

House Engrossed

air ambulance services

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

HOUSE BILL 2179

AN ACT

AMENDING SECTIONS 12-516, 13-2929, 32-1471, 36-661, 36-2201, 36-2202, 36-2203, 36-2204, 36-2204.02 AND 36-2209, ARIZONA REVISED STATUTES; AMENDING SECTION 36-2212, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2025, CHAPTER 212, SECTION 1; REPEALING SECTION 36-2212, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2025, CHAPTER 212, SECTION 2; AMENDING SECTIONS 36-2213, 36-2215, 36-2216, 36-2217, 36-2226.02, 36-2230, 36-2232, 36-2239, 36-2245, 36-2264, 36-2907, 36-2989, 41-1831 AND 41-2407, ARIZONA REVISED STATUTES; RELATING TO EMERGENCY MEDICAL SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-516, Arizona Revised Statutes, is amended to
3 read:

4 12-516. Emergency declaration for a public health pandemic;
5 health professionals; health care institutions;
6 immunity; burden of proof; presumption;
7 applicability; definitions

8 A. If the governor declares a state of emergency for a public
9 health pandemic pursuant to title 26, chapter 2, a health professional or
10 health care institution that acts in good faith is not liable for damages
11 in any civil action for an injury or death that is alleged to be caused by
12 the health professional's or health care institution's action or omission
13 while providing health care services in support of this state's response
14 to the state of emergency declared by the governor unless it is proven by
15 clear and convincing evidence that the health professional or health care
16 institution failed to act or acted and the failure to act or action was
17 due to that health professional's or health care institution's wilful
18 misconduct or gross negligence.

19 B. Subsection A of this section applies to any action or omission
20 that is alleged to have occurred during a person's screening, assessment,
21 diagnosis or treatment and that is related to the public health pandemic
22 that is the subject of the state of emergency or any action or omission
23 that occurs in the course of providing a person with health care services
24 and that is unrelated to the public health pandemic that is the subject of
25 the state of emergency if the health professional's or health care
26 institution's action or omission was in good faith support of this state's
27 response to the state of emergency, including any of the following:

28 1. Delaying or canceling a procedure that the health professional
29 determined in good faith was a nonurgent or elective dental, medical or
30 surgical procedure.

31 2. Providing nursing care or procedures.

32 3. Altering a person's diagnosis or treatment in response to an
33 order, directive or guideline that is issued by the federal government,
34 this state or a local government.

35 4. An act or omission undertaken by a health professional or health
36 care institution because of a lack of staffing, facilities, equipment,
37 supplies or other resources that ~~are~~ IS attributable to the state of
38 emergency and that ~~render~~ **RENDERS** the health professional or health care
39 institution unable to provide the level or manner of care to a person that
40 otherwise would have been required in the absence of the state of
41 emergency.

42 C. A health professional or health care institution is presumed to
43 have acted in good faith if the health professional or health care
44 institution relied on and reasonably attempted to comply with applicable
45 published guidance relating to the public health pandemic that was issued

1 by a federal or state agency. This subsection does not prohibit a party
2 from introducing any other evidence that proves the health professional or
3 health care institution acted in good faith.

4 D. In the case of a claim against a nursing care institution or
5 residential care institution, ~~where~~ IN WHICH the care in question did not
6 directly relate to the public health pandemic, the burden is on the
7 facility to prove that the act or omission was a direct result of having
8 to provide care to patients needing treatment for the pandemic or due to
9 limitations in equipment, supplies or staff caused by the pandemic.

10 E. This section applies to all claims that are filed before or
11 after September 29, 2021 for an act or omission by a person that occurred
12 on or after March 11, 2020 and that relates to a public health pandemic
13 that is the subject of the state of emergency declared by the governor.

14 F. This section does not apply to any claim that is subject to
15 title 23, chapter 6.

16 G. For the purposes of this section:

17 1. "Health care institution" has the same meaning prescribed in
18 section 36-401 and includes an ambulance service as defined in section
19 36-2201.

20 2. "Health professional":

21 (a) Has the same meaning prescribed in section 32-3201. ~~and~~

22 (b) Includes an AIR AMBULANCE ATTENDANT AND ambulance attendant as
23 defined in section 36-2201.

24 Sec. 2. Section 13-2929, Arizona Revised Statutes, is amended to
25 read:

26 13-2929. Unlawful transporting, moving, concealing, harboring
27 or shielding of unlawful aliens; vehicle
28 impoundment; exception; classification

29 A. It is unlawful for a person who is in violation of a criminal
30 offense to:

31 1. Transport or move or attempt to transport or move an alien in
32 this state, in furtherance of the illegal presence of the alien in the
33 United States, in a means of transportation if the person knows or
34 recklessly disregards the fact that the alien has come to, has entered or
35 remains in the United States in violation of law.

36 2. Conceal, harbor or shield or attempt to conceal, harbor or
37 shield an alien from detection in any place in this state, including any
38 building or any means of transportation, if the person knows or recklessly
39 disregards the fact that the alien has come to, has entered or remains in
40 the United States in violation of law.

41 3. Encourage or induce an alien to come to or reside in this state
42 if the person knows or recklessly disregards the fact that such coming to,
43 entering or residing in this state is or will be in violation of law.

1 B. A means of transportation that is used in the commission of a
2 violation of this section is subject to mandatory vehicle immobilization
3 or impoundment pursuant to section 28-3511.

4 C. A law enforcement official or agency of this state or a county,
5 city, town or other political subdivision of this state may not consider
6 race, color or national origin in the enforcement of this section except
7 to the extent permitted by the United States CONSTITUTION or Arizona
8 Constitution.

9 D. In the enforcement of this section, an alien's immigration
10 status may be determined by:

11 1. A law enforcement officer who is authorized by the federal
12 government to verify or ascertain an alien's immigration status.

13 2. The United States immigration and customs enforcement or the
14 United States customs and border protection pursuant to 8 United States
15 Code section 1373(c).

16 E. This section does not apply to a child safety worker acting in
17 the worker's official capacity or a person who is acting in the capacity
18 of a first responder, an ambulance attendant, AN AIR AMBULANCE ATTENDANT
19 or an emergency medical technician and who is transporting or moving an
20 alien in this state pursuant to title 36, chapter 21.1.

21 F. A person who violates this section is guilty of a class 1
22 misdemeanor and is subject to a fine of at least ~~one thousand dollars~~
23 \$1,000, except that a violation of this section that involves ten or more
24 illegal aliens is a class 6 felony and the person is subject to a fine of
25 at least ~~one thousand dollars~~ \$1,000 for each alien who is involved.

26 Sec. 3. Section 32-1471, Arizona Revised Statutes, is amended to
27 read:

28 32-1471. Health care providers; other persons; emergency aid;
29 nonliability

30 Any health care provider WHO IS licensed or certified to practice as
31 such in this state or elsewhere, ~~or~~ a licensed ambulance attendant, AIR
32 AMBULANCE ATTENDANT, driver or AMBULANCE pilot as defined in section
33 41-1831, ~~or~~ any other person who renders emergency care at a public
34 gathering or at the scene of an emergency occurrence gratuitously and in
35 good faith ~~shall~~ IS not ~~be~~ liable for any civil or other damages as the
36 result of any act or omission by ~~such~~ THE person rendering the emergency
37 care, or as the result of any act or failure to act to provide or arrange
38 for further medical treatment or care for the injured persons, unless ~~such~~
39 THE person, while rendering such emergency care, is guilty of gross
40 negligence.

41 Sec. 4. Section 36-661, Arizona Revised Statutes, is amended to
42 read:

43 36-661. Definitions

44 In this article, unless the context otherwise requires:

1 1. "Acquired immune deficiency syndrome" has the same meaning as
2 defined by the centers for disease control of the United States public
3 health service.

4 2. "Capacity to consent" means a person's ability, determined
5 without regard to the person's age, to understand and appreciate the
6 nature and consequences of a proposed health care service, treatment or
7 procedure and to make an informed decision concerning that service,
8 treatment or procedure.

9 3. "Child" means an unemancipated person WHO IS under eighteen
10 years of age.

11 4. "Communicable disease" means a contagious, epidemic or
12 infectious disease THAT IS required to be reported to the local board of
13 health or the department pursuant to chapter 1 of this title and this
14 chapter.

15 5. "Communicable disease related information" means information
16 regarding a communicable disease THAT IS in the possession of a person who
17 provides health services or who obtains the information pursuant to the
18 release of communicable disease related information.

19 6. "Contact" means a spouse or sex partner of a protected person, a
20 person who has shared hypodermic needles or syringes with a protected
21 person or a person WHO IS otherwise exposed to a protected person with a
22 communicable disease in a manner that poses an epidemiologically
23 significant risk of transmission of that disease.

24 7. "Department" means the department ~~of health services~~.

25 8. "Director" means the director of the department of health
26 services.

27 9. "First responder" means a law enforcement officer, a
28 firefighter, AN AIR AMBULANCE ATTENDANT AS DEFINED IN SECTION 36-2201 or
29 an ambulance attendant as defined in section 36-2201.

30 10. "Good Samaritan" means a person who renders emergency care or
31 assistance in good faith and without compensation at the scene of any
32 accident, fire or other life-threatening emergency and who believes that a
33 significant exposure risk occurred while the person rendered care or
34 assistance.

35 11. "Health care decision maker" has the same meaning prescribed in
36 section 12-2801.

37 12. "Health care provider" means a physician, nurse or other person
38 involved in providing health services.

39 13. "Health facility" means a health care institution as defined in
40 section 36-401, a blood bank, blood center, milk bank, sperm bank, organ
41 or tissue bank or clinical laboratory or a health care services
42 organization holding a certificate of authority pursuant to section
43 20-1054.

44 14. "Health service" means public or private care, treatment,
45 clinical laboratory tests, counseling or educational service for adults or

1 children and acute, chronic, custodial, residential, outpatient, home or
2 other health care or activities related to ~~the detection~~ DETECTING,
3 reporting, ~~prevention~~ PREVENTING and ~~control of~~ CONTROLLING communicable
4 or preventable diseases.

5 15. "HIV" means the human immunodeficiency virus.

6 16. "HIV infection" means infection with the human immunodeficiency
7 virus or a related virus identified as a probable causative agent of
8 acquired immune deficiency syndrome.

9 17. "HIV-related illness" means an illness that may result from or
10 be associated with HIV infection.

11 18. "HIV-related information" means information concerning whether
12 a person has had an HIV-related test or has AN HIV infection, AN
13 HIV-related illness or acquired immune deficiency syndrome and includes
14 information that identifies or reasonably ~~permits~~ ALLOWS identification of
15 that person or the person's contacts.

16 19. "HIV-related test" means a laboratory test or series of tests
17 for the virus, components of the virus or antibodies to the virus thought
18 to indicate the presence of HIV infection.

19 20. "Occupational significant exposure risk" means a significant
20 exposure risk that occurs in the performance of a health care provider's
21 professional duties or a first responder's official duties.

22 21. "Protected person" means a person who takes an HIV-related test
23 or who has been diagnosed as having AN HIV infection, acquired immune
24 deficiency syndrome, AN HIV-related illness or another communicable
25 disease.

26 22. "Significant exposure risk" means contact with another person
27 in a manner that, if the other person has a communicable disease, poses an
28 epidemiologically significant risk of transmission of that disease as
29 determined by the department.

30 Sec. 5. Section 36-2201, Arizona Revised Statutes, is amended to
31 read:

32 36-2201. Definitions

33 In this chapter, unless the context otherwise requires:

34 1. "Administrative medical direction" means supervision of
35 emergency medical care technicians by a base hospital medical director,
36 administrative medical director or basic life support medical director.
37 For the purposes of this paragraph, "administrative medical director"
38 means a physician ~~who is licensed pursuant to title 32, chapter 13 or 17~~
39 ~~and~~ who provides direction within the emergency medical services and
40 trauma system.

41 2. "Advanced emergency medical technician" means a person who has
42 been trained in an advanced emergency medical technician program certified
43 by the director or in an equivalent training program and who is certified
44 by the director to render services pursuant to section 36-2205.

1 3. "Advanced life support" means the level of assessment and care
2 identified in the scope of practice approved by the director for the
3 advanced emergency medical technician, emergency medical technician I-99
4 and paramedic.

