

REFERENCE TITLE: lactation care providers; certification

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2072

Introduced by
Representative Fink

AN ACT

AMENDING SECTION 36-414, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 7.3; AMENDING SECTIONS 41-619.51, 41-1758 AND 41-1758.01, ARIZONA REVISED STATUTES; RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-414, Arizona Revised Statutes, is amended to
3 read:

4 36-414. Health services licensing fund; exemption
5 A. The health services licensing fund is established consisting of
6 monies deposited pursuant to sections 30-654, 32-1308, 32-2805, 36-405,
7 36-765.05, 36-766.06, 36-767.05, 36-851.01, 36-882, 36-897.01, 36-1903,
8 36-2063 and 36-4204. The department of health services shall administer
9 the fund.

10 B. Monies in the fund are subject to legislative appropriation.

11 C. Monies in the fund are exempt from the provisions of section
12 35-190 relating to lapsing of appropriations.

13 Sec. 2. Title 36, chapter 6, Arizona Revised Statutes, is amended
14 by adding article 7.3, to read:

15 ARTICLE 7.3. LACTATION CARE PROVIDERS

16 36-767. Definitions

17 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

18 1. "APPROVED CERTIFICATION" MEANS ONE OF THE FOLLOWING:

19 (a) AN INTERNATIONAL BOARD-CERTIFIED LACTATION CONSULTANT
20 CERTIFICATION.

21 (b) A CERTIFIED LACTATION COUNSELOR CERTIFICATION.

22 (c) A CERTIFIED LACTATION EDUCATOR CERTIFICATION.

23 (d) AN INDIGENOUS LACTATION COUNSELOR CERTIFICATION.

24 (e) ANY OTHER LACTATION CARE PROVIDER CERTIFICATION FROM A PROGRAM
25 ACCREDITED BY A NATIONALLY OR INTERNATIONALLY RECOGNIZED ACCREDITING
26 AGENCY THAT IS APPROVED BY THE DEPARTMENT.

27 2. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

28 3. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

29 4. "LACTATION CARE PROVIDER" MEANS A PERSON WHO PROVIDES CLINICAL
30 OR NONCLINICAL LACTATION CARE, EDUCATION AND SUPPORT TO FAMILIES.

31 5. "STATE-CERTIFIED LACTATION CARE PROVIDER" MEANS A LACTATION CARE
32 PROVIDER TO WHOM THE DEPARTMENT HAS ISSUED A CERTIFICATE TO PRACTICE AS A
33 CERTIFIED LACTATION CARE PROVIDER IN THIS STATE.

34 36-767.01. Application for certificate; certification;
35 fingerprinting; renewal

36 A. A PERSON MAY APPLY TO THE DIRECTOR FOR A CERTIFICATE TO PRACTICE
37 AS A STATE-CERTIFIED LACTATION CARE PROVIDER ON A FORM PRESCRIBED BY THE
38 DIRECTOR AND SHALL FURNISH THE INFORMATION REQUIRED BY THE DIRECTOR.

39 B. THE DIRECTOR SHALL GRANT A LACTATION CARE PROVIDER CERTIFICATE
40 TO A PERSON WHO MEETS ALL OF THE FOLLOWING:

41 1. HOLDS A CURRENT APPROVED CERTIFICATION OR OTHERWISE MEETS
42 MINIMUM QUALIFICATIONS, EDUCATION AND TRAINING REQUIREMENTS ESTABLISHED BY
43 THE DIRECTOR.

44 2. IS AT LEAST EIGHTEEN YEARS OF AGE.

1 3. PAYS THE APPLICABLE FEES. THE DIRECTOR SHALL PRESCRIBE BY RULE
2 A SLIDING FEE SCALE FOR ALL FEES REQUIRED BY THIS ARTICLE.

3 4. POSSESSES A VALID FINGERPRINT CLEARANCE CARD ISSUED PURSUANT TO
4 TITLE 41, CHAPTER 12, ARTICLE 3.1.

5 C. A LACTATION CARE PROVIDER CERTIFICATE IS VALID FOR TWO
6 YEARS. THE CERTIFICATE HOLDER SHALL RENEW THE CERTIFICATE ONCE EVERY TWO
7 YEARS BY APPLYING TO THE DIRECTOR AND PAYING THE APPLICABLE RENEWAL
8 FEE. A PERSON SHALL FILE AN APPLICATION FOR RENEWAL AT LEAST THIRTY DAYS
9 AND NOT MORE THAN NINETY DAYS BEFORE THE DATE THE CURRENT CERTIFICATE
10 EXPIRES.

