

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

HB 2179

Introduced by
Representative Willoughby

AN ACT

AMENDING SECTIONS 12-516, 13-2929, 32-1471, 36-661, 36-2201, 36-2202, 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, 36-2226.02, 36-2230, 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.

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

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

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

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

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

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

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

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

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

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

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

3 36-661. Definitions

4 In this article, unless the context otherwise requires:

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

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

13 3. "Child" means an unemancipated person WHO IS under eighteen
14 years of age.

15 4. "Communicable disease" means a contagious, epidemic or
16 infectious disease THAT IS required to be reported to the local board of
17 health or the department pursuant to chapter 1 of this title and this
18 chapter.

19 5. "Communicable disease related information" means information
20 regarding a communicable disease THAT IS in the possession of a person who
21 provides health services or who obtains the information pursuant to the
22 release of communicable disease related information.

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

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

29 8. "Director" means the director of the department of health
30 services.

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

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

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

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

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

14. "Health service" means public or private care, treatment, clinical laboratory tests, counseling or educational service for adults or children and acute, chronic, custodial, residential, outpatient, home or other health care or activities related to ~~the detection~~ DETECTING, reporting, ~~prevention~~ PREVENTING and ~~control of~~ CONTROLLING communicable or preventable diseases.

15. "HIV" means the human immunodeficiency virus.

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

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

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

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

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

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

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

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

36-2201. Definitions

In this chapter, unless the context otherwise requires:

1. "Administrative medical direction" means supervision of emergency medical care technicians by a base hospital medical director, administrative medical director or basic life support medical director. For the purposes of this paragraph, "administrative medical director" means a physician ~~who is licensed pursuant to title 32, chapter 13 or 17~~

1 ~~and~~ who provides direction within the emergency medical services and
2 trauma system.

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

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

11 4. "Advanced life support base hospital" means a health care
12 institution that offers general medical and surgical services, that is
13 certified by the director as an advanced life support base hospital and
14 that is affiliated by written agreement with a licensed ambulance service,
15 municipal rescue service, fire department, fire district or health
16 services district for medical direction, evaluation and control of
17 emergency medical care technicians.

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

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

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

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

31 (c) A PHYSICIAN.

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

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

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

42 ~~5.~~ 8. "Ambulance":

43 (a) Means any publicly or privately owned surface, ~~OR~~ water ~~or air~~
44 vehicle, ~~including a helicopter,~~ that contains a stretcher and necessary
45 medical equipment and supplies pursuant to section 36-2202 and that is

1 ~~especially~~ SPECIFICALLY designed and constructed or modified and equipped
2 to be used, maintained or operated primarily to transport individuals who
3 are sick, injured or wounded or who require medical monitoring or aid.

4 (b) Does not include a surface vehicle that is owned and operated
5 by a private sole proprietor, partnership, private corporation or
6 municipal corporation for the emergency transportation and in-transit care
7 of its employees or a vehicle that is operated to accommodate an
8 incapacitated person or person with a disability who does not require
9 medical monitoring, care or treatment during transport and that is not
10 advertised as having medical equipment and supplies or ambulance
11 attendants.

12 ~~6-~~ 9. "Ambulance attendant" means any of the following:

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

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

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

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

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

28 ~~7-~~ 10. "Ambulance service" means a person who owns and operates
29 one or more ambulances.

30 ~~8-~~ 11. "Basic life support" means the level of assessment and care
31 identified in the scope of practice approved by the director for the
32 emergency medical responder and emergency medical technician.

33 ~~9-~~ 12. "Bureau" means the bureau of emergency medical services and
34 trauma system in the department.

35 ~~10-~~ 13. "Centralized medical direction communications center"
36 means a facility that is housed within a hospital, medical center or
37 trauma center or a freestanding communication center that meets the
38 following criteria:

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

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

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

- (a) The service area.
- (b) The level of service.
- (c) The type of service.
- (d) The hours of operation.
- (e) The effective date.
- (f) The expiration date.
- (g) The legal name and address of the ambulance service.
- (h) The any limiting or special provisions the director prescribes.

~~12.~~ 15. "Council" means the emergency medical services council.

~~13.~~ 16. "Department" means the department of health services.

~~14.~~ 17. "Director" means the director of the department ~~of health~~ services.

~~15.~~ 18. "Emergency medical care technician" means an individual who has been certified by the department as an emergency medical technician, an advanced emergency medical technician, an emergency medical technician I-99 or a paramedic.

