIVE DIRECTOR MAY NOT REFUSE APPOINTMENT TO THE COUNCIL.

B. AN EXECUTIVE DIRECTOR OF A HEALTH PROFESSION REGULATORY BOARD WHO IS SERVING ON THE OVERSIGHT COUNCIL MAY NOT REVIEW OR OVERSEE ANY MATTER RELATING TO THAT EXECUTIVE DIRECTOR'S HEALTH PROFESSION REGULATORY BOARD.

C. OVERSIGHT COUNCIL MEMBERS MAY USE THEIR OWN BOARD STAFF AND FACILITIES TO FACILITATE THE BUSINESS OF THE OVERSIGHT COUNCIL.

32-2703. Oversight council duties

A. THE OVERSIGHT COUNCIL SHALL REVIEW AND APPROVE OR DENY MARKET-SENSITIVE ACTION TAKEN OR DECISIONS MADE BY A HEALTH PROFESSION REGULATORY BOARD ON AND AFTER JANUARY 1, 2026. THE OVERSIGHT COUNCIL SHALL MEET AT LEAST ONCE EACH MONTH UNLESS THERE IS NO BUSINESS FOR THE OVERSIGHT COUNCIL TO CONSIDER.

B. A HEALTH PROFESSION REGULATORY BOARD SHALL FORWARD ANY MARKET-SENSITIVE ACTION TAKEN OR DECISION MADE TO THE OVERSIGHT COUNCIL FOR REVIEW. THE OVERSIGHT COUNCIL MAY RECEIVE INFORMATION RELATING TO MARKET-SENSITIVE ACTIONS TAKEN OR DECISIONS MADE BY A HEALTH PROFESSION REGULATORY BOARD FROM ANY LICENSEE, CERTIFICATE HOLDER OR OTHER AFFECTED PERSON. THE OVERSIGHT COUNCIL SHALL NOTIFY THE HEALTH PROFESSION REGULATORY BOARD WITHIN TEN BUSINESS DAYS AFTER RECEIVING A REQUEST TO REVIEW AN ALLEGED MARKET-SENSITIVE ACTION. THE OVERSIGHT COUNCIL SHALL EITHER AGREE WITH THE ACTION TAKEN OR DECISION MADE OR REFER THE ISSUE

1 BACK TO THE HEALTH PROFESSION REGULATORY BOARD FOR RECONSIDERATION WITHIN
2 NINETY DAYS AFTER RECEIVING THE MARKET-SENSITIVE ACTION FOR REVIEW. THE
3 OVERSIGHT COUNCIL'S DECISION SHALL INCLUDE A SUMMARY OF THE DECISION AND
4 THE JUSTIFICATION FOR THE DECISION.

5 Sec. 15. Section 32-2902, Arizona Revised Statutes, is amended to
6 read:

7 32-2902. Board of homeopathic and integrated medicine
8 examiners; members; terms; removal; immunity

9 A. The board of homeopathic and integrated medicine examiners is
10 established consisting of the following members WHO ARE appointed by the
11 governor:

12 1. Two public members.

13 ~~2. Until January 1, 2017, four members who are licensed pursuant to~~
14 ~~section 32-2912, subsection A.~~

15 ~~3. 2. Beginning January 1, 2017,~~ Five members who are licensed
16 pursuant to this chapter, one of whom is licensed pursuant to section
17 32-2912, subsection B.

18 B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
19 PURSUANT TO SECTION 38-211, EXCEPT THAT:

20 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
21 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
22 MEMBER POSITION BY A MAJORITY VOTE.

23 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
24 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

25 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
26 member of the board shall submit a full set of fingerprints to the
27 governor for the purpose of obtaining a state and federal criminal records
28 check pursuant to section 41-1750 and Public Law 92-544. The department
29 of public safety may exchange this fingerprint data with the federal
30 bureau of investigation.

31 ~~C.~~ D. Board members serve staggered three-year terms ending on
32 June 30. Board members shall not serve more than three consecutive terms.
33 A board member may continue to serve until that member's replacement takes
34 office.

35 ~~D.~~ E. Board members shall be residents of this state for at least
36 three consecutive years immediately before their appointment.

37 ~~E.~~ F. The governor may remove a board member from office because
38 of that member's neglect of duty, malfeasance, misfeasance, incompetence
39 or unprofessional or dishonorable conduct.

