

REFERENCE TITLE: **medical spas; licensure; regulation**

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

## **HB 4047**

Introduced by  
Representative Peña

AN ACT

AMENDING TITLE 32, CHAPTER 18, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.1; RELATING TO THE ARIZONA STATE BOARD OF PHARMACY.

(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 18, Arizona Revised Statutes, is  
3 amended by adding article 4.1, to read:

4 ARTICLE 4.1. MEDICAL SPAS

5 32-1998. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "ADVERSE EVENT" MEANS ANY UNTOWARD MEDICAL OCCURRENCE ASSOCIATED  
8 WITH THE USE OF A PRESCRIPTION MEDICATION, WHETHER OR NOT CONSIDERED  
9 PRESCRIPTION MEDICATION-RELATED.

10 2. "MEDICAL SPA":

11 (a) MEANS ANY FACILITY OR PRACTICE THAT OFFERS MEDICAL OR COSMETIC  
12 HEALTH CARE SERVICES AND THAT IS REQUIRED TO BE LICENSED PURSUANT TO THIS  
13 ARTICLE.

14 (b) DOES NOT INCLUDE A FACILITY OR PRACTICE THAT IS OTHERWISE  
15 LICENSED BY THIS STATE.

16 3. "PERSON" MEANS AN INDIVIDUAL, CORPORATION, GOVERNMENT OR  
17 GOVERNMENTAL SUBDIVISION OR AGENCY, STATUTORY TRUST, BUSINESS TRUST,  
18 ESTATE, TRUST, PARTNERSHIP OR UNINCORPORATED ASSOCIATION OR ANY OF THE  
19 FOREGOING HAVING A JOINT OR COMMON INTEREST, OR ANY OTHER LEGAL OR  
20 COMMERCIAL ENTITY.

21 4. "PRESCRIPTION MEDICATION":

22 (a) HAS THE SAME MEANING PRESCRIBED IN SECTION 32-1901.

23 (b) INCLUDES ANY DRUG, INCLUDING ANY BIOLOGICAL PRODUCT, EXCEPT FOR  
24 BLOOD AND BLOOD COMPONENTS INTENDED FOR TRANSFUSION OR BIOLOGICAL PRODUCTS  
25 THAT ARE ALSO MEDICAL DEVICES, THAT IS REQUIRED BY FEDERAL LAW OR  
26 REGULATION TO BE DISPENSED ONLY PURSUANT TO A PRESCRIPTION ORDER,  
27 INCLUDING FINISHED DOSAGE FORMS AND BULK DRUG SUBSTANCES THAT ARE SUBJECT  
28 TO SECTION 503(b) OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT (21 UNITED  
29 STATES CODE SECTION 355b).

30 5. "RESPONSIBLE PERSON" MEANS A LICENSED HEALTH CARE PROVIDER WHO  
31 HAS SUPERVISING AUTHORITY AT A MEDICAL SPA.

32 6. "SERIOUS ADVERSE EVENT":

33 (a) MEANS AN ADVERSE EVENT OR SUSPECTED ADVERSE REACTION THAT  
34 RESULTS IN ANY OF THE FOLLOWING OUTCOMES:

35 (i) DEATH.

36 (ii) A LIFE-THREATENING ADVERSE EVENT.

37 (iii) INPATIENT HOSPITALIZATION OR PROLONGATION OF EXISTING  
38 HOSPITALIZATION.

39 (iv) A PERSISTENT OR SIGNIFICANT INCAPACITY OR SUBSTANTIAL  
40 DISRUPTION OF THE ABILITY TO CONDUCT NORMAL LIFE FUNCTIONS.

41 (v) A CONGENITAL ANOMALY OR BIRTH DEFECT.

42 (b) INCLUDES AN ADVERSE EVENT THAT, BASED ON APPROPRIATE MEDICAL  
43 JUDGMENT, MAY JEOPARDIZE THE PATIENT'S HEALTH AND MAY REQUIRE MEDICAL OR  
44 SURGICAL INTERVENTION TO PREVENT ONE OF THE OUTCOMES PRESCRIBED IN  
45 SUBDIVISION (a) OF THIS PARAGRAPH.