11 36-767.02. Powers and duties of the director; rules; waiver

12 A. THE DIRECTOR, BY RULE, SHALL:

13 1. OUTLINE THE SCOPE OF PRACTICE AND THE CORE COMPETENCIES OF
14 STATE-CERTIFIED LACTATION CARE PROVIDERS, INCLUDING THE SKILLS AND AREAS
15 OF KNOWLEDGE THAT ARE ESSENTIAL TO ASSIST FAMILIES AND BRING ABOUT
16 EXPANDED HEALTH AND WELLNESS IN DIVERSE COMMUNITIES.

17 2. DESCRIBE AND DEFINE REASONABLE EDUCATION AND TRAINING
18 REQUIREMENTS FOR STATE-CERTIFIED LACTATION CARE PROVIDERS.

19 3. ESTABLISH CRITERIA FOR GRANTING, DENYING, SUSPENDING AND
20 REVOKING STATE-CERTIFIED LACTATION CARE PROVIDER CERTIFICATES IN ORDER TO
21 PROTECT THE PUBLIC HEALTH AND SAFETY.

22 B. THE DIRECTOR MAY ADOPT RULES:

23 1. THAT ARE NECESSARY FOR THE PROPER ADMINISTRATION AND ENFORCEMENT
24 OF THIS ARTICLE.

25 2. THAT ALLOW FOR RECIPROCITY AGREEMENTS, INCLUDING WITH THE INDIAN
26 HEALTH SERVICE.

27 C. THE DIRECTOR SHALL WAIVE THE MINIMUM EDUCATION AND TRAINING
28 REQUIREMENTS FOR CERTIFICATION FOR APPLICANTS WHO HOLD A CURRENT APPROVED
29 CERTIFICATION.

30 36-767.03. Denial, suspension or revocation of certificate;
31 hearings; tribal jurisdiction

32 A. THE DIRECTOR MAY DENY, SUSPEND OR REVOKE THE CERTIFICATE OF ANY
33 APPLICANT FOR A CERTIFICATE OR ANY STATE-CERTIFIED LACTATION CARE PROVIDER
34 WHO:

35 1. VIOLATES ANY PROVISION OF THIS ARTICLE OR RULE ADOPTED PURSUANT
36 TO THIS ARTICLE.

37 2. HAS BEEN CONVICTED OF A FELONY OR MISDEMEANOR INVOLVING MORAL
38 TURPITUDE.

39 3. INDULGES IN CONDUCT OR A PRACTICE THAT IS DETRIMENTAL TO THE
40 PUBLIC HEALTH OR SAFETY.

41 B. AFTER RECEIVING NOTIFICATION OF A DENIAL, SUSPENSION OR
42 REVOCATION PURSUANT TO SUBSECTION A OF THIS SECTION, THE APPLICANT OR
43 STATE-CERTIFIED LACTATION CARE PROVIDER MAY REQUEST A HEARING TO REVIEW
44 THE DENIAL, SUSPENSION OR REVOCATION AND, IF REQUESTED, THE DEPARTMENT
45 SHALL CONDUCT THE HEARING PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10.

1 C. A STATE-CERTIFIED LACTATION CARE PROVIDER WHO IS EMPLOYED BY AN
2 INDIAN TRIBE AND WHO VIOLATES THIS SECTION SHALL BE UNDER TRIBAL
3 GOVERNMENT JURISDICTION. IF THE STATE-CERTIFIED LACTATION CARE PROVIDER
4 IS DETERMINED TO HAVE VIOLATED THIS SECTION, THE INFORMATION PROVIDED TO
5 THE DIRECTOR MAY RESULT IN THE DENIAL, SUSPENSION OR REVOCATION OF THE
6 STATE-CERTIFIED LACTATION CARE PROVIDER'S CERTIFICATION. INTERNAL
7 HEARINGS, APPEALS OR PENALTIES RESULTING FROM DISCIPLINARY ACTIONS BY A
8 TRIBAL GOVERNMENT ARE DEEMED TO BE THE FINAL DECISION IN ACCORDANCE WITH
9 THIS SECTION.