40 ~~F.~~ G. A board member's term of office automatically ends if that
41 member is absent from this state for more than six months or if that
42 member fails to attend three consecutive regularly scheduled board
43 meetings.

44 ~~G.~~ H. Board members and board employees are immune from civil
45 liability for any good faith action they take to implement this chapter.

1 Sec. 16. Section 32-3252, Arizona Revised Statutes, is amended to
2 read:

3 32-3252. Board of behavioral health examiners; members;
4 appointment; qualifications; terms; compensation;
5 immunity; training program

6 A. The board of behavioral health examiners is established
7 consisting of the following members **WHO ARE** appointed by the governor:

8 1. The following professional members:

9 (a) Two members who are licensed in social work pursuant to this
10 chapter, at least one of whom is a licensed clinical social worker.

11 (b) Two members who are licensed in counseling pursuant to this
12 chapter, at least one of whom is a licensed professional counselor.

13 (c) Two members who are licensed in marriage and family therapy
14 pursuant to this chapter, at least one of whom is a licensed marriage and
15 family therapist.

16 (d) Two members who are licensed in addiction counseling pursuant
17 to this chapter, at least one of whom is a licensed independent addiction
18 counselor.

19 2. Four public members.

20 **B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR**
21 **PURSUANT TO SECTION 38-211, EXCEPT THAT:**

22 **1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE**
23 **YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC**
24 **MEMBER POSITION BY A MAJORITY VOTE.**

25 **2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE**
26 **YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.**

27 ~~B.~~ **C.** Before appointment by the governor **OR BOARD**, a prospective
28 member of the board shall submit a full set of fingerprints to the
29 governor for the purpose of obtaining a state and federal criminal records
30 check pursuant to section 41-1750 and Public Law 92-544. The department
31 of public safety may exchange this fingerprint data with the federal
32 bureau of investigation.

33 ~~C.~~ **D.** Each professional board member shall:

34 1. Be a resident of this state for at least one year before
35 appointment.

36 2. Be an active licensee in good standing.

37 3. Have at least five years of experience in an area of behavioral
38 health licensed pursuant to this chapter.

39 ~~D.~~ **E.** Each public board member shall:

40 1. Be a resident of this state for at least one year before
41 appointment.

42 2. Be at least twenty-one years of age.

43 3. Not be licensed or eligible for licensure pursuant to this
44 chapter unless the public member has been retired from active practice for
45 at least five years.

1 4. Not currently have a substantial financial interest in an entity
2 that directly provides behavioral health services.

3 5. Not have a household member who is licensed or eligible for
4 licensure pursuant to this chapter unless the household member has been
5 retired from active practice for at least five years.

6 ~~F.~~ F. The term of office of board members is three years, to begin
7 and end on the third Monday in January. A member shall not serve more
8 than two full consecutive terms.

9 ~~F.~~ G. The board shall annually elect a ~~chairman~~ CHAIRPERSON and
10 secretary-treasurer from its membership.

11 ~~G.~~ H. Board members are eligible to receive compensation of not
12 more than \$85 for each day actually and necessarily spent in the
13 performance of their duties.

14 ~~H.~~ I. Board members and personnel are personally immune from suit
15 with respect to all acts done and actions taken in good faith and in
16 furtherance of the purposes of this chapter.

17 ~~I.~~ J. Each board member must complete a twelve-hour training
18 program that emphasizes responsibilities for administrative management,
19 licensure, judicial processes and temperament within one year after
20 appointment to the board.

21 Sec. 17. Section 32-3402, Arizona Revised Statutes, is amended to
22 read:

23 32-3402. Board of occupational therapy examiners; members;
24 qualifications; terms; compensation; immunity

25 A. The board of occupational therapy examiners is established and
26 consists of five members WHO ARE appointed by the governor PURSUANT TO
27 SECTION 38-211, EXCEPT THAT:

28 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
29 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
30 MEMBER POSITION BY A MAJORITY VOTE.

31 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
32 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

33 B. Each board member shall be a resident of ~~the~~ THIS state at the
34 time of appointment. The governor shall appoint two persons who are not
35 engaged, directly or indirectly, in the provision of health care services
36 to serve as public members. The other three members shall have at least
37 three years of experience in occupational therapy or teaching in an
38 accredited occupational therapy education program in this state
39 immediately before appointment and ~~shall be~~ WHO IS licensed under this
40 chapter.