~~16.~~ 19. "Emergency medical responder" as an ambulance attendant whose primary responsibility is driving an ambulance, ~~OR AN AIR AMBULANCE ATTENDANT~~, means a person who has successfully completed training in an emergency medical responder program that is certified by the director or is approved by the emergency medical services provider's administrative medical director on file with the department or in an equivalent training program.

~~17.~~ 20. "Emergency medical responder program" means a program that has been submitted for review by the department and includes at least the following:

- (a) Emergency vehicle driver training.
- (b) Cardiopulmonary resuscitation certification.
- (c) Automated external defibrillator training.
- (d) Training in the use of noninvasive diagnostic devices, including blood glucose monitors and pulse oximeters.
- (e) Training on obtaining a patient's vital signs, including blood pressure, pulse and respiratory rate.

~~18.~~ 21. "Emergency medical services" means those services required following an accident or an emergency medical situation:

- (a) For on-site emergency medical care.
- (b) To transport the sick or injured by a licensed ~~ground~~ ~~AMBULANCE~~ or air ambulance.
- (c) In using emergency communications media.
- (d) In using emergency receiving facilities.
- (e) In administering initial care and preliminary treatment procedures by emergency medical care technicians.

~~19.~~ 22. "Emergency medical services provider" means any governmental entity, quasi-governmental entity or corporation, whether public or private, that renders emergency medical services in this state.

~~20.~~ 23. "Emergency medical technician" means a person who has been trained in an emergency medical technician program certified by the director or in an equivalent training program and who is certified by the 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 dispatch of ambulances and personnel and that may be staffed twenty-four hours a day or less as determined by system use.

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

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

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

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

~~36.~~ 39. "Wheelchair van" means a vehicle that contains or that is designed and constructed or modified to contain a wheelchair 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.

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

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

A. The director shall:

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

2. Adopt standards and criteria for the denial or granting of certification and recertification of emergency medical care technicians. These standards shall allow the department to certify qualified emergency medical care technicians who have completed statewide standardized training required under section 36-2204, paragraph 1 and a standardized certification test required under section 36-2204, paragraph 2, who hold valid certification with a national certification organization or who have completed training and testing by the United States armed forces at a

1 level comparable to the national standards for emergency medical care
 2 technicians. Before the director may consider approving a statewide
 3 standardized training or a standardized certification test, or both, each
 4 of these must first be recommended by the medical direction commission and
 5 the emergency medical services council to ensure that the standardized
 6 training content is consistent with national education standards and that
 7 the standardized certification test examines comparable material to that
 8 examined in the tests of a national certification organization.

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

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

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

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

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

26 1. Successfully completing an emergency medical technician
 27 refresher course approved by the department.

28 2. Successfully completing an emergency medical technician
 29 challenge course approved by the department.

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

39 C. After consultation with the emergency medical services council,
 40 the director may authorize pilot programs designed to improve the safety
 41 and efficiency of ambulance inspections for governmental or
 42 quasi-governmental entities that provide emergency medical services in
 43 this state.

44 D. The rules, standards and criteria adopted by the director
 45 pursuant to subsection A, paragraphs 2, 3, 4 and 5 of this section shall

1 be adopted in accordance with title 41, chapter 6, except that the
2 director may adopt on an emergency basis pursuant to section 41-1026 rules
3 relating to the regulation of ambulance services in this state necessary
4 to protect the public peace, health and safety in advance of adopting
5 rules, standards and criteria as otherwise provided by this subsection.

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

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

- 12 1. Determines that the rule is not in the public's best interest.
- 13 2. Initiates procedures pursuant to title 41, chapter 6 to repeal
14 the rule.
- 15 3. Notifies all interested parties in writing of the director's
16 action and the reasons for that action. Parties interested in receiving
17 notification shall submit a written request to the director.

18 G. To be eligible for appointment as the medical director of the
19 emergency medical services and trauma system, the person shall be
20 qualified in emergency medicine and shall be licensed as a physician in
21 one of the states of the United States.

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

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

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

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

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

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

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

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

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

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

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

Sec. 7. Section 36-2204.02, Arizona Revised Statutes, is amended to read:

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

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

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

2. Has an employee assistance program for counseling.

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

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

5 B. An ambulance service, **AIR AMBULANCE SERVICE** or emergency medical
6 services provider that conducts its own disciplinary investigations
7 pursuant to subsection A of this section shall report the following to the
8 medical director of the emergency medical services and trauma system:

9 1. The nature of the allegation.

