

REFERENCE TITLE: health boards; complaints; timelines

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

SB 1447

Introduced by
Senators Shamp: Gowan

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-3224.01, 32-3224.02 AND 32-3224.03; AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-194.02; RELATING TO HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised
3 Statutes, is amended by adding sections 32-3224.01, 32-3224.02 and
4 32-3224.03, to read:

5 32-3224.01. Criminal complaints; referrals; time frame

6 A. IF A HEALTH PROFESSION REGULATORY BOARD RECEIVES A COMPLAINT OR
7 INFORMATION INDICATING THAT A HEALTH PROFESSIONAL MAY HAVE COMMITTED A
8 MISDEMEANOR OR FELONY OFFENSE, THE HEALTH PROFESSION REGULATORY BOARD
9 SHALL REFER THE MATTER TO THE APPROPRIATE LAW ENFORCEMENT AGENCY WITHIN
10 TWO BUSINESS DAYS AFTER RECEIVING THE COMPLAINT OR INFORMATION. IF THE
11 BOARD FINDS, BASED ON THE COMPLAINT OR INFORMATION THAT THE BOARD REFERS
12 TO A LAW ENFORCEMENT AGENCY, THAT THE PUBLIC HEALTH, SAFETY OR WELFARE
13 REQUIRES EMERGENCY ACTION, THE BOARD MAY RESTRICT, LIMIT OR ORDER A
14 SUMMARY SUSPENSION OF THE HEALTH PROFESSIONAL'S LICENSE PENDING ACTION BY
15 THE LAW ENFORCEMENT AGENCY.

16 B. THE LAW ENFORCEMENT AGENCY THAT RECEIVES THE COMPLAINT OR
17 INFORMATION PURSUANT TO SUBSECTION A OF THIS SECTION SHALL INFORM THE
18 HEALTH PROFESSION REGULATORY BOARD OF THE OUTCOME OF THE LAW ENFORCEMENT
19 AGENCY'S INVESTIGATION AND WHETHER CHARGES ARE FILED AGAINST THE HEALTH
20 PROFESSIONAL WHO IS THE SUBJECT OF THE COMPLAINT. IF THE CASE IS NOT
21 REFERRED FOR PROSECUTION OR CHARGES ARE NOT FILED, THE HEALTH PROFESSION
22 REGULATORY BOARD MAY INVESTIGATE WHETHER THE COMPLAINT OR INFORMATION
23 CONSTITUTES A VIOLATION OF UNPROFESSIONAL CONDUCT AGAINST THE HEALTH
24 PROFESSIONAL WHO IS THE SUBJECT OF THE COMPLAINT.

25 32-3224.02. Anonymous complaints; prohibition

26 NOTWITHSTANDING ANY OTHER ANONYMOUS COMPLAINT PROVISION IN THIS
27 TITLE, A HEALTH PROFESSIONAL MAY NOT FILE AN ANONYMOUS COMPLAINT WITH A
28 HEALTH PROFESSION REGULATORY BOARD UNLESS THE HEALTH PROFESSIONAL
29 WITNESSED THE LICENSEE OR CERTIFICATE HOLDER WHO IS THE SUBJECT OF THE
30 COMPLAINT COMMITTING THE MISDEMEANOR OR FELONY OFFENSE OR THE ACT OF
31 UNPROFESSIONAL CONDUCT.

32 32-3224.03. Complaints; time limit

33 UNLESS A HEALTH PROFESSION REGULATORY BOARD'S STATUTES ARE MORE
34 RESTRICTIVE, A HEALTH PROFESSION REGULATORY BOARD OR, IF DELEGATED BY THE
35 BOARD, THE EXECUTIVE DIRECTOR SHALL TAKE FINAL ACTION ON A COMPLAINT THAT
36 IS UNRELATED TO PROTECTING THE PUBLIC HEALTH AND SAFETY WITHIN ONE YEAR
37 AFTER RECEIVING THE COMPLAINT. UNLESS A HEALTH PROFESSION REGULATORY
38 BOARD'S STATUTES ARE MORE RESTRICTIVE, THE COMPLAINT IS DEEMED
39 ADMINISTRATIVELY CLOSED AFTER ONE YEAR IF THE BOARD OR, IF DELEGATED BY
40 THE BOARD, THE EXECUTIVE DIRECTOR HAS NOT TAKEN FINAL ACTION ON THE
41 COMPLAINT.

1 Sec. 2. Title 41, chapter 1, article 5, Arizona Revised Statutes,
2 is amended by adding section 41-194.02, to read:

3 41-194.02. Violations of state law or rule by a health
4 profession regulatory board; attorney general
5 investigation; referral; report; definition

6 A. AT THE REQUEST OF ONE OR MORE MEMBERS OF THE LEGISLATURE, THE
7 ATTORNEY GENERAL SHALL INVESTIGATE ANY ACTION TAKEN BY A HEALTH PROFESSION
8 REGULATORY BOARD THAT THE MEMBER OR MEMBERS ALLEGE VIOLATES STATE LAW,
9 RULES OR THE CONSTITUTION OF ARIZONA. IF THE ATTORNEY GENERAL DETERMINES
10 THAT A CONFLICT OF INTEREST EXISTS THAT PROHIBITS THE ATTORNEY GENERAL
11 FROM INVESTIGATING A COMPLAINT OR ACTION TAKEN BY A HEALTH PROFESSION
12 REGULATORY BOARD, THE ATTORNEY GENERAL SHALL REFER THE COMPLAINT TO A
13 COUNTY ATTORNEY FOR INVESTIGATION. THE REFERRAL SHALL BE MADE ON A RANDOM
14 BASIS USING A METHOD THAT ENSURES IMPARTIALITY AND PREVENTS THE ATTORNEY
15 GENERAL FROM SELECTING A SPECIFIC COUNTY ATTORNEY. THE ATTORNEY GENERAL
16 SHALL MAINTAIN A RECORD OF ALL REFERRALS MADE PURSUANT TO THIS SECTION,
17 INCLUDING THE METHOD OF RANDOMIZATION USED, TO ENSURE COMPLIANCE WITH THIS
18 REQUIREMENT.

19 B. THE ATTORNEY GENERAL OR, IF APPLICABLE, THE COUNTY ATTORNEY WHO
20 RECEIVED THE REFERRAL PURSUANT TO SUBSECTION A OF THIS SECTION SHALL MAKE
21 A WRITTEN REPORT OF FINDINGS AND CONCLUSIONS AS A RESULT OF THE
22 INVESTIGATION WITHIN THIRTY DAYS AFTER RECEIPT OF THE REQUEST AND SHALL
23 PROVIDE A COPY OF THE REPORT TO THE GOVERNOR, THE PRESIDENT OF THE SENATE,
24 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MEMBER OR MEMBERS OF THE
25 LEGISLATURE MAKING THE ORIGINAL REQUEST AND THE SECRETARY OF STATE.

26 C. FOR THE PURPOSES OF THIS SECTION, "HEALTH PROFESSION REGULATORY
27 BOARD" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-3201.