5 4. "Advanced life support base hospital" means a health care
6 institution that offers general medical and surgical services, that is
7 certified by the director as an advanced life support base hospital and
8 that is affiliated by written agreement with a licensed ambulance service,
9 AIR AMBULANCE SERVICE, municipal rescue service, fire department, fire
10 district or health services district for medical direction, evaluation and
11 control of emergency medical care technicians.

12 5. "AIR AMBULANCE" MEANS ANY PUBLICLY OR PRIVATELY OWNED AIRCRAFT
13 THAT IS CERTIFICATED UNDER 14 CODE OF FEDERAL REGULATIONS PART 135, THAT
14 CONTAINS A STRETCHER AND NECESSARY MEDICAL EQUIPMENT AND SUPPLIES PURSUANT
15 TO SECTION 36-2202 AND THAT IS SPECIFICALLY DESIGNED AND CONSTRUCTED OR
16 MODIFIED AND EQUIPPED TO BE USED, MAINTAINED OR OPERATED PRIMARILY TO
17 TRANSPORT INDIVIDUALS WHO ARE SICK, INJURED OR WOUNDED OR WHO REQUIRE
18 MEDICAL MONITORING OR AID.

19 6. "AIR AMBULANCE ATTENDANT" MEANS ANY OF THE FOLLOWING:

20 (a) A PARAMEDIC WHOSE PRIMARY RESPONSIBILITY IS CARING FOR PATIENTS
21 IN AN AIR AMBULANCE AND WHO MEETS THE STANDARDS AND CRITERIA ADOPTED
22 PURSUANT TO SECTION 36-2204.

23 (b) A RESPIRATORY THERAPIST WHO IS LICENSED PURSUANT TO TITLE 32,
24 CHAPTER 35.

25 (c) A PHYSICIAN.

26 (d) A PROFESSIONAL NURSE WHO IS LICENSED PURSUANT TO TITLE 32,
27 CHAPTER 15 AND WHOSE PRIMARY RESPONSIBILITY IS CARING FOR PATIENTS IN AN
28 AIR AMBULANCE.

29 (e) A NURSE PRACTITIONER WHO IS LICENSED PURSUANT TO TITLE 32,
30 CHAPTER 15.

31 7. "AIR AMBULANCE SERVICE" MEANS A PERSON OR ORGANIZATION THAT OWNS
32 AND OPERATES ONE OR MORE AIR AMBULANCES OR THAT LEASES FROM AN AIR CARRIER
33 THE USE OF ONE OR MORE AIR AMBULANCES THAT ARE CERTIFICATED UNDER 14 CODE
34 OF FEDERAL REGULATIONS PART 135 FOR THE PURPOSE OF PROVIDING EMERGENCY
35 MEDICAL SERVICES IN AIR AMBULANCES.

36 ~~5.~~ 8. "Ambulance":

37 (a) Means any publicly or privately owned surface, ~~OR~~ water ~~or air~~
38 vehicle, ~~including a helicopter,~~ that contains a stretcher and necessary
39 medical equipment and supplies pursuant to section 36-2202 and that is
40 ~~especially~~ SPECIFICALLY designed and constructed or modified and equipped
41 to be used, maintained or operated primarily to transport individuals who
42 are sick, injured or wounded or who require medical monitoring or aid.

43 (b) Does not include a surface vehicle that is owned and operated
44 by a private sole proprietor, partnership, private corporation or
45 municipal corporation for the emergency transportation and in-transit care

1 of its employees or a vehicle that is operated to accommodate an
2 incapacitated person or person with a disability who does not require
3 medical monitoring, care or treatment during transport and that is not
4 advertised as having medical equipment and supplies or ambulance
5 attendants.

6 ~~6-~~ 9. "Ambulance attendant" means any of the following:

7 (a) An emergency medical technician, an advanced emergency medical
8 technician, an emergency medical technician I-99 or a paramedic whose
9 primary responsibility is the care of patients in an ambulance and who
10 meets the standards and criteria adopted pursuant to section 36-2204.

11 (b) An emergency medical responder who is employed by an ambulance
12 service operating under section 36-2202 and whose primary responsibility
13 is driving an ambulance.

14 (c) A physician ~~who is licensed pursuant to title 32, chapter 13~~
15 ~~or 17.~~

16 (d) A professional nurse who is licensed pursuant to title 32,
17 chapter 15 and who meets the ARIZONA state board of nursing criteria to
18 care for patients in the prehospital care system.

19 (e) A professional nurse who is licensed pursuant to title 32,
20 chapter 15 and whose primary responsibility is the care of patients in an
21 ambulance during an interfacility transport.

22 ~~7-~~ 10. "Ambulance service" means a person who owns and operates
23 one or more ambulances.

24 ~~8-~~ 11. "Basic life support" means the level of assessment and care
25 identified in the scope of practice approved by the director for the
26 emergency medical responder and emergency medical technician.

27 ~~9-~~ 12. "Bureau" means the bureau of emergency medical services and
28 trauma system in the department.

29 ~~10-~~ 13. "Centralized medical direction communications center"
30 means a facility that is housed within a hospital, medical center or
31 trauma center or a freestanding communication center that meets the
32 following criteria:

33 (a) Has the ability to communicate with ambulance services and
34 emergency medical services providers rendering patient care outside of the
35 hospital setting via radio and telephone.

36 (b) Is staffed twenty-four hours a day, seven days a week, by at
37 least a physician ~~licensed pursuant to title 32, chapter 13 or 17.~~

38 ~~11-~~ 14. "Certificate of necessity" means a certificate that is
39 issued to an ambulance service by the department and that describes the
40 following:

41 (a) The service area.

42 (b) The level of service.

43 (c) The type of service.

44 (d) The hours of operation.

45 (e) The effective date.

- 1 (f) The expiration date.
- 2 (g) The legal name and address of the ambulance service.
- 3 (h) The any limiting or special provisions the director prescribes.
- 4 ~~12.~~ 15. "Council" means the emergency medical services council.
- 5 ~~13.~~ 16. "Department" means the department of health services.
- 6 ~~14.~~ 17. "Director" means the director of the department ~~of health~~
- 7 ~~services.~~
- 8 ~~15.~~ 18. "Emergency medical care technician" means an individual
- 9 who has been certified by the department as an emergency medical
- 10 technician, an advanced emergency medical technician, an emergency medical
- 11 technician I-99 or a paramedic.
- 12 ~~16.~~ 19. "Emergency medical responder" as an ambulance attendant
- 13 whose primary responsibility is driving an ambulance, ~~OR AN AIR AMBULANCE~~
- 14 ~~ATTENDANT,~~ means a person who has successfully completed training in an
- 15 emergency medical responder program that is certified by the director or
- 16 is approved by the emergency medical services provider's administrative
- 17 medical director on file with the department or in an equivalent training
- 18 program.
- 19 ~~17.~~ 20. "Emergency medical responder program" means a program that
- 20 has been submitted for review by the department and includes at least the
- 21 following:
- 22 (a) Emergency vehicle driver training.
- 23 (b) Cardiopulmonary resuscitation certification.
- 24 (c) Automated external defibrillator training.
- 25 (d) Training in the use of noninvasive diagnostic devices,
- 26 including blood glucose monitors and pulse oximeters.
- 27 (e) Training on obtaining a patient's vital signs, including blood
- 28 pressure, pulse and respiratory rate.
- 29 ~~18.~~ 21. "Emergency medical services" means those services required
- 30 following an accident or an emergency medical situation:
- 31 (a) For on-site emergency medical care.
- 32 (b) To transport the sick or injured by a licensed ~~ground~~ ~~AMBULANCE~~
- 33 or air ambulance.
- 34 (c) In using emergency communications media.
- 35 (d) In using emergency receiving facilities.
- 36 (e) In administering initial care and preliminary treatment
- 37 procedures by emergency medical care technicians.
- 38 ~~19.~~ 22. "Emergency medical services provider" means any
- 39 governmental entity, quasi-governmental entity or corporation, whether
- 40 public or private, that renders emergency medical services in this state.
- 41 ~~20.~~ 23. "Emergency medical technician" means a person who has been
- 42 trained in an emergency medical technician program certified by the
- 43 director or in an equivalent training program and who is certified by the
- 44 director as qualified to render services pursuant to section 36-2205.

~~21.~~ 24. "Emergency receiving facility" means a licensed health care institution that offers emergency medical services, is staffed twenty-four hours a day and has a physician on call.

~~22.~~ 25. "Epinephrine delivery system" means a single-use device or product that contains a premeasured dose of epinephrine and that is approved by the United States food and drug administration to prevent or treat a life-threatening allergic reaction.

~~23.~~ 26. "Fit and proper" means that the director determines that an applicant for a certificate of necessity or a certificate holder has the expertise, integrity, fiscal competence and resources to provide ambulance service in the service area.

~~24.~~ 27. "Medical record" means any patient record, including clinical records, prehospital care records, medical reports, laboratory reports and statements, any file, film, record or report or oral statements relating to diagnostic findings, treatment or outcome of patients, whether written, electronic or recorded, and any information from which a patient or the patient's family might be identified.

~~25.~~ 28. "National certification organization" means a national organization that tests and certifies the ability of an emergency medical care technician and whose tests are based on national education standards.

~~26.~~ 29. "National education standards" means the emergency medical services education standards of the United States department of transportation or other similar emergency medical services education standards developed by that department or its successor agency.

~~27.~~ 30. "Paramedic" means a person who has been trained in a paramedic program certified by the director or in an equivalent training program and who is certified by the director to render services pursuant to section 36-2205.

~~28.~~ 31. "Physician" means any person WHO IS licensed pursuant to title 32, chapter 13 or 17.

~~29.~~ 32. "Police dog":

(a) Means a specially trained dog that is owned or used by a law enforcement department or agency of this state or any political subdivision of this state and that is used in the course of the department's or agency's official work.

(b) Includes a search and rescue dog, service dog, accelerant detection canine or other dog that is in use by the law enforcement department or agency for official duties.

~~30.~~ 33. "Stretcher van" means a vehicle that contains a stretcher and that is operated to accommodate an incapacitated person or person with a disability who does not require medical monitoring, aid, care or treatment during transport.

~~31.~~ 34. "Suboperation station" means a physical facility or location at which an ambulance service conducts operations for the

1 dispatch of ambulances and personnel and that may be staffed twenty-four
2 hours a day or less as determined by system use.

3 ~~32.~~ 35. "Trauma center" means any acute care hospital that
4 provides in-house twenty-four-hour daily dedicated trauma surgical
5 services that is designated pursuant to section 36-2225.

6 ~~33.~~ 36. "Trauma registry" means data collected by the department
7 on trauma patients and on the incidence, causes, severity, outcomes and
8 operation of a trauma system and its components.

9 ~~34.~~ 37. "Trauma system" means an integrated and organized
10 arrangement of health care resources having the specific capability to
11 perform triage, transport and provide care.

12 ~~35.~~ 38. "Validated testing procedure" means a testing procedure
13 that includes practical skills, or attests practical skills proficiency on
14 a form developed by the department by the educational training program,
15 identified pursuant to section 36-2204, paragraph 2, that is certified as
16 valid by an organization capable of determining testing procedure and
17 testing content validity and that is recommended by the medical direction
18 commission and the emergency medical services council before the
19 director's approval.

20 ~~36.~~ 39. "Wheelchair van" means a vehicle that contains or that is
21 designed and constructed or modified to contain a wheelchair and that is
22 operated to accommodate an incapacitated person or person with a
23 disability who does not require medical monitoring, aid, care or treatment
24 during transport.

25 Sec. 6. Section 36-2202, Arizona Revised Statutes, is amended to
26 read:

27 36-2202. Duties of the director; qualifications of medical
28 director

29 A. The director shall:

30 1. Appoint a medical director of the emergency medical services and
31 trauma system.

32 2. Adopt standards and criteria for the denial or granting of
33 certification and recertification of emergency medical care technicians.
34 These standards shall allow the department to certify qualified emergency
35 medical care technicians who have completed statewide standardized
36 training required under section 36-2204, paragraph 1 and a standardized
37 certification test required under section 36-2204, paragraph 2, who hold
38 valid certification with a national certification organization or who have
39 completed training and testing by the United States armed forces at a
40 level comparable to the national standards for emergency medical care
41 technicians. Before the director may consider approving a statewide
42 standardized training or a standardized certification test, or both, each
43 of these must first be recommended by the medical direction commission and
44 the emergency medical services council to ensure that the standardized
45 training content is consistent with national education standards and that

1 the standardized certification test examines comparable material to that
2 examined in the tests of a national certification organization.