10 36-767.04. Investigations; evidence

11 THE DIRECTOR MAY INVESTIGATE INFORMATION THAT INDICATES A PERSON MAY
12 HAVE VIOLATED OR MAY BE VIOLATING THIS ARTICLE. IN CONNECTION WITH AN
13 INVESTIGATION, THE DIRECTOR MAY EXAMINE AND COPY DOCUMENTS AND OTHER
14 PHYSICAL EVIDENCE, WHEREVER LOCATED, THAT RELATE TO THE CONDUCT OR
15 COMPETENCY OF A STATE-CERTIFIED LACTATION CARE PROVIDER PURSUANT TO THE
16 REQUIREMENTS OF THIS ARTICLE.

17 36-767.05. Fees

18 THE DIRECTOR, BY RULE, SHALL ESTABLISH AND COLLECT NONREFUNDABLE
19 FEES FOR CERTIFICATION OF LACTATION CARE PROVIDERS UNDER THIS ARTICLE THAT
20 ARE CONSISTENT WITH FEES PRESCRIBED PURSUANT TO SECTION 36-1908. THE
21 DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, ALL FEES
22 COLLECTED PURSUANT TO THIS SECTION IN A SEGREGATED ACCOUNT IN THE HEALTH
23 SERVICES LICENSING FUND ESTABLISHED BY SECTION 36-414.

24 36-767.06. Certification not required

25 THIS ARTICLE DOES NOT REQUIRE LACTATION CARE PROVIDERS TO BE
26 CERTIFIED BY THE DEPARTMENT IN ORDER TO PRACTICE IN THIS STATE AS A
27 LACTATION CARE PROVIDER.

28 36-767.07. Public contracts; preference prohibited

29 THIS STATE AND ANY POLITICAL SUBDIVISION OF THE STATE MAY NOT
30 PROVIDE A PREFERENCE IN AWARDING A PUBLIC CONTRACT FOR STATE-CERTIFIED
31 LACTATION CARE PROVIDER SERVICES OR AN ENTITY THAT EMPLOYS STATE-CERTIFIED
32 LACTATION CARE PROVIDERS.

33 36-767.08. Lactation care providers community advisory
34 committee; members; duties

35 A. THE LACTATION CARE PROVIDERS COMMUNITY ADVISORY COMMITTEE IS
36 ESTABLISHED CONSISTING OF AT LEAST NINE LACTATION CARE PROVIDERS, NOT MORE
37 THAN FOUR OF WHOM HOLD THE SAME APPROVED CERTIFICATION, WHO ARE APPOINTED
38 BY THE DIRECTOR. THE TERM FOR EACH ADVISORY COMMITTEE MEMBER IS TWO
39 YEARS.

40 B. THE DIRECTOR SHALL CONSULT WITH THE ADVISORY COMMITTEE REGARDING
41 IMPLEMENTING THIS ARTICLE AND THE RULES ADOPTED PURSUANT TO THIS ARTICLE.
42 THE ADVISORY COMMITTEE SHALL:

1 1. ASSIST IN THE DEVELOPMENT OF THE SCOPE OF PRACTICE AND CORE
2 COMPETENCIES FOR STATE-CERTIFIED LACTATION CARE PROVIDERS WITH DIFFERENT
3 APPROVED CERTIFICATIONS.

4 2. REVIEW RULES AND ADVISE THE DIRECTOR OF ANY NECESSARY UPDATES.

5 Sec. 3. Section 41-619.51, Arizona Revised Statutes, is amended to
6 read:

7 41-619.51. Definitions

8 In this article, unless the context otherwise requires:

9 1. "Agency" means the supreme court, the department of economic
10 security, the department of child safety, the department of education, the
11 department of health services, the department of juvenile corrections, the
12 department of emergency and military affairs, the department of public
13 safety, the department of transportation, the state real estate
14 department, the department of insurance and financial institutions, the
15 Arizona game and fish department, the Arizona department of agriculture,
16 the board of examiners of nursing care institution administrators and
17 assisted living facility managers, the state board of dental examiners,
18 the Arizona state board of pharmacy, the board of physical therapy, the
19 state board of psychologist examiners, the board of athletic training, the
20 board of occupational therapy examiners, the state board of podiatry
21 examiners, the acupuncture board of examiners, the state board of
22 technical registration, the board of massage therapy, the board of
23 behavioral health examiners or the Arizona department of housing.