1           32-1998.03. Responsible persons

2           EACH LICENSED MEDICAL SPA SHALL HAVE A DESIGNATED RESPONSIBLE  
3 PERSON. THE BOARD MAY ALLOW A RESPONSIBLE PERSON TO BE THE RESPONSIBLE  
4 PERSON AT MORE THAN ONE MEDICAL SPA LOCATION. THE RESPONSIBLE PERSON  
5 SHALL BE PHYSICALLY PRESENT AT THE MEDICAL SPA LOCATION FOR A SUFFICIENT  
6 AMOUNT OF TIME TO PERFORM THE RESPONSIBILITIES OF THE POSITION. THE  
7 RESPONSIBLE PERSON SHALL ENSURE THAT THE MEDICAL SPA COMPLIES WITH THE  
8 REQUIREMENTS OF THIS ARTICLE.

9           32-1998.04. Serious adverse events; reporting

10          A MEDICAL SPA SHALL NOTIFY THE BOARD WITHIN FIVE BUSINESS DAYS AFTER  
11 THE OCCURRENCE OF A SERIOUS ADVERSE EVENT. THE NOTICE SHALL INCLUDE THE  
12 DATE AND LOCATION OF THE SERIOUS ADVERSE EVENT, A SUMMARY OF THE DETAILS  
13 AND NATURE OF THE SERIOUS ADVERSE EVENT AND A COPY OF THE MEDICAL RECORDS  
14 OF THE PATIENT WHO WAS AFFECTED.

15          32-1998.05. Deceptive and unfair trade practices

16          A MEDICAL SPA ENGAGES IN DECEPTIVE TRADE PRACTICES, IN VIOLATION OF  
17 TITLE 44, CHAPTER 10, ARTICLE 7, WHEN, IN THE COURSE OF BUSINESS, THE  
18 MEDICAL SPA DOES ANY OF THE FOLLOWING:

19           1. REPRESENTS THAT A PRESCRIPTION MEDICATION IS OF A PARTICULAR  
20 STANDARD, QUALITY OR GRADE, IF IT IS ANOTHER.

21           2. REPRESENTS THAT A PRESCRIPTION MEDICATION HAS SPONSORSHIP,  
22 APPROVAL, CHARACTERISTICS, INGREDIENTS, USES, BENEFITS OR QUANTITIES THAT  
23 IT DOES NOT HAVE.

24           3. REPRESENTS THAT A PRESCRIPTION MEDICATION PURPORTS TO BE, WORK  
25 LIKE, RESEMBLE OR FUNCTION SIMILARLY TO ANOTHER DRUG APPROVED BY THE  
26 UNITED STATES FOOD AND DRUG ADMINISTRATION.

27           4. REPRESENTS THAT A PRESCRIPTION MEDICATION IS APPROVED BY THE  
28 UNITED STATES FOOD AND DRUG ADMINISTRATION IF THIS IS NOT TRUE.

29          32-1998.06. Investigations; discipline; enforcement of  
30 article; rules

31          A. THE BOARD SHALL ENFORCE THIS ARTICLE, INCLUDING ENFORCING  
32 ACTIONS TAKEN IF A LICENSE IS REQUIRED UNDER THIS ARTICLE BUT A PERSON HAS  
33 FAILED TO OBTAIN A LICENSE. IF THE BOARD HAS OR RECEIVES INFORMATION THAT  
34 ANY PROVISION OF THIS ARTICLE HAS BEEN VIOLATED, THE BOARD SHALL  
35 INVESTIGATE AND TAKE SUCH ACTION AS THE BOARD CONSIDERS APPROPRIATE AND IS  
36 AUTHORIZED UNDER THIS CHAPTER.

37          B. THE BOARD SHALL MAINTAIN A PUBLIC RECORD OF DISCIPLINARY ACTIONS  
38 INVOLVING LICENSED MEDICAL SPAS, SUBJECT TO STATE CONFIDENTIALITY LAWS.

39          C. THE BOARD SHALL ADOPT ANY RULES NECESSARY TO IMPLEMENT THIS  
40 ARTICLE THAT ARE NOT INCONSISTENT WITH THE REQUIREMENTS OF THIS ARTICLE.  
41 THE BOARD SHALL USE THE AUTHORITY PRESCRIBED IN THIS CHAPTER TO ENFORCE  
42 THE REQUIREMENTS OF THIS ARTICLE AND THE RULES ADOPTED PURSUANT TO THIS  
43 ARTICLE.