3 3. Adopt standards and criteria that pertain to the quality of
4 emergency care pursuant to section 36-2204.

5 4. Adopt rules necessary to carry out this chapter. Each rule
6 shall identify all sections and subsections of this chapter under which
7 the rule was formulated.

8 5. Adopt reasonable medical equipment, supply, staffing and safety
9 standards, criteria and procedures to issue a certificate of registration
10 to operate an ambulance OR AIR AMBULANCE.

11 6. Maintain a state system for recertifying emergency medical care
12 technicians, except as otherwise provided by section 36-2202.01, that is
13 independent from any national certification organization recertification
14 process. This system shall allow emergency medical care technicians to
15 choose to be recertified under the state or the national certification
16 organization recertification system subject to subsection H of this
17 section.

18 B. Emergency medical technicians who choose the state
19 recertification process shall recertify in one of the following ways:

20 1. Successfully completing an emergency medical technician
21 refresher course approved by the department.

22 2. Successfully completing an emergency medical technician
23 challenge course approved by the department.

24 3. For emergency medical care technicians who are currently
25 certified at the emergency medical technician level by the department,
26 attesting on a form provided by the department that the applicant holds a
27 valid and current cardiopulmonary resuscitation certification, has and
28 will maintain documented proof of a minimum of twenty-four hours of
29 continuing medical education within the last two years consistent with
30 department rules and has functioned in the capacity of an emergency
31 medical technician for at least two hundred forty hours during the last
32 two years.

33 C. After consultation with the emergency medical services council,
34 the director may authorize pilot programs designed to improve the safety
35 and efficiency of ambulance AND AIR AMBULANCE inspections for governmental
36 or quasi-governmental entities that provide emergency medical services in
37 this state.

38 D. The rules, standards and criteria adopted by the director
39 pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall
40 be adopted in accordance with title 41, chapter 6, except that the
41 director may adopt on an emergency basis pursuant to section 41-1026 rules
42 relating to the regulation of ambulance services AND AIR AMBULANCE
43 SERVICES in this state necessary to protect the public peace, health and
44 safety in advance of adopting rules, standards and criteria as otherwise
45 provided by this subsection.

1 E. The director may waive the requirement for compliance with a
2 protocol adopted pursuant to section 36-2205 if the director determines
3 that the techniques, drug formularies or training makes the protocol
4 inconsistent with contemporary medical practices.

5 F. The director may suspend a protocol adopted pursuant to
6 section 36-2205 if the director does all of the following:

7 1. Determines that the rule is not in the public's best interest.

8 2. Initiates procedures pursuant to title 41, chapter 6 to repeal
9 the rule.

10 3. Notifies all interested parties in writing of the director's
11 action and the reasons for that action. Parties interested in receiving
12 notification shall submit a written request to the director.

13 G. To be eligible for appointment as the medical director of the
14 emergency medical services and trauma system, the person shall be
15 qualified in emergency medicine and shall be licensed as a physician in
16 one of the states of the United States.

17 H. Applicants for certification shall apply to the director for
18 certification. Emergency medical care technicians shall apply for
19 recertification to the director every two years. The director may extend
20 the expiration date of an emergency medical care technician's certificate
21 for thirty days. The department shall establish a fee for this extension
22 by rule. Emergency medical care technicians shall pass an examination
23 administered by the department as a condition for recertification only if
24 required to do so by the advanced life support base hospital's medical
25 director or the emergency medical care technician's medical director.

26 I. The medical director of the emergency medical services and
27 trauma system is exempt from title 41, chapter 4, articles 5 and 6 and is
28 entitled to receive compensation pursuant to section 38-611, subsection A.

29 J. The standards, criteria and procedures adopted by the director
30 pursuant to subsection A, paragraph 5 of this section shall require that
31 ambulance services **AND AIR AMBULANCES SERVICES:**

32 1. Providing interfacility transportation, **BY AN AMBULANCE**, in any
33 certificate of necessity area of this state have one ambulance attendant
34 as defined in section 36-2201, paragraph ~~6~~ 9, subdivision (a), (c), (d)
35 or (e) and one ambulance attendant as defined in section 36-2201,
36 paragraph ~~6~~ 9, subdivision (a), (b), (c), (d), or (e) staffing an
37 ambulance while transporting a patient. If an ambulance attendant as
38 defined in section 36-2201, paragraph ~~6~~ 9, subdivision (b) is staffing
39 the ambulance pursuant to this paragraph, that ambulance attendant may
40 exclusively drive the ambulance.

41 2. **PROVIDING INTERFACILITY TRANSPORTATION, BY AN AIR AMBULANCE,**
42 **HAVE ONE AIR AMBULANCE ATTENDANT AS DEFINED IN SECTION 36-2201, PARAGRAPH**
43 **6, SUBDIVISION (c), (d) OR (e) AND ONE AIR AMBULANCE ATTENDANT AS DEFINED**
44 **IN SECTION 36-2201, PARAGRAPH 6, SUBDIVISION (a), (b) OR (d) STAFFING AN**
45 **AIR AMBULANCE WHILE TRANSPORTING A PATIENT.**

1 ~~2.~~ 3. Serving a rural or wilderness certificate of necessity area
2 with a population of less than ten thousand persons have at least one
3 ambulance attendant as defined in section 36-2201, paragraph ~~6~~ 9,
4 subdivision (a), (c), (d) or (e) and one ambulance attendant as defined in
5 section 36-2201, paragraph ~~6~~ 9, subdivision (a) or (b) staffing an
6 ambulance while transporting a patient.

7 ~~3.~~ 4. Serving a population of ten thousand persons or more have at
8 least one ambulance attendant as defined in section 36-2201, paragraph
9 ~~6~~ 9, subdivision (a) and one ambulance attendant as defined in section
10 36-2201, paragraph ~~6~~ 9, subdivision (a), (c), (d) or (e) staffing an
11 ambulance while transporting a patient.

12 K. If the department determines there is not a qualified
13 administrative medical director, the department shall ensure the provision
14 of administrative medical direction for an emergency medical technician if
15 the emergency medical technician meets all of the following criteria:

16 1. Is employed by a nonprofit or governmental provider employing
17 less than twelve full-time emergency medical technicians.

18 2. Stipulates to the inability to secure a physician who is willing
19 to provide administrative medical direction.

20 3. Stipulates that the provider agency does not provide
21 administrative medical direction for its employees.

22 Sec. 7. Section 36-2203, Arizona Revised Statutes, is amended to
23 read:

24 36-2203. Emergency medical services council; membership;
25 delayed repeal

26 A. The emergency medical services council is established. The
27 medical director of the emergency medical services and trauma system shall
28 chair the council. The council is composed of the director of the
29 department of public safety and the governor's highway safety coordinator,
30 or their designees, and the following members who are appointed by the
31 governor to three-year terms:

32 1. One representative from each of the four local emergency medical
33 services coordinating systems prescribed in section 36-2210.

34 2. One physician specializing in emergency medicine from each of
35 the four local emergency medical services coordinating regions prescribed
36 in section 36-2210.

37 3. One professional nurse who is licensed pursuant to title 32,
38 chapter 15 and who specializes in emergency medicine.

39 4. One emergency medical care technician.

40 5. Two representatives from ambulance service corporations OR AIR
41 AMBULANCE SERVICE CORPORATIONS.

42 6. Two hospital administrators, one of whom represents a county
43 with a population of less than five hundred thousand persons.

44 7. One representative from each of the three employers of the
45 largest number of emergency medical care technicians and paramedics.

1 8. One representative from a nongovernmental employer of emergency
2 medical technicians I-99.

3 9. One representative from the state fire districts.

4 10. One physician who is licensed pursuant to title 32, chapter 13
5 or 17 and who specializes in trauma surgery.

6 11. One representative of a prehospital emergency medical training
7 program.

8 12. Six public members.

9 13. One representative of a volunteer medical rescue program.

10 B. Public members of the council are eligible to receive
11 compensation pursuant to section 38-611.

12 C. This section is repealed from and after January 1, 2028.

13 Sec. 8. Section 36-2204, Arizona Revised Statutes, is amended to
14 read:

15 36-2204. Medical control; standards and criteria

16 The medical director of the statewide emergency medical services and
17 trauma system, the emergency medical services council and the medical
18 direction commission shall recommend to the director **OF THE DEPARTMENT** the
19 following standards and criteria that pertain to the quality of emergency
20 patient care:

21 1. Statewide standardized training, certification and
22 recertification standards for all classifications of emergency medical
23 care technicians.

24 2. A standardized and validated testing procedure for all
25 classifications of emergency medical care technicians.

26 3. Medical standards for certification and recertification of
27 training programs for all classifications of emergency medical care
28 technicians.

29 4. Standardized continuing education criteria for all
30 classifications of emergency medical care technicians.

31 5. Medical standards for certification and recertification of
32 certified emergency receiving facilities and advanced life support base
33 hospitals and approval of physicians providing medical control or medical
34 direction for any classification of emergency medical care technicians who
35 are required to be under medical control or medical direction.

36 6. Standards and mechanisms for monitoring and ongoing evaluation
37 of performance levels of all classifications of emergency medical care
38 technicians, emergency receiving facilities and advanced life support base
39 hospitals and approval of physicians providing medical control or medical
40 direction for any classification of emergency medical care technicians who
41 are required to be under medical control or medical direction.

42 7. Objective criteria and mechanisms for decertification of all
43 classifications of emergency medical care technicians, emergency receiving
44 facilities and advanced life support base hospitals and for disapproval of
45 physicians providing medical control or medical direction for any

1 classification of emergency care technicians who are required to be under
2 medical control or medical direction.

3 8. Medical standards for nonphysician prehospital treatment and
4 prehospital triage of patients requiring emergency medical services.

5 9. Standards for emergency medical ~~dispatcher~~ DISPATCH training,
6 including prearrival instructions. For the purposes of this paragraph,
7 "emergency medical dispatch" means the receipt of calls requesting
8 emergency medical services and the response of appropriate resources to
9 the appropriate location.

10 10. Standards for a quality assurance process for components of the
11 statewide emergency medical services and trauma system, including
12 standards for maintaining the confidentiality of the information
13 considered in the course of quality assurance and the records of the
14 quality assurance activities pursuant to section 36-2403.

15 11. Standards for ambulance ~~service~~ SERVICES, AIR AMBULANCE
16 SERVICES and medical transportation that give consideration to the
17 differences between urban, rural and wilderness areas.

18 12. Standards to allow an ambulance to transport a patient to a
19 health care institution that is licensed as a special hospital and that is
20 physically connected to an emergency receiving facility.

21 Sec. 9. Section 36-2204.02, Arizona Revised Statutes, is amended to
22 read:

23 36-2204.02. Emergency medical services providers; ambulance
24 services; air ambulance services;
25 investigations of employees

26 A. In lieu of the requirements of section 36-2211, the director may
27 authorize an ambulance service, AIR AMBULANCE SERVICE or emergency medical
28 services provider to investigate, discipline or determine the fitness of
29 an employee to continue to provide patient care. This authority does not
30 apply to the conviction of, a plea of guilty or no contest to or admission
31 in a court proceeding to the elements of a felony. The employer listed on
32 the emergency medical care technician's, ~~or~~ ambulance attendant's OR AIR
33 AMBULANCE ATTENDANT'S certification or recertification application may
34 limit the practice of the emergency medical care technician, ~~or~~ ambulance
35 attendant OR AIR AMBULANCE ATTENDANT during the investigation if the
36 employer meets all of the following requirements:

37 1. Has separate investigative or supervisory staff to conduct an
38 investigation.

39 2. Has an employee assistance program for counseling.

40 3. Has policies and procedures for drug testing through urinalysis
41 or other generally accepted methods.

42 4. Has policies and procedures for monitoring ~~of~~ personnel who are
43 suspected of or who have been convicted of substance abuse.

44 B. An ambulance service, AIR AMBULANCE SERVICE or emergency medical
45 services provider that conducts its own disciplinary investigations

1 pursuant to subsection A of this section shall report the following to the
2 medical director of the emergency medical services and trauma system:

3 1. The nature of the allegation.