41 C. The governor may select board members from a list of licensees
42 submitted by the Arizona occupational therapy association, ~~inc.~~ or any
43 other appropriate organization.

44 ~~B.~~ D. Before appointment by the governor OR BOARD, a prospective
45 member of the board shall submit a full set of fingerprints to the

1 governor for the purpose of obtaining a state and federal criminal records
2 check pursuant to section 41-1750 and Public Law 92-544. The department
3 of public safety may exchange this fingerprint data with the federal
4 bureau of investigation.

5 ~~E.~~ E. The term of office of board members is three years to begin
6 and end on the third Monday in January. A member shall not serve more
7 than two consecutive terms.

8 ~~F.~~ F. The board, at its first regular meeting after the start of
9 each calendar year and as necessary, shall elect a chairperson and other
10 officers from among its members. The board shall meet at least once each
11 quarter in compliance with the open meeting requirements of title 38,
12 chapter 3, article 3.1 and shall keep an official record of these
13 meetings. Other meetings may be convened at the call of the chairperson
14 or the written request of any two board members. A majority of the
15 members of the board shall constitute a quorum.

16 ~~G.~~ G. Each member of the board is eligible to receive compensation
17 in the amount of ~~one hundred dollars~~ \$100 for each regular or special
18 board meeting the member attends and is eligible for reimbursement for all
19 expenses necessarily and properly incurred in attending board meetings.

20 ~~H.~~ H. A board member is immune from civil liability for any
21 actions that are within the scope of the board member's duties if they are
22 taken without malice and in the reasonable belief that they are warranted
23 by law.

24 Sec. 18. Section 32-3502, Arizona Revised Statutes, is amended to
25 read:

26 32-3502. Board of respiratory care examiners; members;
27 appointment; qualifications; removal

28 A. The board of respiratory care examiners is established
29 consisting of seven members WHO ARE appointed by the governor PURSUANT TO
30 SECTION 38-211, EXCEPT THAT:

31 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
32 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
33 MEMBER POSITION BY A MAJORITY VOTE.

34 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
35 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

36 B. Each board member shall be a resident of this state at the time
37 of appointment. The governor shall appoint:

38 1. Three licensed respiratory care practitioners, at least one of
39 whom is a technical director of a respiratory care department or
40 respiratory care corporation or an officer or faculty member of a college,
41 school or institution engaged in respiratory therapy education and at
42 least one of whom is involved in direct patient care.

43 2. A physician who is licensed pursuant to chapter 13 or 17 of this
44 title and who is knowledgeable in respiratory care.

1 3. Two public members who are not engaged, directly or indirectly,
2 in the provision of health care services.

3 4. One hospital administrator.

4 ~~B.~~ C. Before appointment by the governor OR BOARD, a prospective
5 member of the board shall submit a full set of fingerprints to the
6 governor for the purpose of obtaining a state and federal criminal records
7 check pursuant to section 41-1750 and Public Law 92-544. The department
8 of public safety may exchange this fingerprint data with the federal
9 bureau of investigation.

10 ~~C.~~ D. The respiratory care practitioner members shall:

11 1. Have at least five years of experience in respiratory care or
12 respiratory therapy education.

13 2. Have been employed actively in direct patient care, respiratory
14 therapy education or management or supervision of respiratory care for at
15 least three years immediately preceding appointment.

16 3. Be licensed pursuant to this chapter.

17 ~~D.~~ E. The governor may appoint the licensed respiratory care
18 practitioners from a list of seven qualified persons submitted to the
19 governor by the Arizona society for respiratory care.

20 ~~E.~~ F. The governor may appoint the physician member from a list of
21 three qualified persons submitted to the governor by the Arizona medical
22 association and the Arizona osteopathic medical association.

23 ~~F.~~ G. The governor may appoint the hospital administrator member
24 from a list of three qualified persons submitted to the governor by the
25 Arizona hospital association.

26 ~~G.~~ H. The term of office of each member is three years, to begin
27 and end on June 30. A member shall not serve for more than two
28 consecutive terms.

29 ~~H.~~ I. The governor may remove board members for neglect of duty,
30 malfeasance or misfeasance.