10 2. The level of patient care being delivered by the employee and
11 the supervision of the employee during the investigation or rehabilitative
12 period, or both.

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

15 C. The decisions of the employer **UNDER THIS SECTION** are appealable
16 under the employer's personnel policies and procedures. Except as
17 provided in section 41-1092.08, subsection H, the final administrative
18 decisions of the director are subject to judicial review pursuant to title
19 12, chapter 7, article 6.

20 Sec. 8. Section 36-2209, Arizona Revised Statutes, is amended to
21 read:

22 **36-2209. Powers and duties of the director**

23 A. The director shall:

24 1. Appoint and define the duties and prescribe the terms of
25 employment of all employees of the bureau.

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

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

32 4. Cooperate with the state director of emergency management when a
33 state of emergency or a state of war emergency has been declared by the
34 governor.

35 B. The director may:

36 1. Request the cooperation of utilities, communications media and
37 public and private agencies to aid and assist in ~~the implementation~~
38 **IMPLEMENTING** and ~~maintenance of~~ **MAINTAINING** a statewide emergency medical
39 services system.

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

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

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

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

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

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

14 8. Authorize the testing entity to collect fees determined by the
15 director. In determining fees for testing entities, the director shall
16 consider the fees required by national certification organizations.

17 Sec. 9. Section 36-2212, Arizona Revised Statutes, as amended by
18 Laws 2025, chapter 212, section 1, is amended to read:

19 36-2212. Certificate of registration to operate an ambulance
20 or air ambulance; termination on change in
21 ownership; fees

22 A. A person shall not operate an ambulance **OR AIR AMBULANCE** in this
23 state unless the ambulance **OR AIR AMBULANCE** has a certificate of
24 registration and complies with this article and the rules, standards and
25 criteria adopted pursuant to this article.

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

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

42 D. The department shall issue a certificate of registration to a
43 person that complies with the requirements of this article and that pays
44 an initial registration fee. A certificate of registration is valid for
45 one year but an ambulance service **OR AIR AMBULANCE SERVICE** may request

that the department issue an initial certificate of registration that expires before the end of one year in order for the department to conduct an annual inspection of all of the ambulance service's ambulances ~~OR AIR AMBULANCE SERVICE'S AIR AMBULANCES~~ at one time. A person may renew a certificate of registration by complying with the requirements of this article and by paying a renewal fee prescribed by the director. The fee for initial registration and registration renewal shall not exceed \$50 for each ambulance ~~OR AIR AMBULANCE~~. The department shall base these fees on an amount that approximates the per vehicle costs incurred by the department to administer this chapter. The director shall deposit, pursuant to sections 35-146 and 35-147, fees collected under this subsection in the state general fund. The department shall not charge a registration fee for an ambulance to an ambulance service that operates an ambulance or ambulances, ~~OR A REGISTRATION FEE FOR AN AIR AMBULANCE TO AN AIR AMBULANCE SERVICE THAT OPERATES AN AIR AMBULANCE OR AIR AMBULANCES,~~ only as a volunteer not-for-profit service.

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

Sec. 10. Repeal

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

Sec. 11. Section 36-2213, Arizona Revised Statutes, is amended to read:

36-2213. Air ambulance services; rules

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 12. Section 36-2215, Arizona Revised Statutes, is amended to read:

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

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

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

1 Sec. 13. Section 36-2226.02, Arizona Revised Statutes, is amended
2 to read:

3 36-2226.02. Administration of epinephrine; first responders;
4 immunity; definitions

5 A. A first responder who is trained in administering epinephrine
6 injections may administer an epinephrine injection or epinephrine delivery
7 system to a person who the first responder believes in good faith is
8 experiencing anaphylaxis pursuant to a standing order issued by any of the
9 following:

- 10 1. A physician ~~licensed pursuant to title 32, chapter 13 or 17.~~
- 11 2. A naturopathic physician licensed pursuant to title 32,
12 chapter 14.
- 13 3. A physician assistant licensed pursuant to title 32, chapter 25.
- 14 4. A nurse practitioner licensed pursuant to title 32, chapter 15
15 who is authorized by law to prescribe drugs.

