

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1021
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 41-1013, Arizona Revised Statutes, is amended
3 to read:

4 41-1013. Register

5 A. The secretary of state shall electronically publish the register
6 at least once each month and include the contents listed under subsection
7 B of this section. The secretary of state shall publish the notices that
8 are filed with the secretary of state during the preceding thirty days.
9 The register shall include a table of contents and a cumulative index.

10 B. The register shall contain the following:

11 1. Notices of rulemaking docket openings, including the subject
12 matter of the rules under consideration.

13 2. Notices of proposed rulemaking.

14 3. Notices of supplemental proposed rulemaking.

15 4. Notices of proposed exempt rulemaking for agencies that are
16 exempt from the requirements of THIS chapter ~~6 of this title~~ but that are
17 required to publish the notice in the register.

18 5. Notices of oral proceedings if the oral proceeding was not
19 listed in the notice of rulemaking docket opening as provided in section
20 41-1021, subsection B, paragraph 5.

21 6. Notices of final exempt rulemaking for agencies that are exempt
22 from the requirements of THIS chapter ~~6 of this title~~. For the purposes
23 of this paragraph, "final exempt rulemaking" means rulemaking in which an
24 agency received public comment on the rulemaking regardless of whether the
25 proposed rulemaking was published in the register or elsewhere by the
26 agency as required in the exemption.

27 7. Notices of exempt rulemaking for agencies that have a onetime
28 exemption from the requirements of THIS chapter ~~6 of this title~~ or that
29 are exempt pursuant to section 41-1005. For the purposes of this
30 paragraph, "exempt rulemaking" means a rulemaking in which an agency did
31 not publish a notice of proposed rulemaking and the agency was not
32 required to conduct a public hearing or receive public comments.

33 8. Proposed and final notices of expedited rulemaking and notices
34 that an objection was received regarding a proposed expedited rulemaking.

35 9. Notices of an agency substantive policy statement. The notice of
36 a substantive policy statement shall contain the name and A summary of the
37 policy statement and the website address where the full text of the
38 document is available, if practicable.

1 10. Notices of intent to increase state museum fees pursuant to
2 section 15-1631.

3 11. Notices of actions taken by the governor's regulatory review
4 council.

5 12. Notices of an agency guidance document or revisions to a
6 guidance document. This notice shall contain the name and a summary of
7 the guidance document and information where a person may view the document
8 in its entirety.

9 13. Notices of each agency ombudsman pursuant to section 41-1006.

10 14. Notices of public information that pertain to rulemaking
11 notices.

12 15. Deadlines of the governor's regulatory review council.

13 16. LETTERS OF DISSENT FILED BY THE JOINT LEGISLATIVE AUDIT
14 COMMITTEE PURSUANT TO SECTION 41-1279.08.

15 C. All notices listed in subsection B of this section, except the
16 notices under subsection B, paragraphs 1, 5, 9, 10, 11, 12, 13, 14, ~~and~~ 15
17 AND 16 of this section, must include a preamble and the full text of the
18 rule being proposed, amended, renumbered or repealed.

19 D. The register shall be published electronically for free. The
20 secretary of state shall establish a commercial-use fee pursuant to
21 section 39-121.03. Any paper subscription in place at the end of fiscal
22 year 2016-2017 shall be honored until the subscription expires.

23 E. For the purposes of this section, full text publication in the
24 register includes new, amended, renumbered, repealed and existing language
25 that an agency deems necessary for the proper understanding of a rule
26 notice. Rules that are undergoing extensive revision may be reprinted in
27 whole. Existing rule language that is not required for understanding
28 shall be omitted and marked "no change".

29 Sec. 2. Title 41, chapter 7, article 10.1, Arizona Revised
30 Statutes, is amended by adding section 41-1279.08, to read:

31 41-1279.08. Health profession regulatory boards; evidence of
32 criminal activity; notification requirement;
33 investigations; reporting requirements; letters
34 of dissent; definition

35 A. IF, DURING A SUNSET REVIEW, PERFORMANCE AUDIT OR SPECIAL AUDIT
36 OR ANY OTHER AUDIT OR INVESTIGATION CONDUCTED PURSUANT TO THIS ARTICLE,
37 THE AUDITOR GENERAL FINDS EVIDENCE THAT A MEMBER, THE EXECUTIVE DIRECTOR
38 OR ANY STAFF MEMBER OF A HEALTH PROFESSION REGULATORY BOARD POTENTIALLY
39 ENGAGED IN CRIMINAL ACTIVITY, INCLUDING FRAUD, EMBEZZLEMENT, MISUSE OF
40 PUBLIC MONIES, BRIBERY, FORGERY OR A CONFLICT OF INTEREST VIOLATION OF
41 TITLE 38, CHAPTER 3, ARTICLE 8, THE AUDITOR GENERAL SHALL:

42 1. IMMEDIATELY NOTIFY IN WRITING THE COMMITTEE, THE GOVERNOR, THE
43 PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND
44 THE ATTORNEY GENERAL OF THE FINDINGS.

45 2. TRANSMIT A COPY OF THE RELEVANT AUDIT FINDINGS AND SUPPORTING
46 EVIDENCE TO THE ATTORNEY GENERAL.