4 2. The level of patient care being delivered by the employee and
5 the supervision of the employee during the investigation or rehabilitative
6 period, or both.

7 3. The final outcome of the investigation and the final
8 recommendation on the employee's certification status.

9 C. The decisions of the employer **UNDER THIS SECTION** are appealable
10 under the employer's personnel policies and procedures. Except as
11 provided in section 41-1092.08, subsection H, the final administrative
12 decisions of the director are subject to judicial review pursuant to title
13 12, chapter 7, article 6.

14 Sec. 10. Section 36-2209, Arizona Revised Statutes, is amended to
15 read:

16 **36-2209. Powers and duties of the director**

17 A. The director shall:

18 1. Appoint and define the duties and prescribe the terms of
19 employment of all employees of the bureau.

20 2. Adopt rules necessary for the operation of the bureau and for
21 carrying out the purposes of this chapter.

22 3. Cooperate with and assist the personnel of emergency receiving
23 facilities and other health care institutions in preparing a plan to be
24 followed by ~~these~~ **EMERGENCY RECEIVING** facilities and **HEALTH CARE**
25 institutions in the event of a major disaster.

26 4. Cooperate with the state director of emergency management when a
27 state of emergency or a state of war emergency has been declared by the
28 governor.

29 B. The director may:

30 1. Request the cooperation of utilities, communications media and
31 public and private agencies to aid and assist in ~~the implementation~~
32 **IMPLEMENTING** and ~~maintenance of~~ **MAINTAINING** a statewide emergency medical
33 services system.

34 2. Enter into contracts and agreements with any local governmental
35 entity, agency, facility or group that provides a similar program of
36 emergency medical services in a contiguous state.

37 3. Enter into contracts and agreements ~~for the acquisition~~ **TO**
38 **ACQUIRE** and purchase ~~of~~ any equipment, tools, supplies, materials and
39 services necessary ~~in the administration of~~ **TO ADMINISTER** this chapter.

40 4. Enter into contracts with emergency receiving facilities,
41 governmental entities, emergency rescue services, **AIR AMBULANCE SERVICES**
42 and ambulance services, ~~and the director may~~ establish emergency medical
43 services, including emergency receiving facilities, if necessary to ~~assure~~
44 **ENSURE** the availability and quality of ~~these~~ **EMERGENCY MEDICAL** services.

1 5. Accept and ~~expend~~ SPEND federal funds and private grants, gifts,
2 contributions and devises to assist in carrying out the purposes of this
3 chapter. These funds do not revert to the state general fund at the close
4 of a fiscal year.

5 6. Establish an emergency medical services notification system that
6 uses existing telephone communications networks.

7 7. Contract with private telephone companies ~~for the establishment~~
8 ~~of~~ TO ESTABLISH a statewide emergency reporting telephone number.

9 8. Authorize the testing entity to collect fees determined by the
10 director. In determining fees for testing entities, the director shall
11 consider the fees required by national certification organizations.

12 Sec. 11. Section 36-2212, Arizona Revised Statutes, as amended by
13 Laws 2025, chapter 212, section 1, is amended to read:

14 36-2212. Certificate of registration to operate an ambulance
15 or air ambulance; termination on change in
16 ownership; fees

17 A. A person shall not operate an ambulance OR AIR AMBULANCE in this
18 state unless the ambulance OR AIR AMBULANCE has a certificate of
19 registration and complies with this article and the rules, standards and
20 criteria adopted pursuant to this article.

21 B. A person may obtain a certificate of registration to operate an
22 ambulance OR AIR AMBULANCE by submitting an application on a form
23 prescribed by the director and by demonstrating to the director's
24 satisfaction that the applicant is in compliance with this article and all
25 rules, standards and criteria adopted by the director for the operation of
26 an ambulance OR AIR AMBULANCE.

27 C. A certificate of registration issued under this section
28 terminates on any change of ownership or control of the ambulance OR AIR
29 AMBULANCE. Following any change of ownership, the new owner of an
30 ambulance OR AIR AMBULANCE shall apply for and receive a new certificate
31 of registration from the director before the ambulance OR AIR AMBULANCE
32 may again be operated in this state. This subsection does not apply if an
33 ambulance service OR AIR AMBULANCE SERVICE borrows, leases, rents or
34 otherwise obtains a registered ambulance OR AIR AMBULANCE from another
35 ambulance service OR AIR AMBULANCE SERVICE to temporarily replace an
36 inoperable ambulance OR AIR AMBULANCE.

37 D. The department shall issue a certificate of registration to a
38 person that complies with the requirements of this article and that pays
39 an initial registration fee. A certificate of registration is valid for
40 one year but an ambulance service OR AIR AMBULANCE SERVICE may request
41 that the department issue an initial certificate of registration that
42 expires before the end of one year in order for the department to conduct
43 an annual inspection of all of the ambulance service's ambulances OR AIR
44 AMBULANCE SERVICE'S AIR AMBULANCES at one time. A person may renew a
45 certificate of registration by complying with the requirements of this

1 article and by paying a renewal fee prescribed by the director. The fee
2 for initial registration and registration renewal shall not exceed \$50 for
3 each ambulance **OR AIR AMBULANCE**. The department shall base these fees on
4 an amount that approximates the per vehicle costs incurred by the
5 department to administer this chapter. The director shall deposit,
6 pursuant to sections 35-146 and 35-147, fees collected under this
7 subsection in the state general fund. The department shall not charge a
8 registration fee for an ambulance to an ambulance service that operates an
9 ambulance or ambulances, **OR A REGISTRATION FEE FOR AN AIR AMBULANCE TO AN**
10 **AIR AMBULANCE SERVICE THAT OPERATES AN AIR AMBULANCE OR AIR AMBULANCES,**
11 only as a volunteer not-for-profit service.

12 ~~E. Notwithstanding the period of time for which a certificate of~~
13 ~~registration is valid pursuant to subsection D of this section, if the~~
14 ~~certificate of registration holder timely submits a complete renewal~~
15 ~~application in compliance with this article and the rules adopted pursuant~~
16 ~~to this article and the department is unable to perform an inspection of~~
17 ~~an ambulance within the time frame prescribed by section 36-2232,~~
18 ~~subsection A, paragraph 13, the department may allow an ambulance's~~
19 ~~registration to remain valid and in effect until the department completes~~
20 ~~the required inspection.~~

21 Sec. 12. Repeal

22 Section 36-2212, Arizona Revised Statutes, as amended by Laws 2025,
23 chapter 212, section 2, is repealed.

24 Sec. 13. Section 36-2213, Arizona Revised Statutes, is amended to
25 read:

26 **36-2213. Air ambulance services; rules**

27 The director shall adopt rules to establish minimum standards for
28 the operation of air ambulance services that are necessary to ~~assure~~
29 **ENSURE** the public health and safety. The director may use the current
30 standards adopted by the commission on accreditation of air medical
31 services. Each rule shall reference the specific authority from this
32 chapter under which the rule was formulated. The rules shall provide for
33 the department to do the following:

34 1. Establish standards and requirements relating to at least the
35 following:

36 (a) Medical control plans. These plans shall conform to the
37 standards adopted pursuant to section 36-2204, paragraph 9.

38 (b) Qualifications of the medical director of the air ambulance
39 services.

40 (c) Operation of only those air ambulances registered pursuant to
41 section 36-2212 and licensed pursuant to title 28, chapter 25.

42 ~~2. Establish response times and operation times to assure that the~~
43 ~~health and safety needs of the public are met.~~

1 ~~3.~~ 2. Establish standards for emergency medical dispatch training,
2 including prearrival instruction. For the purposes of this paragraph,
3 "emergency medical dispatch" means the receipt of calls requesting
4 emergency medical services and the response of appropriate resources to
5 the appropriate location.

6 ~~4.~~ 3. Require the filing of run log information.

7 ~~5.~~ 4. Issue, transfer, suspend or revoke air ambulance service
8 licenses under terms and conditions consistent with this chapter. These
9 rules shall be consistent for all AIR ambulance services.

10 ~~6.~~ 5. Investigate the operation of an air ambulance service,
11 including a person operating an AIR ambulance that has not been issued a
12 certificate of registration, and conduct on-site investigations of
13 facilities communications equipment, vehicles, procedures, materials and
14 equipment.

15 ~~7.~~ 6. Prescribe the terms of the air ambulance service license.

16 ~~8.~~ 7. Prescribe the criteria for the air ambulance service license
17 inspection process and for determining an air ambulance service's
18 compliance with licensure requirements. The director shall accept proof
19 that an air ambulance service is accredited by the commission on
20 accreditation of air medical services in lieu of all licensing inspections
21 required if the director receives a copy of the air ambulance service's
22 accreditation report.

23 Sec. 14. Section 36-2215, Arizona Revised Statutes, is amended to
24 read:

25 36-2215. Required insurance or financial responsibility;
26 denial or revocation for failure to comply

27 A. The director shall not issue an air ambulance service license to
28 an AIR ambulance service unless the applicant for the license or the
29 licensee files with the department a certificate of insurance completed by
30 an insurance company that is authorized to transact business in this state
31 or other evidence of financial responsibility in an amount that the
32 director by rule determines is necessary to adequately protect the
33 interest of the public. The applicant for a license or the licensee shall
34 have malpractice and liability insurance that requires the insurer to
35 compensate for injuries to persons and for loss or damage to property
36 resulting from the negligent operation of the air ambulance service.

37 B. The director shall deny the application for a license or revoke
38 the license of any air ambulance service that fails to comply with this
39 section.

40 Sec. 15. Section 36-2216, Arizona Revised Statutes, is amended to
41 read:

42 36-2216. Prohibited acts; classification

43 A. It is unlawful for any person to operate an ambulance OR AIR
44 AMBULANCE in this state ~~which~~ THAT does not comply with ~~the provisions of~~
45 this article or the rules adopted by the director under this article.

1 B. A person who violates subsection A OF THIS SECTION is guilty of a
2 class 1 misdemeanor.

3 Sec. 16. Section 36-2217, Arizona Revised Statutes, is amended to
4 read:

5 36-2217. Exemption from regulation

6 A. This chapter does not apply to:

7 1. Vehicles used for the emergency transportation of persons
8 injured at an industrial site.

9 2. Persons engaged in and vehicles used for air transportation of
10 sick or injured people in a noncritical or nonemergency situation as
11 determined by a physician.

12 3. Medical evacuation equipment used and owned by the department of
13 public safety in air, ground or water evacuation and including fixed wing
14 aircraft, helicopters, ground ambulances and similar ground conveyances,
15 snowmobiles and water traversing equipment.

16 4. Vehicles provided or contracted for emergency medical services
17 by a political subdivision if these vehicles are primarily used to provide
18 on the scene stabilization of sick, injured, wounded, incapacitated or
19 helpless persons.

20 5. Ambulances AND AIR AMBULANCES from other states that are:

21 (a) Responding to a major catastrophe or emergency in this state
22 because there are insufficient registered ambulances in this state to
23 respond in that situation.

24 (b) Operating either from a location outside of this state to
25 transport a patient to a location within this state or operating from a
26 location outside of this state and crossing through this state to
27 transport a patient to a location outside this state.

28 6. Stretcher vans that meet the requirements of section 36-2223.

29 B. Except as provided in subsection A, paragraph 5, subdivision (a)
30 of this section, an ambulance OR AN AIR AMBULANCE from another state shall
31 not pick up a patient in this state and transport that patient to another
32 location in this state unless that ambulance OR AIR AMBULANCE is
33 registered under this chapter.

34 Sec. 17. Section 36-2226.02, Arizona Revised Statutes, is amended
35 to read:

36 36-2226.02. Administration of epinephrine; first responders;
37 immunity; definitions

38 A. A first responder who is trained in administering epinephrine
39 injections may administer an epinephrine injection or epinephrine delivery
40 system to a person who the first responder believes in good faith is
41 experiencing anaphylaxis pursuant to a standing order issued by any of the
42 following:

43 1. A physician ~~licensed pursuant to title 32, chapter 13 or 17.~~

44 2. A naturopathic physician licensed pursuant to title 32,
45 chapter 14.

1 3. A physician assistant licensed pursuant to title 32, chapter 25.