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

- 21 1. Physicians who ~~are licensed pursuant to title 32, chapter 13 or~~
22 ~~17 and who~~ issue a standing order.
- 23 2. Naturopathic physicians who are licensed pursuant to title 32,
24 chapter 14 and who issue a standing order.
- 25 3. Physician assistants who are licensed pursuant to title 32,
26 chapter 25 and who issue a standing order.
- 27 4. Nurse practitioners who are licensed pursuant to title 32,
28 chapter 15 and authorized by law to prescribe drugs and who issue a
29 standing order.
- 30 5. First responders who administer epinephrine injections or
31 epinephrine delivery systems pursuant to this section.

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

35 D. For the purposes of this section:

- 36 1. "Ambulance attendant" means ~~either~~ ANY of the following:
 - 37 (a) An emergency medical technician, an advanced emergency medical
38 technician, an emergency medical technician I-99 or a paramedic whose
39 primary responsibility is ~~the care of~~ CARING FOR patients in an ambulance
40 and who meets the standards and criteria adopted pursuant to section
41 36-2204.
 - 42 (b) An emergency medical responder who is employed by an ambulance
43 service operating under section 36-2202 and whose primary responsibility
44 is ~~the~~ driving ~~of~~ an ambulance.

1 (c) AN AIR AMBULANCE ATTENDANT.

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

4 Sec. 14. Section 36-2230, Arizona Revised Statutes, is amended to
5 read:

6 36-2230. Ambulance services; police dogs; authorization;
7 policies and procedures; immunity; billing

8 A. Each ambulance service shall require its emergency medical care
9 technicians and ambulance attendants as defined in section 36-2201,
10 paragraph ~~6~~ 9, subdivision (b) to transport a police dog that is injured
11 in the line of duty, along with a police officer who is trained in dog
12 handling, if available, or other police personnel who are medically
13 trained, by a ground ambulance or another emergency medical services
14 vehicle to a veterinary clinic or veterinary hospital equipped to provide
15 emergency treatment to dogs, if all of the following apply:

16 1. A person is not requiring emergency medical treatment or
17 transport by the ground ambulance or other emergency medical services
18 vehicle at that time.

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

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

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

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

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

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

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

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

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

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

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

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

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

21 Sec. 15. Section 36-2239, Arizona Revised Statutes, is amended to
22 read:

23 36-2239. Ambulance services; rates; charges; adjustment;
24 civil penalty

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

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

40 C. At the time the department holds a hearing on the rates or
41 charges of an ambulance service pursuant to section 36-2234, the
42 department may adjust the rates or charges adjusted by the ambulance
43 service pursuant to subsection B of this section, but the adjustment shall
44 not be retroactive.

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

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

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

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

- (a) The ambulance is staffed with at least one ambulance attendant.
- (b) The ambulance is equipped with all required advanced life support medical equipment and supplies for the advanced life support attendants in the ambulance.
- (c) The patient receives advanced life support services or is transported by the advanced life support unit.

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

1 3. The ambulance attendants administer one or more specialized
2 treatment activities or procedures as prescribed by the department by
3 rule.

4 G. An ambulance service shall charge the basic life support base
5 rate as prescribed by the director under any of the following
6 circumstances:

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

10 (a) The ambulance is staffed with two ambulance attendants
11 certified by this state.

12 (b) The ambulance is equipped with all required basic life support
13 medical equipment and supplies for the basic life support medical
14 attendants in the ambulance.

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

17 2. Basic life support transportation or service is requested by a
18 medical authority or by the patient, unless any provision of subsection F
19 of this section applies, in which case the advanced life support rate
20 applies.

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

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

37 I. In establishing rates and charges, the director shall consider
38 the following factors:

39 1. The transportation needs assessment of the medical response
40 system in a political subdivision.

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

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

1 4. The rate of return on gross revenue.

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

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

8 K. Notwithstanding subsections D, F and G of this section, an
9 ambulance service may provide gratuitous services if an ambulance is
10 dispatched and the patient subsequently declines to be treated or
11 transported.

12 Sec. 16. Section 36-2245, Arizona Revised Statutes, is amended to
13 read:

14 36-2245. Investigations; complaints; informal interviews;
15 hearings; stipulations; judicial review; civil
16 penalty; confidentiality; applicability

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

19 B. Proceedings under this section may be initiated by the
20 department.

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

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

35 E. If the department determines that a complaint filed pursuant to
36 this section is nonsubstantive, ~~it~~ THE DEPARTMENT shall render a written
37 decision to all parties within five days ~~of~~ AFTER that determination. The
38 complainant may make a formal complaint to the department if the
39 complainant disagrees with the department's decision. If the
40 nonsubstantive complaint involves rates and charges, a designated
41 representative of the department shall attempt to resolve the dispute by
42 correspondence or telephone with the ambulance service and the customer.