1 B. IF THE ATTORNEY GENERAL DETERMINES THAT A CONFLICT OF INTEREST
2 EXISTS THAT PROHIBITS THE ATTORNEY GENERAL FROM INVESTIGATING THE AUDIT
3 FINDINGS TRANSMITTED PURSUANT TO SUBSECTION A OF THIS SECTION, THE
4 ATTORNEY GENERAL SHALL REFER THE COMPLAINT TO A COUNTY ATTORNEY FOR
5 INVESTIGATION. THE ATTORNEY GENERAL OR, IF APPLICABLE, THE COUNTY
6 ATTORNEY WHO RECEIVES THE REFERRAL PURSUANT THIS SUBSECTION SHALL MAKE A
7 WRITTEN REPORT OF FINDINGS AND CONCLUSIONS AS A RESULT OF THE
8 INVESTIGATION WITHIN THIRTY DAYS AFTER RECEIPT OF THE FINDINGS OR REFERRAL
9 AND SHALL PROVIDE A COPY OF THE REPORT TO THE MEMBERS OF THE COMMITTEE.

10 C. CONCURRENT WITH THE INVESTIGATION PURSUANT TO SUBSECTION B OF
11 THIS SECTION BY THE ATTORNEY GENERAL OR, IF APPLICABLE, THE COUNTY
12 ATTORNEY WHO RECEIVES THE REFERRAL PURSUANT TO SUBSECTION B OF THIS
13 SECTION, THE COMMITTEE, IN COORDINATION WITH THE AUDITOR GENERAL, SHALL DO
14 ALL OF THE FOLLOWING:

15 1. REVIEW THE AUDITOR GENERAL'S FINDINGS AND ANY RELATED EVIDENCE.

16 2. EXAMINE THE ADMINISTRATIVE, REGULATORY AND OPERATIONAL PRACTICES
17 OF THE HEALTH PROFESSION REGULATORY BOARD THAT CONTRIBUTED TO OR ALLOWED
18 THE POTENTIAL CRIMINAL ACTIVITY.

19 3. EVALUATE THE HEALTH PROFESSION REGULATORY BOARD'S COMPLIANCE
20 WITH STATUTES, RULES AND POLICIES.

21 4. RECOMMEND LEGISLATIVE CHANGES, BOARD REFORMS, PERSONNEL ACTIONS
22 OR OTHER MEASURES TO PREVENT RECURRENCE.

23 5. ISSUE A REPORT WITH FINDINGS AND RECOMMENDATIONS TO THE
24 GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF
25 THE SENATE WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE AUDITOR GENERAL'S
26 NOTIFICATION PURSUANT TO SUBSECTION A OF THIS SECTION, WITH UPDATES AS
27 NECESSARY.

28 D. IF, AFTER PERFORMING THE REVIEW, EXAMINATION AND EVALUATION
29 PURSUANT TO SUBSECTION C OF THIS SECTION, THE COMMITTEE FINDS THAT THE
30 HEALTH PROFESSION REGULATORY BOARD'S PRACTICES ARE BASED ON A
31 MISINTERPRETATION OF THE LAW OR A RULE THAT IS BASED ON A
32 MISINTERPRETATION OF THE LAW OR THAT THE HEALTH PROFESSION REGULATORY
33 BOARD IS ACTING BEYOND ITS STATUTORY AUTHORITY, THE COMMITTEE MAY PREPARE
34 A LETTER OF DISSENT EXPRESSING ITS FINDINGS. THE COMMITTEE SHALL FILE THE
35 LETTER OF DISSENT WITH THE SECRETARY OF STATE TO BE PUBLISHED IN THE
36 REGISTER PURSUANT TO SECTION 41-1013.

37 E. A HEALTH PROFESSION REGULATORY BOARD THAT IS THE SUBJECT OF THE
38 AUDIT FINDINGS PURSUANT TO THIS SECTION SHALL FULLY COOPERATE WITH BOTH
39 THE INVESTIGATION BY THE ATTORNEY GENERAL OR, IF APPLICABLE, THE COUNTY
40 ATTORNEY WHO RECEIVES THE REFERRAL PURSUANT TO SUBSECTION B OF THIS
41 SECTION AND THE COMMITTEE INVESTIGATION, INCLUDING PROVIDING ACCESS TO
42 RECORDS, PERSONNEL AND OTHER INFORMATION AS REQUESTED, SUBJECT TO
43 APPLICABLE PRIVILEGES AND CONFIDENTIALITY LAWS.

44 F. THIS SECTION DOES NOT LIMIT THE EXISTING AUTHORITY OF THE
45 AUDITOR GENERAL, THE ATTORNEY GENERAL, A COUNTY ATTORNEY OR THE COMMITTEE
46 TO INVESTIGATE, AUDIT OR PROSECUTE ALLEGED CRIMINAL ACTIVITY OR REGULATORY
47 VIOLATIONS.

1 G. FOR THE PURPOSES OF THIS SECTION, "HEALTH PROFESSION REGULATORY
2 BOARD" HAS THE SAME MEANING PRESCRIBED IN SECTION 32-3201."
3 Amend title to conform

LISA FINK

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03/23/2026

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C: MH

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