2 4. A nurse practitioner licensed pursuant to title 32, chapter 15
3 who is authorized by law to prescribe drugs.

4 B. The following individuals are immune from professional liability
5 and criminal prosecution for any decision made, act or omission or injury
6 that results from ~~that~~ AN act PRESCRIBED IN SUBSECTION A OF THIS SECTION
7 if the person acts with reasonable care and in good faith, except in cases
8 of wanton or wilful neglect:

9 1. Physicians who ~~are licensed pursuant to title 32, chapter 13 or~~
10 ~~17 and who~~ issue a standing order.

11 2. Naturopathic physicians who are licensed pursuant to title 32,
12 chapter 14 and who issue a standing order.

13 3. Physician assistants who are licensed pursuant to title 32,
14 chapter 25 and who issue a standing order.

15 4. Nurse practitioners who are licensed pursuant to title 32,
16 chapter 15 and authorized by law to prescribe drugs and who issue a
17 standing order.

18 5. First responders who administer epinephrine injections or
19 epinephrine delivery systems pursuant to this section.

20 C. This section does not create a duty to act or standard of care
21 for a first responder to administer an epinephrine injection or epinephrine
22 delivery system.

23 D. For the purposes of this section:

24 1. "Ambulance attendant" means ~~either~~ ANY of the following:

25 (a) An emergency medical technician, an advanced emergency medical
26 technician, an emergency medical technician I-99 or a paramedic whose
27 primary responsibility is ~~the care of~~ CARING FOR patients in an ambulance
28 and who meets the standards and criteria adopted pursuant to section
29 36-2204.

30 (b) An emergency medical responder who is employed by an ambulance
31 service operating under section 36-2202 and whose primary responsibility
32 is ~~the~~ driving ~~of~~ an ambulance.

33 (c) AN AIR AMBULANCE ATTENDANT.

34 2. "First responder" means a law enforcement officer, a firefighter
35 or an ambulance attendant.

36 Sec. 18. Section 36-2230, Arizona Revised Statutes, is amended to
37 read:

38 36-2230. Ambulance services; police dogs; authorization;
39 policies and procedures; immunity; billing

40 A. Each ambulance service shall require its emergency medical care
41 technicians and ambulance attendants as defined in section 36-2201,
42 paragraph ~~6~~ 9, subdivision (b) to transport a police dog that is injured
43 in the line of duty, along with a police officer who is trained in dog
44 handling, if available, or other police personnel who are medically
45 trained, by a ground ambulance or another emergency medical services

1 vehicle to a veterinary clinic or veterinary hospital equipped to provide
2 emergency treatment to dogs, if all of the following apply:

3 1. A person is not requiring emergency medical treatment or
4 transport by the ground ambulance or other emergency medical services
5 vehicle at that time.

6 2. The transport is not expected to take more than thirty minutes
7 from the point of pickup to the veterinary clinic or veterinary hospital.

8 3. The ambulance service has at least one additional ground
9 ambulance in service and available to respond to emergency calls.

10 4. The transport by a police officer in the police officer's
11 emergency vehicle is not deemed to be more safe and more expeditious than
12 transport by a ground ambulance.

13 B. An ambulance service may authorize its emergency medical care
14 technicians, if trained, to provide emergency treatment to a police dog
15 that is injured in the line of duty.

16 C. Each ambulance service may develop written policies and
17 procedures for all of the following:

18 1. Appropriate training of the ambulance service's emergency
19 medical care technician personnel to provide police dogs with basic level
20 first aid, cardiopulmonary resuscitation and lifesaving interventions,
21 including administering naloxone, that are developed in consultation with
22 a veterinarian who is licensed in this state.

23 2. Safe handling procedures for injured police dogs, including the
24 use of a muzzle, and response coordination with a law enforcement agency
25 member who is trained in handling police dogs, that are developed in
26 consultation with a veterinarian who is licensed in this state and a law
27 enforcement police dog handler or trainer.

28 3. Identification of local veterinary facilities that will provide
29 emergency treatment of injured police dogs on short notice.

30 4. Proper and complete decontamination of stretchers, the patient
31 compartment and all contaminated medical equipment after a police dog has
32 been transported by a ground ambulance or other emergency medical services
33 vehicle.

34 5. Sterilization of the interior of a ground ambulance or other
35 emergency medical services vehicle, including complete sanitizing of all
36 allergens and disinfection to a standard safe for human transport before
37 the ground ambulance or other vehicle is returned to human service.

38 D. Emergency medical care technicians and any other personnel
39 certified under this chapter who in the performance of their duties and in
40 good faith render emergency first aid, cardiopulmonary resuscitation,
41 transportation or other emergency medical services to an injured police
42 dog pursuant to this section are not personally liable as a result of
43 rendering such aid or services.

1 E. An ambulance service that provides transport for an injured
2 police dog pursuant to this section may bill the governmental entity that
3 owns the police dog for the cost of the transport.

4 F. This section does not preclude a police officer who is trained
5 in dog handling of an injured police dog from choosing to transport the
6 injured police dog in the police officer's own emergency vehicle.

7 Sec. 19. Section 36-2232, Arizona Revised Statutes, is amended to
8 read:

9 36-2232. Director; powers and duties; regulation of ambulance
10 services and air ambulance services; inspections;
11 response time compliance; mileage rate calculation
12 factors

13 A. The director shall adopt rules to regulate the operation of
14 ambulances, ~~and~~ ambulance services, AIR AMBULANCES AND AIR AMBULANCE
15 SERVICES in this state. Each rule shall identify all sections and
16 subsections of this chapter under which the rule was formulated. The
17 rules shall provide for the department to do the following:

18 1. Consistent with the requirements of subsection H of this
19 section, determine, fix, alter and regulate just, reasonable and
20 sufficient rates and charges for the provision of ambulances, including
21 rates and charges for advanced life support service, basic life support
22 service, patient loaded mileage, standby waiting, subscription service
23 contracts and other contracts for services related to the provision of
24 ambulances. The director shall inform all ambulance services of the
25 procedures and methodology used to determine ambulance rates or charges.

26 2. Ensure THAT evidence-based quality patient care is the priority
27 for decision-making.

28 3. Regulate operating and response times of ambulances to meet the
29 needs of the public and to ensure adequate service. The rules adopted by
30 the director for certificated ambulance service response times shall
31 include uniform standards for urban, suburban, rural and wilderness
32 geographic areas within the certificate of necessity based on, at a
33 minimum, population density and geographic and medical considerations.
34 The calculation of response times shall begin when the public safety
35 answering point contacts an ambulance service for dispatch and conclude
36 when the ambulance service arrives at the dispatched location. On-scene
37 arrival times for response time measurement shall be documented by the
38 ambulance service using dispatch or global positioning system data, or a
39 combination of both, and kept on file. Response time data that is
40 compliant with the health insurance portability and accountability act of
41 1996 shall be filed annually with the department. When dispatch or global
42 positioning system connectivity is not available, the ambulance service
43 shall manually document on-scene arrival times for response time
44 measurement. The response time data shall be filed in a

1 department-approved format, and the department shall make the response
2 time data publicly available.

3 4. Review response times established pursuant to paragraph 3 of
4 this subsection with the ambulance service and update the response times
5 based on, at a minimum, population density and geographic and medical
6 considerations, and the financial impact on rates and charges, every six
7 years. One additional review each six-year period may be requested by a
8 city, town, fire district or fire authority whose jurisdictional
9 boundaries in whole or in part are within the service area of a
10 certificate of necessity or an existing certificate of necessity holder
11 within the service area of the certificate of necessity.

12 5. Determine, fix, alter and regulate bases of operation. The
13 director may issue a certificate of necessity to more than one ambulance
14 service within any base of operation. For the purposes of this paragraph,
15 "base of operation" means a service area granted under a certificate of
16 necessity.

17 6. Issue, amend, transfer, suspend or revoke certificates of
18 necessity under terms consistent with this article.

19 7. Prescribe a uniform system of accounts to be used by ambulance
20 services that conforms to standard accounting forms and principles for the
21 ambulance industry and generally accepted accounting principles.

22 8. Require the filing of an annual financial report and other data.
23 These rules shall require an ambulance service to file the report with the
24 department not later than one hundred eighty days after the completion of
25 its annual accounting period.

26 9. Regulate ambulance services in all matters affecting services to
27 the public to the end that this article may be fully carried out.

28 10. Prescribe bonding requirements, if any, for ambulance services
29 AND AIR AMBULANCE SERVICES THAT ARE granted authority to provide any type
30 of subscription service.

31 11. Offer technical assistance to ambulance services AND AIR
32 AMBULANCE SERVICES to ensure compliance with the rules.

33 12. Offer technical assistance to ambulance services in order to
34 obtain or to amend a certificate of necessity.

35 13. Inspect, at a maximum of twelve-month intervals, each ambulance
36 AND AIR AMBULANCE registered pursuant to section 36-2212 to ensure that
37 the vehicle is operational and safe and that all required medical
38 equipment is operational. At the request of the provider, the inspection
39 may be performed by a facility approved by the director. If a provider
40 requests that the inspection be performed by a facility approved by the
41 director, the provider shall pay the cost of the inspection.

42 B. The director may require any ambulance service OR AIR AMBULANCE
43 SERVICE offering subscription service contracts to obtain a bond in an
44 amount determined by the director that is based on the number of
45 subscription service contract holders and to file the bond with the

1 director to protect all subscription service contract holders in this
2 state ~~who~~ THAT are covered under that subscription contract.

3 C. ~~At~~ EACH ambulance service shall:

4 1. Maintain, establish, add, move or delete suboperation stations
5 within its base of operation to ensure that the ambulance service meets
6 the established response times or those approved by the director in a
7 political subdivision contract.

8 2. Determine the operating hours of its suboperation stations to
9 provide for coverage of its base of operation.

10 3. Provide the department with a list of suboperation station
11 locations.

12 4. Notify the department not later than thirty days after the
13 ambulance service makes a change in the number or location of its
14 suboperation stations.

15 5. ~~Beginning January 1, 2024,~~ Install and maintain an electronic
16 global positioning system monitoring device in each vehicle that is used
17 for transport to record on-scene arrival times for response time
18 measurement. The department shall provide a waiver on a
19 department-approved form to an ambulance service that can reasonably
20 demonstrate it is unable to meet the requirements of this paragraph.

21 D. At any time, the director or the director's agents may:

22 1. Inquire into the operation of an ambulance service OR AIR
23 AMBULANCE SERVICE, including a person operating an ambulance OR AIR
24 AMBULANCE that has not been issued a certificate of registration or a
25 person ~~who~~ OPERATING AN AMBULANCE THAT does not have or is operating
26 outside of a certificate of necessity.

27 2. Conduct on-site inspections of facilities, communications
28 equipment, vehicles, procedures, materials and equipment.

29 3. Review the qualifications of ambulance attendants AND AIR
30 AMBULANCE ATTENDANTS.

31 E. If all ambulance services that have been granted authority to
32 operate within the same service area or that have overlapping certificates
33 of necessity apply for uniform rates and charges, the director may
34 establish uniform rates and charges for the service area.

35 F. In consultation with the medical director of the BUREAU OF
36 emergency medical services and trauma system, the emergency medical
37 services council and the medical direction commission, the director of the
38 department of health services shall establish protocols for ambulance
39 services to refer and advise a patient or transport a patient by the most
40 appropriate means to the most appropriate provider of medical services
41 based on the patient's condition. The protocols shall include triage and
42 treatment protocols that allow all classifications of emergency medical
43 care technicians responding to a person who has accessed 911, or a similar
44 public dispatch number, for a condition that does not pose an immediate
45 threat to life or limb to refer and advise a patient or transport a

1 patient to the most appropriate health care institution as defined in
2 section 36-401 based on the patient's condition, taking into consideration
3 factors including patient choice, the patient's health care provider,
4 specialized health care facilities and local protocols.

5 G. The director, when reviewing an ambulance service's response
6 time compliance with its certificate of necessity, shall consider in
7 addition to other factors the effect of hospital diversion, delayed
8 emergency department admission and the number of ambulances engaged in
9 response or transport in the affected area.

10 H. The department shall incorporate all of the following factors
11 when calculating the proposed mileage rate:

12 1. The cost of licensure and registration of each ground ambulance
13 vehicle.

14 2. The cost of fuel.