43 F. If the department determines that a complaint filed pursuant to
44 this section is substantive, the complaint becomes a formal complaint.
45 The department shall inform the ambulance service that the initial

1 investigation was substantive in nature and may warrant action pursuant to
2 this article. The department shall inform the ambulance service of the
3 specific rule violation and shall allow the ambulance service thirty days
4 to answer the complaint in writing.

5 G. The department may issue a written request for an informal
6 interview with the ambulance service if the department believes that the
7 evidence indicates that grounds for action exist. The request shall state
8 the reasons for the INFORMAL interview and shall schedule an interview at
9 least ten days ~~from~~ AFTER the date that the department sends the request
10 for an interview.

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

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

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

28 K. The director may suspend a certificate of necessity without
29 holding a hearing if the director determines that the certificate holder
30 has failed to pay a civil penalty imposed under this section. The director
31 shall reinstate the certificate of necessity when the certificate holder
32 pays the penalty in full.

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

36 M. Information, documents and records received by the department or
37 prepared by the department in connection with an investigation that is
38 conducted pursuant to this article and that relates to emergency medical
39 care technicians are confidential and are not subject to public inspection
40 or civil discovery. When the investigation has been completed and the
41 investigation file has been closed, the results of the investigation and
42 the decision of the department shall be available to the public.

43 N. THIS SECTION APPLIES TO AIR AMBULANCES AND AIR AMBULANCE
44 SERVICES TO THE EXTENT THAT:

1 1. THE COMPLAINT OR PROCEEDINGS INITIATED BY THE DEPARTMENT RELATE
2 TO THE EMERGENCY MEDICAL SERVICES PROVIDED BY THE AIR AMBULANCE OR AIR
3 AMBULANCE SERVICE.

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

6 Sec. 17. Section 36-2264, Arizona Revised Statutes, is amended to
7 read:

8 36-2264. Exemption from regulation

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

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

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

21 Sec. 18. Section 36-2907, Arizona Revised Statutes, is amended to
22 read:

23 36-2907. Covered health and medical services; modifications;
24 related delivery of service requirements; rules;
25 definitions

26 A. Subject to the limits and exclusions specified in this section,
27 contractors shall provide the following medically necessary health and
28 medical services:

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

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

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

42 4. Medications that are ordered on prescription by a physician or a
43 dentist who is licensed pursuant to title 32, chapter 11. Persons who are
44 dually eligible for title XVIII and title XIX services must obtain
45 available medications through a medicare licensed or certified medicare

1 advantage prescription drug plan, a medicare prescription drug plan or any
2 other entity authorized by medicare to provide a medicare part D
3 prescription drug benefit.

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

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

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

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

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

28 10. Nonexperimental transplants approved for title XIX
29 reimbursement.

30 11. Dental services as follows:

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

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

39 12. AIR AMBULANCE, ambulance and nonambulance transportation,
40 except as provided in subsection G of this section.

41 13. Hospice care.

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

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

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

3 (c) The orthotic is ordered by a physician or primary care
4 practitioner.

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

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

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

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

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

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

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

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

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

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

34 1. Circumcision of newborn males is not a covered health and
35 medical service.

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

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

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

41 (c) Durable medical equipment is limited to items covered by
42 medicare.

43 (d) Nonexperimental transplants do not include pancreas-only
44 transplants.

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

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

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

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

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

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

initiated by dialing telephone number 911 or other designated emergency response systems.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

O. For the purposes of this section:

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

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

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

Sec. 19. Section 36-2989, Arizona Revised Statutes, is amended to read:

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

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

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

2. Outpatient health services that are medically necessary and ordinarily provided in hospitals, clinics, offices and other health care facilities by licensed health care providers. For the purposes of this paragraph, "outpatient health services" includes services provided by or 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, lung
25 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 the
31 same as the least restrictive health benefits coverage plan for behavioral
32 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

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

Sec. 20. Section 41-1831, Arizona Revised Statutes, is amended to read:

41-1831. Definitions

In this chapter, unless the context otherwise requires:

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

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

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

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

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

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

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

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

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

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

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

~~8.~~ 10. "Emergency medical services communication system" means the 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. 21. 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.