24 2. "Board" means the board of fingerprinting.

25 3. "Central registry exception" means notification to the
26 department of economic security, the department of child safety or the
27 department of health services, as appropriate, pursuant to section
28 41-619.57 that the person is not disqualified because of a central
29 registry check conducted pursuant to section 8-804.

30 4. "Expedited review" means an examination, in accordance with
31 board rule, of the documents an applicant submits by the board or its
32 hearing officer without the applicant being present.

33 5. "Good cause exception" means the issuance of a fingerprint
34 clearance card to an employee pursuant to section 41-619.55.

35 6. "Person" means a person who is required to be fingerprinted
36 pursuant to this article or who is subject to a central registry check and
37 any of the following:

- 38 (a) Section 3-314.
- 39 (b) Section 8-105.
- 40 (c) Section 8-322.
- 41 (d) Section 8-463.
- 42 (e) Section 8-509.
- 43 (f) Section 8-802.
- 44 (g) Section 8-804.
- 45 (h) Section 15-183.

- 1 (i) Section 15-503.
- 2 (j) Section 15-512.
- 3 (k) Section 15-534.
- 4 (l) Section 15-763.01.
- 5 (m) Section 15-782.02.
- 6 (n) Section 15-1330.
- 7 (o) Section 15-1881.
- 8 (p) Section 17-215.
- 9 (q) Section 28-3228.
- 10 (r) Section 28-3413.
- 11 (s) Section 32-122.02.
- 12 (t) Section 32-122.05.
- 13 (u) Section 32-122.06.
- 14 (v) Section 32-823.
- 15 (w) Section 32-1232.
- 16 (x) Section 32-1276.01.
- 17 (y) Section 32-1284.
- 18 (z) Section 32-1297.01.
- 19 (aa) Section 32-1904.
- 20 (bb) Section 32-1941.
- 21 (cc) Section 32-1982.
- 22 (dd) Section 32-2022.
- 23 (ee) Section 32-2063.
- 24 (ff) Section 32-2108.01.
- 25 (gg) Section 32-2123.
- 26 (hh) Section 32-2371.
- 27 (ii) Section 32-3271.
- 28 (jj) Section 32-3430.
- 29 (kk) Section 32-3620.
- 30 (ll) Section 32-3668.
- 31 (mm) Section 32-3669.
- 32 (nn) Section 32-3922.
- 33 (oo) Section 32-3924.
- 34 (pp) Section 32-4128.
- 35 (qq) Section 32-4222.
- 36 (rr) Section 36-113.
- 37 (ss) Section 36-207.
- 38 (tt) Section 36-411.
- 39 (uu) Section 36-425.03.
- 40 (vv) Section 36-446.04.
- 41 (ww) Section 36-594.01.
- 42 (xx) Section 36-594.02.
- 43 (yy) Section 36-766.01.
- 44 (zz) SECTION 36-767.01.
- 45 ~~(zz)~~ (aaa) Section 36-882.

- 1 ~~(aaa)~~ (bbb) Section 36-883.02.
- 2 ~~(bbb)~~ (ccc) Section 36-897.01.
- 3 ~~(ccc)~~ (ddd) Section 36-897.03.
- 4 ~~(ddd)~~ (eee) Section 36-1940.
- 5 ~~(eee)~~ (fff) Section 36-1940.01.
- 6 ~~(fff)~~ (ggg) Section 36-2069.
- 7 ~~(ggg)~~ (hhh) Section 36-3008.
- 8 ~~(hhh)~~ (iii) Section 41-619.53.
- 9 ~~(iii)~~ (jjj) Section 41-1964.
- 10 ~~(jjj)~~ (kkk) Section 41-1967.01.
- 11 ~~(kkk)~~ (lll) Section 41-1968.
- 12 ~~(lll)~~ (mmm) Section 41-1969.
- 13 ~~(mmm)~~ (nnn) Section 41-2814.
- 14 ~~(nnn)~~ (ooo) Section 41-4025.
- 15 ~~(ooo)~~ (ppp) Section 46-141, subsection A or B.
- 16 ~~(ppp)~~ (qqq) Section 46-321.