15 3. The cost of ground ambulance vehicle maintenance.

16 4. The cost of ground ambulance vehicle repair.

17 5. The cost of tires.

18 6. The cost of ground ambulance vehicle insurance.

19 7. The cost of mechanic wages, benefits and payroll taxes.

20 8. The cost of loan interest related to the ground ambulance
21 vehicles.

22 9. The cost of the weighted allocation of overhead.

23 10. The cost of ground ambulance vehicle depreciation.

24 11. The cost of reserves for replacement of ground ambulance
25 vehicles and equipment.

26 Sec. 20. Section 36-2239, Arizona Revised Statutes, is amended to
27 read:

28 36-2239. Ambulance services; rates; charges; adjustment;
29 civil penalty

30 A. An ambulance service that applies to adjust its rates or charges
31 shall automatically be granted a rate increase equal to the amount
32 determined under section 36-2234, subsection G, if the ambulance service
33 is so entitled. An automatic rate adjustment that is granted pursuant to
34 this subsection and that is filed on or before April 1 is effective June 1
35 of that year. The department shall notify the applicant and each health
36 care services organization as defined in section 20-1051 of the rate
37 adjustment on or before May 1 of that year.

38 B. Notwithstanding subsection E of this section, if the department
39 does not hold a hearing within ninety days after an ambulance service
40 applies to the department to adjust its rates or charges, the ambulance
41 service may adjust its rates or charges to an amount not to exceed the
42 amount sought by the ambulance service in its application to the
43 department. An ambulance service shall not apply to adjust its rates or
44 charges more than once every six months.

1 C. At the time the department holds a hearing on the rates or
2 charges of an ambulance service pursuant to section 36-2234, the
3 department may adjust the rates or charges adjusted by the ambulance
4 service pursuant to subsection B of this section, but the adjustment shall
5 not be retroactive.

6 D. Except as provided in subsection H of this section, an ambulance
7 service shall not charge, demand or collect any remuneration for any
8 service greater or less than or different from the rate or charge
9 determined and fixed by the department as the rate or charge for that
10 service. An ambulance service may charge for disposable supplies, medical
11 supplies and medication and oxygen related costs if the charges do not
12 exceed the manufacturer's suggested retail price, are uniform throughout
13 the ambulance service's certificated area and are filed with the director.
14 An ambulance service shall not refund or limit in any manner or by any
15 device any portion of the rates or charges for a service that the
16 department has determined and fixed or ordered as the rate or charge for
17 that service.

18 E. The department shall determine and render its decision regarding
19 all rates or charges within ninety days after commencement of the
20 applicant's hearing to adjust rates or charges. If the department does
21 not render its decision as required by this subsection, the ambulance
22 service may adjust its rates and charges to an amount that does not exceed
23 the amounts sought by the ambulance service in its application to the
24 department. If the department renders a decision to adjust the rates or
25 charges to an amount less than that requested in the application and the
26 ambulance service has adjusted its rates and charges higher than the
27 adjustment approved by the department, within thirty days after the
28 department's decision the ambulance service shall refund to the
29 appropriate ratepayer the difference between the ambulance service's
30 adjusted rates and charges and the rates and charges ordered by the
31 department. The ambulance service shall provide evidence to the
32 department that the refund has been made. If the ambulance service fails
33 to comply with this subsection, the director may impose a civil penalty
34 subject to the limits provided in section 36-2245.

35 F. An ambulance service shall charge the advanced life support base
36 rate as prescribed by the director under any of the following
37 circumstances:

38 1. A person requests an ambulance by dialing telephone number 911,
39 or a similarly designated telephone number for emergency calls, and all of
40 the following apply:

41 (a) The ambulance is staffed with at least one ambulance attendant.

42 (b) The ambulance is equipped with all required advanced life
43 support medical equipment and supplies for the advanced life support
44 attendants in the ambulance.

1 (c) The patient receives advanced life support services or is
2 transported by the advanced life support unit.

3 2. Advanced life support is requested by a medical authority or by
4 the patient.

5 3. The ambulance attendants administer one or more specialized
6 treatment activities or procedures as prescribed by the department by
7 rule.

8 G. An ambulance service shall charge the basic life support base
9 rate as prescribed by the director under any of the following
10 circumstances:

11 1. A person requests an ambulance by dialing telephone number 911,
12 or a similarly designated telephone number for emergency calls, and all of
13 the following apply:

14 (a) The ambulance is staffed with two ambulance attendants
15 certified by this state.

16 (b) The ambulance is equipped with all required basic life support
17 medical equipment and supplies for the basic life support medical
18 attendants in the ambulance.

19 (c) The patient receives basic life support services or is
20 transported by the basic life support unit.

21 2. Basic life support transportation or service is requested by a
22 medical authority or by the patient, unless any provision of subsection F
23 of this section applies, in which case the advanced life support rate
24 applies.

25 3. For an interfacility transport when the ambulance is staffed
26 with at least one ambulance attendant as defined in section 36-2201,
27 paragraph ~~6~~ 9, subdivision (a), (c), (d) or (e).

28 H. For each contract year, the Arizona health care cost containment
29 system administration and its contractors and subcontractors shall provide
30 remuneration for ambulance services for persons who are enrolled in or
31 covered by the Arizona health care cost containment system in an amount
32 equal to 68.59 percent of the amounts as prescribed by the department as
33 of July 1 of each year for services specified in subsections F and G of
34 this section and 68.59 percent of the mileage charges as determined by the
35 department as of July 1 of each year pursuant to section 36-2232. The
36 Arizona health care cost containment system administration shall annually
37 adjust the Arizona health care cost containment system fee schedule
38 according to the department's approved ambulance service rate in effect as
39 of July 1 of each year. The rate adjustments made pursuant to this
40 subsection are effective beginning October 1 of each year.

41 I. In establishing rates and charges, the director shall consider
42 the following factors:

43 1. The transportation needs assessment of the medical response
44 system in a political subdivision.

1 2. The medical care consumer price index of the United States
2 department of labor, bureau of labor statistics.

3 3. Whether a review is made by a local emergency medical services
4 coordinating system in regions where that system is designated as to the
5 appropriateness of the proposed service level.

6 4. The rate of return on gross revenue.

7 5. Response times pursuant to section 36-2232, subsection A,
8 paragraphs 3 and 4.

9 J. Notwithstanding section 36-2234, an ambulance service may charge
10 an amount for medical assessment, equipment or treatment that exceeds the
11 requirements of section 36-2205 if requested or required by a medical
12 provider or patient.

13 K. Notwithstanding subsections D, F and G of this section, an
14 ambulance service may provide gratuitous services if an ambulance is
15 dispatched and the patient subsequently declines to be treated or
16 transported.

17 Sec. 21. Section 36-2245, Arizona Revised Statutes, is amended to
18 read:

19 36-2245. Investigations; complaints; informal interviews;
20 hearings; stipulations; judicial review; civil
21 penalty; confidentiality; applicability

22 A. The department may conduct an investigation into the operation
23 of ambulances and ambulance services.

24 B. Proceedings under this section may be initiated by the
25 department.

26 C. If the department receives a written and signed statement of
27 dissatisfaction or dispute of charges or any matter relating to the
28 regulation of ambulance services, the customer is deemed to have filed an
29 informal complaint against the ambulance service. Within fifteen days ~~of~~
30 ~~receipt of~~ AFTER RECEIVING the complaint, a designated representative of
31 the department shall inform the ambulance service that an informal
32 complaint has been filed, state the nature of the allegations made,
33 specify the purported rule violation and identify specific records
34 relating to the purported rule violation that the ambulance service shall
35 provide to the department. The ambulance service shall comply with the
36 request for records in a timely manner.

37 D. Within forty-five days ~~of receipt of~~ AFTER RECEIVING the
38 records, the department shall determine ~~if~~ WHETHER the complaint is
39 nonsubstantive or substantive.

40 E. If the department determines that a complaint filed pursuant to
41 this section is nonsubstantive, ~~it~~ THE DEPARTMENT shall render a written
42 decision to all parties within five days ~~of~~ AFTER that determination. The
43 complainant may make a formal complaint to the department if the
44 complainant disagrees with the department's decision. If the
45 nonsubstantive complaint involves rates and charges, a designated

1 representative of the department shall attempt to resolve the dispute by
2 correspondence or telephone with the ambulance service and the customer.

3 F. If the department determines that a complaint filed pursuant to
4 this section is substantive, the complaint becomes a formal complaint.
5 The department shall inform the ambulance service that the initial
6 investigation was substantive in nature and may warrant action pursuant to
7 this article. The department shall inform the ambulance service of the
8 specific rule violation and shall allow the ambulance service thirty days
9 to answer the complaint in writing.

10 G. The department may issue a written request for an informal
11 interview with the ambulance service if the department believes that the
12 evidence indicates that grounds for action exist. The request shall state
13 the reasons for the **INFORMAL** interview and shall schedule an interview at
14 least ten days ~~from~~ **AFTER** the date that the department sends the request
15 for an interview.

16 H. If the department determines that evidence warrants action or if
17 the ambulance service refuses to attend the informal interview, the
18 director shall institute formal proceedings and hold a hearing pursuant to
19 title 41, chapter 6, article 10.

20 I. If the department believes that a lesser disciplinary action is
21 appropriate, the department may enter into a stipulated agreement with the
22 ambulance service. This stipulation may include a civil penalty as
23 provided under subsection J of this section.

24 J. In addition to other disciplinary action provided under this
25 section, the director may impose a civil penalty of not more than ~~three~~
26 ~~hundred fifty dollars~~ **\$350** for each violation of this chapter that
27 constitutes grounds to suspend or revoke a certificate of necessity. This
28 penalty shall not exceed ~~fifteen thousand dollars~~ **\$15,000**. Each day that
29 a violation occurs constitutes a separate offense. The director shall
30 deposit, pursuant to sections 35-146 and 35-147, all monies collected
31 under this subsection in the emergency medical services operating fund
32 established ~~under~~ **BY** section 36-2218.

33 K. The director may suspend a certificate of necessity without
34 holding a hearing if the director determines that the certificate holder
35 has failed to pay a civil penalty imposed under this section. The director
36 shall reinstate the certificate of necessity when the certificate holder
37 pays the penalty in full.

38 L. Except as provided in section 41-1092.08, subsection H, a final
39 decision of the department pursuant to this section is subject to judicial
40 review pursuant to title 12, chapter 7, article 6.

41 M. Information, documents and records received by the department or
42 prepared by the department in connection with an investigation that is
43 conducted pursuant to this article and that relates to emergency medical
44 care technicians are confidential and are not subject to public inspection
45 or civil discovery. When the investigation has been completed and the

1 investigation file has been closed, the results of the investigation and
2 the decision of the department shall be available to the public.

3 N. THIS SECTION APPLIES TO AIR AMBULANCES AND AIR AMBULANCE
4 SERVICES TO THE EXTENT THAT:

5 1. THE COMPLAINT OR PROCEEDINGS INITIATED BY THE DEPARTMENT RELATE
6 TO THE EMERGENCY MEDICAL SERVICES PROVIDED BY THE AIR AMBULANCE OR AIR
7 AMBULANCE SERVICE.

8 2. THE INVESTIGATION DOES NOT CONFLICT WITH ANY FEDERAL LAW OR
9 REGULATION GOVERNING AIR CARRIERS.

10 Sec. 22. Section 36-2264, Arizona Revised Statutes, is amended to
11 read:

12 36-2264. Exemption from regulation

13 A. A person who obtains an automated external defibrillator for
14 home use pursuant to a physician's prescription is exempt from the
15 requirements of this article.

16 B. A person who is employed as a firefighter, emergency medical
17 care technician, AIR AMBULANCE ATTENDANT or ambulance attendant by a fire
18 district established pursuant to title 48, chapter 5 is exempt from the
19 requirements of this article.

20 C. A person who is employed as a firefighter, emergency medical
21 care technician, AIR AMBULANCE ATTENDANT or ambulance attendant by a
22 public or private fire department, AIR AMBULANCE SERVICE or ~~an~~ ambulance
23 service regulated by this chapter is exempt from the requirements of this
24 article.