31 Sec. 19. Section 32-3902, Arizona Revised Statutes, is amended to
32 read:

33 32-3902. Acupuncture board of examiners; members;
34 qualifications; terms; removal; compensation;
35 immunity

36 A. The acupuncture board of examiners is established consisting of
37 the following members who are appointed by the governor:

38 ~~1. Through January 16, 2022, four members who are licensed to~~
39 ~~practice acupuncture pursuant to this chapter and who have practiced~~
40 ~~acupuncture in this state or any other state for at least one year. Not~~
41 ~~more than two of these members may be graduates of the same school or~~
42 ~~college of acupuncture. The governor may make these appointments from a~~
43 ~~list of names submitted by a statewide acupuncture society.~~

44 ~~2. Through January 17, 2022, three consumers who:~~

45 ~~(a) Are not employed in a health profession.~~

~~(b) Do not have any pecuniary interest in a school of medicine or health care institution.~~

~~(c) Demonstrate an interest in health issues in this state.~~

~~3. Through January 17, 2022, two members who are licensed pursuant to chapter 8, 13, 14, 17 or 29 of this title. These members shall not be licensed pursuant to the same chapter.~~

~~4. 1. Beginning January 17, 2022,~~ One member who is certified or licensed to practice auricular acupuncture or acupuncture pursuant to this chapter.

~~5. 2. Beginning January 20, 2022,~~ Three members who are licensed to practice acupuncture pursuant to this chapter and who have practiced acupuncture in this or any other state for at least one year. ~~Not more than~~ Two of these members may NOT be graduates of the same school or college of acupuncture. The governor may make these appointments from a list of names submitted by a statewide acupuncture society.

~~6. For appointments made on or after January 18, 2022, two~~

3. TWO consumers who meet all of the following:

(a) Are not employed in a health profession.

(b) Do not have any pecuniary interest in a school of medicine or health care institution.

(c) Demonstrate an interest in health issues in this state.

~~7. 4. For appointments made on or after January 18, 2022,~~ One member who is licensed pursuant to chapter 8, 13, 14, 17 or 29 of this title.

B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR PURSUANT TO SECTION 38-211, EXCEPT THAT:

1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC MEMBER POSITION BY A MAJORITY VOTE.

2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

~~B.~~ C. Before appointment by the governor OR BOARD, a prospective member of the board shall submit a full set of fingerprints to the governor for the purpose of obtaining a state and federal criminal records check pursuant to section 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the federal bureau of investigation.

~~C.~~ D. Board members shall be residents of this state for at least one year immediately preceding their appointment.

~~D.~~ E. Board members serve three-year terms to begin and end on the third Monday in January. A member shall not serve more than two consecutive terms.

~~E.~~ F. The board shall meet in January of each year to elect a chairperson and vice chairperson.

1 ~~F.~~ G. The board shall meet quarterly and at the call of the
2 chairperson or a majority of board members.

3 ~~G.~~ H. Board members are eligible to receive compensation in an
4 amount not to exceed \$50 per day for each day of actual service in the
5 business of the board and are eligible for reimbursement of expenses
6 necessarily and properly incurred in attending board meetings.

7 ~~H.~~ I. The governor may remove a board member from office for
8 malfeasance, dishonorable conduct or unprofessional management of board
9 duties.

10 ~~I.~~ J. The term of any member automatically ends on resignation or
11 absence from this state for a period of at least six months. The governor
12 shall fill vacancies for an unexpired portion of a term in the same manner
13 as regular appointments.

14 ~~J.~~ K. Board members and board employees are not subject to civil
15 liability for any act done or proceeding undertaken or performed in good
16 faith and in furtherance of the purposes of this chapter.

17 Sec. 20. Section 32-4102, Arizona Revised Statutes, is amended to
18 read:

19 32-4102. Board of athletic training; members; terms; removal;
20 compensation; immunity

21 A. The board of athletic training is established consisting of the
22 following members WHO ARE appointed by the governor:

23 1. Three athletic trainers who are residents of this state, WHO
24 possess an unrestricted license to practice athletic training in this
25 state and WHO have been practicing in this state for at least five years
26 immediately preceding ~~their~~ appointment. The governor may make these
27 appointments from a list of names submitted by a statewide athletic
28 training association or any other group or person. The initial three
29 appointees are not required to be licensed pursuant to this chapter at the
30 time of selection but shall meet all of the qualifications for licensure
31 as prescribed by this chapter.