17 Sec. 4. Section 41-1758, Arizona Revised Statutes, is amended to
18 read:

19 41-1758. Definitions

20 In this article, unless the context otherwise requires:

21 1. "Agency" means the supreme court, the department of economic
22 security, the department of child safety, the department of education, the
23 department of health services, the department of juvenile corrections, the
24 department of emergency and military affairs, the department of public
25 safety, the department of transportation, the state real estate
26 department, the department of insurance and financial institutions, the
27 board of fingerprinting, the Arizona game and fish department, the Arizona
28 department of agriculture, the board of examiners of nursing care
29 institution administrators and assisted living facility managers, the
30 state board of dental examiners, the Arizona state board of pharmacy, the
31 board of physical therapy, the state board of psychologist examiners, the
32 board of athletic training, the board of occupational therapy examiners,
33 the state board of podiatry examiners, the acupuncture board of examiners,
34 the state board of technical registration, the board of massage therapy,
35 the board of behavioral health examiners or the Arizona department of
36 housing.

37 2. "Division" means the fingerprinting division in the department
38 of public safety.

39 3. "Electronic or internet-based fingerprinting services" means a
40 secure system for digitizing applicant fingerprints and transmitting the
41 applicant data and fingerprints of a person or entity submitting
42 fingerprints to the department of public safety for any authorized purpose
43 under this title. For the purposes of this paragraph, "secure system"
44 means a system that complies with the information technology security
45 policy approved by the department of public safety.

- 1 4. "Good cause exception" means the issuance of a fingerprint
2 clearance card to an applicant pursuant to section 41-619.55.
- 3 5. "Person" means a person who is required to be fingerprinted
4 pursuant to any of the following:
- 5 (a) Section 3-314.
 - 6 (b) Section 8-105.
 - 7 (c) Section 8-322.
 - 8 (d) Section 8-463.
 - 9 (e) Section 8-509.
 - 10 (f) Section 8-802.
 - 11 (g) Section 15-183.
 - 12 (h) Section 15-503.
 - 13 (i) Section 15-512.
 - 14 (j) Section 15-534.
 - 15 (k) Section 15-763.01.
 - 16 (l) Section 15-782.02.
 - 17 (m) Section 15-1330.
 - 18 (n) Section 15-1881.
 - 19 (o) Section 17-215.
 - 20 (p) Section 28-3228.
 - 21 (q) Section 28-3413.
 - 22 (r) Section 32-122.02.
 - 23 (s) Section 32-122.05.
 - 24 (t) Section 32-122.06.
 - 25 (u) Section 32-823.
 - 26 (v) Section 32-1232.
 - 27 (w) Section 32-1276.01.
 - 28 (x) Section 32-1284.
 - 29 (y) Section 32-1297.01.
 - 30 (z) Section 32-1904.
 - 31 (aa) Section 32-1941.
 - 32 (bb) Section 32-1982.
 - 33 (cc) Section 32-2022.
 - 34 (dd) Section 32-2063.
 - 35 (ee) Section 32-2108.01.
 - 36 (ff) Section 32-2123.
 - 37 (gg) Section 32-2371.
 - 38 (hh) Section 32-3271.
 - 39 (ii) Section 32-3430.
 - 40 (jj) Section 32-3620.
 - 41 (kk) Section 32-3668.
 - 42 (ll) Section 32-3669.
 - 43 (mm) Section 32-3922.
 - 44 (nn) Section 32-3924.
 - 45 (oo) Section 32-4128.