25 Sec. 23. Section 36-2907, Arizona Revised Statutes, is amended to
26 read:

27 36-2907. Covered health and medical services; modifications;
28 related delivery of service requirements; rules;
29 definitions

30 A. Subject to the limits and exclusions specified in this section,
31 contractors shall provide the following medically necessary health and
32 medical services:

33 1. Inpatient hospital services that are ordinarily furnished by a
34 hospital to care for and treat inpatients and that are provided under the
35 direction of a physician or a primary care practitioner. For the purposes
36 of this section, inpatient hospital services exclude services in an
37 institution for tuberculosis or mental diseases unless authorized under an
38 approved section 1115 waiver.

39 2. Outpatient health services that are ordinarily provided in
40 hospitals, clinics, offices and other health care facilities by licensed
41 health care providers. Outpatient health services include services
42 provided by or under the direction of a physician or a primary care
43 practitioner, including occupational therapy.

44 3. Other laboratory and X-ray services ordered by a physician or a
45 primary care practitioner.

1 4. Medications that are ordered on prescription by a physician or a
2 dentist who is licensed pursuant to title 32, chapter 11. Persons who are
3 dually eligible for title XVIII and title XIX services must obtain
4 available medications through a medicare licensed or certified medicare
5 advantage prescription drug plan, a medicare prescription drug plan or any
6 other entity authorized by medicare to provide a medicare part D
7 prescription drug benefit.

8 5. Medical supplies, durable medical equipment, insulin pumps and
9 prosthetic devices ordered by a physician or a primary care practitioner.
10 Suppliers of durable medical equipment shall provide the administration
11 with complete information about the identity of each person who has an
12 ownership or controlling interest in their business and shall comply with
13 federal bonding requirements in a manner prescribed by the administration.

14 6. For persons who are at least twenty-one years of age, treatment
15 of medical conditions of the eye, excluding eye examinations for
16 prescriptive lenses and the provision of prescriptive lenses.

17 7. Early and periodic health screening and diagnostic services as
18 required by section 1905(r) of title XIX of the social security act for
19 members who are under twenty-one years of age.

20 8. Family planning services that do not include abortion or
21 abortion counseling. If a contractor elects not to provide family
22 planning services, this election does not disqualify the contractor from
23 delivering all other covered health and medical services under this
24 chapter. In that event, the administration may contract directly with
25 another contractor, including an outpatient surgical center or a
26 noncontracting provider, to deliver family planning services to a member
27 who is enrolled with the contractor that elects not to provide family
28 planning services.

29 9. Podiatry services that are performed by a podiatrist who is
30 licensed pursuant to title 32, chapter 7 and ordered by a primary care
31 physician or primary care practitioner.

32 10. Nonexperimental transplants approved for title XIX
33 reimbursement.

34 11. Dental services as follows:

35 (a) Except as provided in subdivision (b) of this paragraph, for
36 persons who are at least twenty-one years of age, emergency dental care
37 and extractions in an annual amount of not more than \$1,000 per member.

38 (b) Subject to approval by the centers for medicare and medicaid
39 services, for persons treated at an Indian health service or tribal
40 facility, adult dental services that are eligible for a federal medical
41 assistance percentage of one hundred percent and that exceed the limit
42 prescribed in subdivision (a) of this paragraph.

43 12. [AIR AMBULANCE](#), ambulance and nonambulance transportation,
44 except as provided in subsection G of this section.

45 13. Hospice care.

1 14. Orthotics, if all of the following apply:

2 (a) The use of the orthotic is medically necessary as the preferred
3 treatment option consistent with medicare guidelines.

4 (b) The orthotic is less expensive than all other treatment options
5 or surgical procedures to treat the same diagnosed condition.

6 (c) The orthotic is ordered by a physician or primary care
7 practitioner.

8 15. Subject to approval by the centers for medicare and medicaid
9 services, medically necessary chiropractic services that are performed by
10 a chiropractor who is licensed pursuant to title 32, chapter 8 and that
11 are ordered by a primary care physician or primary care practitioner
12 pursuant to rules adopted by the administration. The primary care
13 physician or primary care practitioner may initially order up to twenty
14 visits annually that include treatment and may request authorization for
15 additional chiropractic services in that same year if additional
16 chiropractic services are medically necessary.

17 16. For up to ten program hours annually, diabetes outpatient
18 self-management training services, as defined in 42 United States Code
19 section 1395x, if prescribed by a primary care practitioner in either of
20 the following circumstances:

21 (a) The member is initially diagnosed with diabetes.

22 (b) For a member who has previously been diagnosed with diabetes,
23 either:

24 (i) A change occurs in the member's diagnosis, medical condition or
25 treatment regimen.

26 (ii) The member is not meeting appropriate clinical outcomes.

27 17. Pursuant to the terms and conditions that are approved by the
28 centers for medicare and medicaid services and subject to available
29 funding, traditional healing services, if both of the following apply:

30 (a) The member qualifies for services through the Indian health
31 service or a tribal facility pursuant to the conditions of participation
32 outlined in 42 Code of Federal Regulations section 136.12.

33 (b) The traditional healing service is delivered by or through the
34 Indian health service or a tribal facility.

35 B. The limits and exclusions for health and medical services
36 provided under this section are as follows:

37 1. Circumcision of newborn males is not a covered health and
38 medical service.

39 2. For eligible persons who are at least twenty-one years of age:

40 (a) Prosthetic devices do not include hearing aids, dentures or
41 bone-anchored hearing aids. Prosthetic devices, except prosthetic
42 implants, may be limited to \$12,500 per contract year.

43 (b) Percussive vests are not covered health and medical services.

44 (c) Durable medical equipment is limited to items covered by
45 medicare.

1 (d) Nonexperimental transplants do not include pancreas-only
2 transplants.

3 (e) Bariatric surgery procedures, including laparoscopic and open
4 gastric bypass and restrictive procedures, are not covered health and
5 medical services.

6 C. The system shall pay noncontracting providers only for health
7 and medical services as prescribed in subsection A of this section and as
8 prescribed by rule.

9 D. The director shall adopt rules necessary to limit, to the extent
10 possible, the scope, duration and amount of services, including maximum
11 limits for inpatient services that are consistent with federal regulations
12 under title XIX of the social security act (P.L. 89-97; 79 Stat. 344;
13 42 United States Code section 1396 (1980)). To the extent possible and
14 practicable, these rules shall provide for the prior approval of medically
15 necessary services provided pursuant to this chapter.

16 E. The director shall make available home health services in lieu
17 of hospitalization pursuant to contracts awarded under this article. For
18 the purposes of this subsection, "home health services" means the
19 provision of nursing services, home health aide services or medical
20 supplies, equipment and appliances that are provided on a part-time or
21 intermittent basis by a licensed home health agency within a member's
22 residence based on the orders of a physician or a primary care
23 practitioner. Home health agencies shall comply with the federal bonding
24 requirements in a manner prescribed by the administration.

25 F. The director shall adopt rules for the coverage of behavioral
26 health services for persons who are eligible under section 36-2901,
27 paragraph 6, subdivision (a). The administration acting through the
28 regional behavioral health authorities shall establish a diagnostic and
29 evaluation program to which other state agencies shall refer children who
30 are not already enrolled pursuant to this chapter and who may be in need
31 of behavioral health services. In addition to an evaluation, the
32 administration acting through regional behavioral health authorities shall
33 also identify children who may be eligible under section 36-2901,
34 paragraph 6, subdivision (a) or section 36-2931, paragraph 5 and shall
35 refer the children to the appropriate agency responsible for making the
36 final eligibility determination.

37 G. The director shall adopt rules providing for transportation
38 services and rules providing for copayment by members for transportation
39 for other than emergency purposes. Subject to approval by the centers for
40 medicare and medicaid services, nonemergency medical transportation shall
41 not be provided except for stretcher vans AND AIR AMBULANCE and ambulance
42 transportation. Prior authorization is required for transportation by
43 stretcher van and for medically necessary AIR AMBULANCE AND ambulance
44 transportation initiated pursuant to a physician's direction. Prior
45 authorization is not required for medically necessary AIR AMBULANCE AND

1 ambulance transportation services rendered to members or eligible persons
2 initiated by dialing telephone number 911 or other designated emergency
3 response systems.

4 H. The director may adopt rules to allow the administration, at the
5 director's discretion, to use a second opinion procedure under which
6 surgery may not be eligible for coverage pursuant to this chapter without
7 documentation as to need by at least two physicians or primary care
8 practitioners.

9 I. If the director does not receive bids within the amounts
10 budgeted or if at any time the amount remaining in the Arizona health care
11 cost containment system fund is insufficient to pay for full contract
12 services for the remainder of the contract term, the administration, on
13 notification to system contractors at least thirty days in advance, may
14 modify the list of services required under subsection A of this section
15 for persons defined as eligible other than those persons defined pursuant
16 to section 36-2901, paragraph 6, subdivision (a). The director may also
17 suspend services or may limit categories of expense for services defined
18 as optional pursuant to title XIX of the social security act (P.L. 89-97;
19 79 Stat. 344; 42 United States Code section 1396 (1980)) for persons
20 defined pursuant to section 36-2901, paragraph 6, subdivision (a). Such
21 reductions or suspensions do not apply to the continuity of care for
22 persons already receiving these services.

23 J. All health and medical services provided under this article
24 shall be provided in the geographic service area of the member, except:

25 1. Emergency services and specialty services provided pursuant to
26 section 36-2908.

27 2. That the director may allow the delivery of health and medical
28 services in other than the geographic service area in this state or in an
29 adjoining state if the director determines that medical practice patterns
30 justify the delivery of services or a net reduction in transportation
31 costs can reasonably be expected. Notwithstanding the definition of
32 physician as prescribed in section 36-2901, if services are procured from
33 a physician or primary care practitioner in an adjoining state, the
34 physician or primary care practitioner shall be licensed to practice in
35 that state pursuant to licensing statutes in that state that are similar
36 to title 32, chapter 13, 15, 17 or 25 and shall complete a provider
37 agreement for this state.

38 K. Covered outpatient services shall be subcontracted by a primary
39 care physician or primary care practitioner to other licensed health care
40 providers to the extent practicable for purposes including, but not
41 limited to, making health care services available to underserved areas,
42 reducing costs of providing medical care and reducing transportation
43 costs.

44 L. The director shall adopt rules that prescribe the coordination
45 of medical care for persons who are eligible for system services. The

1 rules shall include provisions for transferring patients and medical
2 records and initiating medical care.

3 M. Pursuant to the terms and conditions that are approved by the
4 centers for medicare and medicaid services and subject to available
5 funding, the director shall implement limited benefit coverage prerelease
6 services to eligible incarcerated individuals and committed youth for up
7 to ninety days immediately before ~~the individuals~~ EACH INDIVIDUAL'S or
8 committed youth's expected date of release from a prison, jail, secure
9 care facility or tribal correctional facility.

10 N. Notwithstanding section 36-2901.08, monies from the hospital
11 assessment fund established by section 36-2901.09 may not be used to
12 provide any of the following:

13 1. Chiropractic services as prescribed in subsection A, paragraph
14 15 of this section.

15 2. Diabetes outpatient self-management training services as
16 prescribed in subsection A, paragraph 16 of this section.

17 3. Speech therapy provided in an outpatient setting to eligible
18 persons who are at least twenty-one years of age.

19 4. Cochlear implants to eligible persons who are at least
20 twenty-one years of age.

21 0. For the purposes of this section:

22 1. "AIR AMBULANCE" HAS THE SAME MEANING PRESCRIBED IN SECTION
23 36-2201.

24 ~~1.~~ 2. "Ambulance" has the same meaning prescribed in section
25 36-2201.

26 ~~2.~~ 3. "Tribal facility" has the same meaning prescribed in section
27 36-2981.

28 Sec. 24. Section 36-2989, Arizona Revised Statutes, is amended to
29 read:

30 36-2989. Covered health and medical services; modifications;
31 related delivery of service requirements

32 A. Except as provided in this section, health and medical services
33 prescribed in section 36-2907 are covered services and include:

34 1. Inpatient hospital services that are ordinarily furnished by a
35 hospital for the care and treatment of inpatients, that are medically
36 necessary and that are provided under the direction of a physician or a
37 primary care practitioner. For the purposes of this paragraph, inpatient
38 hospital services exclude services in an institution for tuberculosis or
39 mental diseases unless authorized by federal law.