32 2. Two public members who are residents of this state and who are
33 not affiliated with and do not have any financial interest in any health
34 care profession but who have an interest in consumer rights.

35 B. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
36 PURSUANT TO SECTION 38-211, EXCEPT THAT:

37 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
38 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
39 MEMBER POSITION BY A MAJORITY VOTE.

40 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
41 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

42 ~~B.~~ C. Board members serve staggered ~~five-year~~ FIVE-YEAR terms that
43 begin and end on the third Monday in January. Board members shall not
44 serve for more than two successive five year terms or for more than ten
45 consecutive years.

1 ~~D.~~ D. If requested by the board, the governor may remove a board
2 member for misconduct, incompetence or neglect of duty.

3 ~~E.~~ E. Board members are eligible for reimbursement of expenses
4 pursuant to title 38, chapter 4, article 2 to cover necessary expenses for
5 attending each board meeting or for representing the board in an official
6 ~~board approved~~ BOARD-APPROVED activity.

7 ~~F.~~ F. A board member who acts within the scope of board duties,
8 without malice and in the reasonable belief that the person's action is
9 warranted by law is not subject to civil liability.

10 Sec. 21. Section 32-4202, Arizona Revised Statutes, is amended to
11 read:

12 32-4202. Board of massage therapy; members; terms;
13 compensation; immunity

14 A. The board of massage therapy is established consisting of the
15 following members appointed by the governor:

16 1. Two massage therapists who are residents of this state, who
17 possess an unrestricted license to practice massage therapy in this state
18 and who have been practicing in this state for at least five years
19 immediately preceding their appointment. The governor may make these
20 appointments from a list of names submitted by a statewide massage or
21 bodywork therapy association, or both, or any other group or person.

22 2. Three public members who are residents of this state and who are
23 not affiliated with and do not have any financial interest in any health
24 care profession but who have an interest in consumer rights or have a
25 background in compliance or law enforcement issues. At least one public
26 member must be actively involved in programs or services that help to
27 reduce or prevent human trafficking.

28 B. ALL MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR
29 PURSUANT TO SECTION 38-211, EXCEPT THAT:

30 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
31 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
32 MEMBER POSITION BY A MAJORITY VOTE.

33 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
34 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

35 ~~C.~~ C. Board members serve staggered five-year terms that begin and
36 end on the third Monday in January. Board members shall not serve for
37 more than two successive five-year terms or for more than ten consecutive
38 years, except that the term of office for a member of the board appointed
39 to fill a vacancy that occurs before the expiration of a full term is for
40 the unexpired portion of that term, and the governor may reappoint that
41 member to not more than two additional full terms.

42 ~~D.~~ D. If requested by the board, the governor may remove a board
43 member for misconduct, incompetence or neglect of duty.

44 ~~E.~~ E. Board members are eligible to receive compensation in the
45 amount of \$100 per day for each day of actual service in the business of

1 the board and for reimbursement of expenses pursuant to title 38, chapter
2 4, article 2 to cover necessary expenses for attending each board meeting
3 or for representing the board in an official board approved activity.

4 ~~F.~~ F. A board member who acts within the scope of board duties,
5 without malice and in the reasonable belief that the member's action is
6 warranted by law is not subject to civil liability.

7 Sec. 22. Section 36-446.02, Arizona Revised Statutes, is amended to
8 read:

9 36-446.02. Board of examiners; members; terms; meetings;
10 quorum; vacancies; compensation

11 A. The board of examiners of nursing care institution
12 administrators and assisted living facility managers is established
13 consisting of eleven members WHO ARE appointed by the governor PURSUANT TO
14 SECTION 38-211, EXCEPT THAT:

15 1. IF THE GOVERNOR FAILS TO FILL A PUBLIC MEMBER VACANCY WITHIN ONE
16 YEAR AFTER THE POSITION BECOMES VACANT, THE BOARD MAY FILL THE PUBLIC
17 MEMBER POSITION BY A MAJORITY VOTE.

18 2. IF THE SENATE FAILS TO CONFIRM OR REJECT AN APPOINTEE WITHIN ONE
19 YEAR AFTER THE GOVERNOR'S APPOINTMENT, THE APPOINTEE IS DEEMED CONFIRMED.

20 B. The board shall include:

21 1. One administrator who holds an active license issued pursuant to
22 this article or who is retired.