1 (pp) Section 32-4222.
2 (qq) Section 36-113.
3 (rr) Section 36-207.
4 (ss) Section 36-411.
5 (tt) Section 36-425.03.
6 (uu) Section 36-446.04.
7 (vv) Section 36-594.01.
8 (ww) Section 36-594.02.
9 (xx) Section 36-766.01.
10 (yy) SECTION 36-767.01.
11 ~~(yy)~~ (zz) Section 36-882.
12 ~~(zz)~~ (aaa) Section 36-883.02.
13 ~~(aaa)~~ (bbb) Section 36-897.01.
14 ~~(bbb)~~ (ccc) Section 36-897.03.
15 ~~(ccc)~~ (ddd) Section 36-1940.
16 ~~(ddd)~~ (eee) Section 36-1940.01.
17 ~~(eee)~~ (fff) Section 36-2069.
18 ~~(fff)~~ (ggg) Section 36-3008.
19 ~~(ggg)~~ (hhh) Section 41-619.52.
20 ~~(hhh)~~ (iii) Section 41-619.53.
21 ~~(iii)~~ (jjj) Section 41-1964.
22 ~~(jjj)~~ (kkk) Section 41-1967.01.
23 ~~(kkk)~~ (lll) Section 41-1968.
24 ~~(lll)~~ (mmm) Section 41-1969.
25 ~~(mmm)~~ (nnn) Section 41-2814.
26 ~~(nnn)~~ (ooo) Section 41-4025.
27 ~~(ooo)~~ (ppp) Section 46-141, subsection A or B.
28 ~~(ppp)~~ (qqq) Section 46-321.
29 6. "Rap back services" has the same meaning prescribed in section
30 41-1750.
31 7. "Vulnerable adult" has the same meaning prescribed in section
32 13-3623.
33 Sec. 5. Section 41-1758.01, Arizona Revised Statutes, is amended to
34 read:
35 41-1758.01. Fingerprinting division; powers and duties
36 A. The fingerprinting division is established in the department of
37 public safety and shall:
38 1. Conduct fingerprint background checks for persons and applicants
39 who are seeking licenses from state agencies, employment with licensees,
40 contract providers and state agencies or employment or educational
41 opportunities with agencies that require fingerprint background checks
42 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,
43 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,
44 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-823, 32-1232,
45 32-1276.01, 32-1284, 32-1297.01, 32-1904, 32-1941, 32-1982, 32-2022,

1 32-2063, 32-2108.01, 32-2123, 32-2371, 32-3271, 32-3430, 32-3620, 32-3668,
2 32-3669, 32-3922, 32-3924, 32-4128, 32-4222, 36-113, 36-207, 36-411,
3 36-425.03, 36-446.04, 36-594.01, 36-594.02, 36-766.01, 36-767.01, 36-882,
4 36-883.02, 36-897.01, 36-897.03, 36-1940, 36-1940.01, 36-2069, 36-3008,
5 41-619.52, 41-619.53, 41-1964, 41-1967.01, 41-1968, 41-1969, 41-2814 and
6 41-4025, section 46-141, subsection A or B and section 46-321.

7 2. Issue fingerprint clearance cards. On issuance, a fingerprint
8 clearance card becomes the personal property of the cardholder and the
9 cardholder shall retain possession of the fingerprint clearance card.

10 3. On submission of an application for a fingerprint clearance
11 card, collect the fees established by the board of fingerprinting pursuant
12 to section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147,
13 the monies collected in the board of fingerprinting fund.

14 4. Inform in writing each person who submits fingerprints for a
15 fingerprint background check of the right to petition the board of
16 fingerprinting for a good cause exception pursuant to section 41-1758.03,
17 41-1758.04 or 41-1758.07.

18 5. If after conducting a state and federal criminal history records
19 check the division determines that it is not authorized to issue a
20 fingerprint clearance card to a person, inform the person in writing that
21 the division is not authorized to issue a fingerprint clearance card. The
22 notice shall include the criminal history information on which the denial
23 was based. This criminal history information is subject to dissemination
24 restrictions pursuant to section 41-1750 and Public Law 92-544.

25 6. Notify the person in writing if the division suspends, revokes
26 or places a driving restriction notation on a fingerprint clearance card
27 pursuant to section 41-1758.04. The notice shall include the criminal
28 history information on which the suspension, revocation or placement of
29 the driving restriction notation was based. This criminal history
30 information is subject to dissemination restrictions pursuant to section
31 41-1750 and Public Law 92-544.

32 7. Administer and enforce this article.

33 B. The fingerprinting division may contract for electronic or
34 internet-based fingerprinting services through an entity or entities for
35 the acquisition and transmission of applicant fingerprint and data
36 submissions to the department, including identity verified fingerprints
37 pursuant to section 15-106. The entity or entities contracted by the
38 department of public safety may charge the applicant a fee for services
39 provided pursuant to this article. The entity or entities contracted by
40 the department of public safety shall comply with:

41 1. All information privacy and security measures and submission
42 standards established by the department of public safety.

43 2. The information technology security policy approved by the
44 department of public safety.