40 2. Outpatient health services that are medically necessary and
41 ordinarily provided in hospitals, clinics, offices and other health care
42 facilities by licensed health care providers. For the purposes of this
43 paragraph, "outpatient health services" includes services provided by or
44 under the direction of a physician or a primary care practitioner.

1 3. Other laboratory and X-ray services ordered by a physician or a
2 primary care practitioner.

3 4. Medications that are medically necessary and ordered on
4 prescription by a physician, a primary care practitioner or a dentist
5 licensed pursuant to title 32, chapter 11.

6 5. Medical supplies, equipment and prosthetic devices.

7 6. Treatment of medical conditions of the eye, including eye
8 examinations for prescriptive lenses and the provision of prescriptive
9 lenses for members.

10 7. Medically necessary dental services.

11 8. Well child services, immunizations and prevention services.

12 9. Family planning services that do not include abortion or
13 abortion counseling. If a contractor elects not to provide family
14 planning services, this election does not disqualify the contractor from
15 delivering all other covered health and medical services under this
16 article. In that event, the administration may contract directly with
17 another contractor, including an outpatient surgical center or a
18 noncontracting provider, to deliver family planning services to a member
19 who is enrolled with a contractor who elects not to provide family
20 planning services.

21 10. Podiatry services that are performed by a podiatrist licensed
22 pursuant to title 32, chapter 7 and that are ordered by a primary care
23 physician or primary care practitioner.

24 11. Medically necessary pancreas, heart, liver, kidney, cornea,
25 lung and heart-lung transplants and autologous and allogeneic bone marrow
26 transplants and immunosuppressant medications for these transplants
27 ordered on prescription by a physician licensed pursuant to title 32,
28 chapter 13 or 17.

29 12. Medically necessary emergency and nonemergency transportation.

30 13. Inpatient and outpatient behavioral health services that are
31 the same as the least restrictive health benefits coverage plan for
32 behavioral health services that are offered through a health care services
33 organization for state employees under section 38-651.

34 14. Hospice care.

35 B. The administration shall pay noncontracting providers only for
36 health and medical services as prescribed in subsection A of this section.

37 C. To the extent possible and practicable, the administration and
38 contractors shall provide for the prior approval of medically necessary
39 services provided pursuant to this article.

40 D. The director shall make available home health services in lieu
41 of hospitalization pursuant to contracts awarded under this article.

42 E. Behavioral health services shall be provided to members through
43 the administration's contractors. The administration acting through
44 regional behavioral health authorities as defined in section 36-3401 shall
45 use its established diagnostic and evaluation program for referrals of

1 children who are not already enrolled pursuant to this article and who may
2 be in need of behavioral health services. In addition to an evaluation,
3 the administration acting through regional behavioral health authorities
4 as defined in section 36-3401 shall also identify children who may be
5 eligible under section 36-2901, paragraph 6, subdivision (a) or section
6 36-2931, paragraph 5 and shall refer the children to the appropriate
7 agency responsible for making the final eligibility determination.

8 F. The director shall adopt rules for the provision of
9 transportation services for members. Prior authorization is not required
10 for medically necessary AIR AMBULANCE AND ambulance transportation
11 services rendered to members initiated by dialing telephone number 911 or
12 other designated emergency response systems.

13 G. The director may adopt rules to allow the administration to use
14 a second opinion procedure under which surgery may not be eligible for
15 coverage pursuant to this article without documentation as to need by at
16 least two physicians or primary care practitioners.

17 H. All health and medical services provided under this article
18 shall be provided in the geographic service area of the member, except:

19 1. Emergency services and specialty services.

20 2. The director may permit the delivery of health and medical
21 services in other than the geographic service area in this state or in an
22 adjoining state if it is determined that medical practice patterns justify
23 the delivery of services or a net reduction in transportation costs can
24 reasonably be expected. Notwithstanding section 36-2981, paragraph 8 or
25 11, if services are procured from a physician or primary care practitioner
26 in an adjoining state, the physician or primary care practitioner shall be
27 licensed to practice in that state pursuant to licensing statutes in that
28 state that are similar to title 32, chapter 13, 15, 17 or 25.

29 I. Covered outpatient services shall be subcontracted by a primary
30 care physician or primary care practitioner to other licensed health care
31 providers to the extent practicable for purposes of making health care
32 services available to underserved areas, reducing costs of providing
33 medical care and reducing transportation costs.

34 J. The director shall adopt rules that prescribe the coordination
35 of medical care for members and that include a mechanism to transfer
36 members and medical records and initiate medical care.

37 K. The director shall adopt rules for the reimbursement of
38 specialty services provided to the member if authorized by the member's
39 primary care physician or primary care practitioner.

40 L. Pursuant to the terms and conditions that are approved by the
41 centers for medicare and medicaid services and subject to available
42 funding, the director shall implement limited benefit coverage prerelease
43 services to eligible incarcerated individuals or committed youth for up to
44 ninety days immediately before ~~the individuals~~ EACH INDIVIDUAL'S or

1 committed youth's expected date of release from a prison, jail, secure
2 care facility or tribal correctional facility.

3 Sec. 25. Section 41-1831, Arizona Revised Statutes, is amended to
4 read:

5 41-1831. Definitions

6 In this chapter, unless the context otherwise requires:

7 1. "AIR AMBULANCE" MEANS ANY PUBLICLY OR PRIVATELY OWNED AIRCRAFT
8 THAT IS CERTIFICATED UNDER 14 CODE OF FEDERAL REGULATIONS PART 135, THAT
9 CONTAINS A STRETCHER AND NECESSARY MEDICAL EQUIPMENT AND SUPPLIES PURSUANT
10 TO SECTION 36-2202 AND THAT IS SPECIFICALLY DESIGNED AND CONSTRUCTED OR
11 MODIFIED AND EQUIPPED TO BE USED, MAINTAINED OR OPERATED PRIMARILY TO
12 TRANSPORT INDIVIDUALS WHO ARE SICK, INJURED OR WOUNDED OR WHO REQUIRE
13 MEDICAL MONITORING OR AID.

14 2. "AIR AMBULANCE SERVICE" MEANS A PERSON OR ORGANIZATION THAT OWNS
15 AND OPERATES ONE OR MORE AIR AMBULANCES OR THAT LEASES FROM AN AIR CARRIER
16 THE USE OF ONE OR MORE AIR AMBULANCES THAT ARE CERTIFICATED UNDER 14 CODE
17 OF FEDERAL REGULATIONS PART 135, FOR THE PURPOSE OF PROVIDING EMERGENCY
18 MEDICAL SERVICES IN AIR AMBULANCES.

19 ~~1.~~ 3. "Ambulance":

20 (a) Means any publicly or privately owned surface, ~~OR water or air~~
21 vehicle, ~~including a helicopter,~~ that is ~~specially~~ SPECIFICALLY designed
22 and constructed or modified and equipped to be used, maintained or
23 operated for transportation of individuals who are sick, injured, wounded
24 or otherwise incapacitated or helpless. ~~Ambulance~~

25 (b) Does not include surface vehicles owned and operated by a
26 private sole proprietor, partnership, private corporation or municipal
27 corporation for the emergency transportation or in transit care of its
28 employees.

29 ~~2.~~ 4. "Ambulance pilot" means an individual who is responsible for
30 the operation of an air ambulance and who is trained and certified as
31 provided in this chapter.

32 ~~3.~~ 5. "Ambulance service" means a person who owns and operates one
33 or more ambulances.

34 ~~5.~~ 6. "Department" means the department of public safety.

35 ~~6.~~ 7. "Director" means the director of the department ~~of public~~
36 ~~safety.~~

37 ~~4.~~ 8. "Emergency medical care technician" means an individual who
38 has been certified by the department of health services as an emergency
39 medical technician, an advanced emergency medical technician, an emergency
40 medical technician I-99 or a paramedic.

41 ~~7.~~ 9. "Emergency medical patient" means a person who is suffering
42 from a condition that requires immediate medical care or hospitalization,
43 or both, in order to preserve the person's health, life or limb.

44 ~~8.~~ 10. "Emergency medical services communication system" means the
45 statewide system THAT IS implemented, coordinated and administered by the

1 department of public safety, ~~which~~ AND THAT may have the capability of
2 providing for the intercommunication of any or all law enforcement
3 agencies and personnel, ambulances, ambulance services AND AIR AMBULANCE
4 SERVICES and dispatchers, emergency receiving facilities, other health
5 care institutions, medical practitioners, motor vehicle repair, fire
6 service vehicles and tow trucks, and any other agencies and persons who
7 may be serving on a volunteer basis.

8 ~~9.~~ 11. "Emergency medical situation" means a condition of
9 emergency in which immediate medical care or hospitalization, or both, is
10 required by a person or persons for the preservation of health, life or
11 limb.

12 ~~10.~~ 12. "Emergency receiving facility" means a licensed health care
13 institution that offers emergency medical services, that is staffed
14 twenty-four hours a day and that has a physician who is licensed pursuant
15 to title 32, chapter 13 or 17, ~~on call~~.

16 Sec. 26. Section 41-2407, Arizona Revised Statutes, is amended to
17 read:

18 41-2407. Victim compensation and assistance fund;
19 subrogation; prohibited debt collection activity;
20 definition

21 A. The victim compensation and assistance fund is established. The
22 Arizona criminal justice commission shall administer the fund. The victim
23 compensation and assistance fund shall consist of monies collected
24 pursuant to section 31-411, subsection E and sections 12-116.08, 13-4310,
25 31-418, 31-467.06 and 41-1674, unclaimed victim restitution monies
26 pursuant to sections 22-116 and 44-313 and monies available from any other
27 source.

28 B. Subject to legislative appropriation, the Arizona criminal
29 justice commission shall allocate monies in the victim compensation and
30 assistance fund to public and private agencies for the purpose of
31 establishing, maintaining and supporting programs that compensate and
32 assist victims of crime.

33 C. The allocation of monies pursuant to this section shall be made
34 in accordance with rules adopted by the Arizona criminal justice
35 commission pursuant to section 41-2405, subsection A, paragraph 8. The
36 rules shall provide that persons who suffered personal injury or death
37 that resulted from an attempt to aid a public safety officer in the
38 prevention of a crime or the apprehension of a criminal may be eligible
39 for compensation.

40 D. This state and the applicable operational unit or qualified
41 program, as defined in the victim compensation program rules, are
42 subrogated to the rights of an individual who receives monies from the
43 victim compensation and assistance fund to recover or receive monies or
44 benefits from a third party, to the extent of the amount of monies the
45 individual receives from the fund.

1 E. A licensed health care provider who agrees to the victim
2 compensation program rules may receive program monies for providing health
3 and medical services to a victim or claimant. A licensed health care
4 provider who accepts the full allowable payment for those services from a
5 victim compensation program funded pursuant to this section is deemed to
6 have accepted the payment as the full payment for those services. The
7 licensed health care provider may not collect or attempt to collect any
8 payment for the same health and medical services from the victim or
9 claimant, except that if a victim compensation program funded pursuant to
10 this section is unable to pay the full allowable payment to a licensed
11 health care provider because of a lack of available monies or for any
12 other reason, the licensed health care provider may collect the unpaid
13 balance for the services from the victim or claimant or from a third-party
14 payor, and the total amount billed or requested by the licensed health
15 care provider may not exceed the full allowable payment that the licensed
16 health care provider agreed to accept from the victim compensation program
17 for the services.

18 F. If a licensed health care provider receives notice that a person
19 has filed a claim with a victim compensation program funded by this
20 section, the licensed health care provider is prohibited from any debt
21 collection activity for any monies owed by the person that are included in
22 the filed claim until an award is made on the claim or until a
23 determination is made that the claim is noncompensable. For the purposes
24 of this subsection, "debt collection activity" includes repeatedly
25 telephoning or writing to the claimant and threatening to either turn the
26 matter over to a debt collection agency or to an attorney for collection,
27 enforcement or filing of any other debt collection process. Debt
28 collection activity does not include routine billing or inquiries about
29 the status of the claim.

30 G. For the purposes of this section, "licensed health care
31 provider" means a person or institution that is licensed or certified by
32 this state to provide health care services, medical services, nursing
33 services, emergency medical services, [AIR AMBULANCE SERVICES](#) and ambulance
34 services that are regulated pursuant to title 36, chapter 21.1, article 2
35 or other health-related services.