23 2. One assisted living facility manager who holds an active license
24 issued pursuant to this article or who is retired.

25 3. One administrator of a nonprofit or faith-based skilled nursing
26 facility who ~~either~~ holds an active license issued pursuant to this
27 article or who is retired.

28 4. One administrator of a proprietary skilled nursing facility who
29 ~~either~~ holds an active license issued pursuant to this article or who is
30 retired.

31 5. Two managers of an assisted living center who ~~either~~ hold an
32 active license issued pursuant to this article or who are retired.

33 6. One manager of an assisted living home who ~~either~~ holds an
34 active license issued pursuant to this article or who is retired.

35 7. One public member who represents an organization that advocates
36 for the elderly.

37 8. One person who is a family member of EITHER a resident or a
38 person who was a resident in the previous three years in either a skilled
39 nursing facility or an assisted living facility at the time the person is
40 appointed to the board.

41 9. One person who is a current or former resident of a skilled
42 nursing facility or an assisted living facility.

43 10. One public member who represents an organization that advocates
44 for individuals with Alzheimer's disease, dementia or other related
45 neurocognitive diseases or disorders.

1 C. The board may not have more than three board members who are
2 appointed pursuant to subsection B, paragraphs 1 through 6 of this section
3 and who are retired. Each board member specified in subsection B,
4 paragraphs 1 through 6 of this section who is retired must have had an
5 active license issued pursuant to this article within the previous two
6 years at the time of appointment to the board and may not have had any
7 disciplinary action taken against the person's license or had a license
8 issued pursuant to this article revoked.

9 D. Board members who are not affiliated with a nursing care
10 institution or an assisted living facility shall not have a direct
11 financial interest in nursing care institutions or assisted living
12 facilities.

13 E. A board member shall not serve on any other board relating to
14 long-term care during the member's term with the board.

15 F. The term of a board member automatically ends when that member
16 no longer meets the qualifications for appointment to the board. The
17 board shall notify the governor of the board vacancy.

18 G. Board members who are not affiliated with a nursing care
19 institution or an assisted living facility shall be appointed for two-year
20 terms. Board members who are the administrator of a nursing care
21 institution or the manager of an assisted living facility shall be
22 appointed for three-year terms.

23 H. A board member shall not serve for more than two consecutive
24 terms.

25 I. The board shall meet at least twice a year.

26 J. A majority of the board members constitutes a quorum.

27 K. Board members are eligible to receive compensation as determined
28 pursuant to section 38-611 for each day actually spent performing their
29 duties under this chapter.

30 L. A board member who is absent from three consecutive regular
31 meetings or who fails to attend more than fifty percent of board meetings
32 over the course of one calendar year vacates the board member's position.
33 The board shall notify the governor of the vacancy.

34 Sec. 23. Health profession regulatory boards; report; intent;
35 delayed repeal

36 A. On or before November 1, 2025, each health profession regulatory
37 board shall submit a report to the governor, the president of the senate
38 and the speaker of the house of representatives, and shall provide a copy
39 to the secretary of state, outlining the laws, rules and internal
40 processes that dictate the following:

41 1. All requirements for each type of license or certificate issued
42 by the board, including:

43 (a) Education and training requirements.

44 (b) Continuing education requirements.

1 (c) Initial and renewal licensure and certification application
2 processes and time frames.

3 (d) Application and initial and renewal licensing and certification
4 fees.

5 (e) Required background checks and any offenses that would preclude
6 licensure or certification.

7 2. How the board receives and investigates complaints and the types
8 of disciplinary authority the board possesses, including appeal processes.

9 3. The number of full-time employees of the board and their
10 corresponding duties.

11 4. Hiring, onboarding and termination of employees of the board.

12 5. A description of documents and discipline records retention.

13 6. A description of current contracts with third-party vendors and
14 the services being provided by the vendors.

15 7. A description of board positions, including qualifications, term
16 length and any prohibitions on consecutive appointments.

17 B. This legislature intends that this report provide the
18 legislature adequate information to facilitate the revision and
19 consolidation of statutes governing each health profession regulatory
20 board in an effort to create uniformity and consistency in application
21 while allowing for necessary exceptions essential to the operation and
22 regulatory authority of each board.

23 C. This section is repealed from and after June 30, 2026.