

REFERENCE TITLE: assisted living; hyperbaric oxygen therapy

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1052

Introduced by
Senator Rogers

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-420.06; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-420.06, to read:

4 36-420.06. Assisted living homes and centers; mild hyperbaric
5 oxygen therapy; physician orders; notice;
6 informed consent; rules

7 A. NOTWITHSTANDING ANY OTHER LAW, ASSISTED LIVING HOMES AND
8 ASSISTED LIVING CENTERS MAY OFFER MILD HYPERBARIC OXYGEN THERAPY TO THEIR
9 RESIDENTS THROUGH THE USE OF A CLASS II MILD HYPERBARIC OXYGEN CHAMBER
10 THAT HAS RECEIVED PREMARKET NOTIFICATION CLEARANCE FROM THE UNITED STATES
11 FOOD AND DRUG ADMINISTRATION FOR HOME USE AS PRESCRIBED BY OR UNDER THE
12 DIRECTION OF A PHYSICIAN AND FROM WHICH RESIDENTS ARE ABLE TO
13 INDEPENDENTLY EXTRICATE THEMSELVES.

14 B. AN ASSISTED LIVING HOME OR ASSISTED LIVING CENTER THAT OFFERS
15 MILD HYPERBARIC OXYGEN THERAPY TO ITS RESIDENTS PURSUANT TO THIS SECTION
16 SHALL:

17 1. ENSURE THAT THE USE OF THE MILD HYPERBARIC OXYGEN THERAPY BY
18 RESIDENTS IS PROVIDED ONLY ON THE ORDER OF A PHYSICIAN.

19 2. ENSURE THAT A STAFF MEMBER WHO HAS RECEIVED TRAINING APPROVED BY
20 THE MANUFACTURER IS ON-SITE ANY TIME A RESIDENT RECEIVES MILD HYPERBARIC
21 OXYGEN THERAPY.

22 3. PROVIDE A NOTICE TO EACH RESIDENT WHO RECEIVES MILD HYPERBARIC
23 OXYGEN THERAPY THAT THE UNITED STATES FOOD AND DRUG ADMINISTRATION HAS
24 APPROVED THE DEVICE TO TREAT MILD SYMPTOMS CONSISTENT WITH ACUTE MOUNTAIN
25 SICKNESS AND THAT ANY OTHER USE IS CONSIDERED OFF-LABEL. THE NOTICE SHALL
26 PROVIDE KNOWN INFORMATION ABOUT CONTRAINDICATIONS AND RISKS OF USING THE
27 DEVICE AND RECOMMEND THAT THE RESIDENT CONSULT THE RESIDENT'S TREATING
28 PHYSICIAN ABOUT ANY PERSONAL HEALTH RISKS.

29 C. AN ASSISTED LIVING HOME OR ASSISTED LIVING CENTER MAY NOT OFFER
30 MILD HYPERBARIC OXYGEN THERAPY TO A RESIDENT WHO REQUIRES DIRECTED CARE
31 SERVICES UNLESS THE THERAPY IS PROVIDED ON THE ORDER OF THE RESIDENT'S
32 TREATING PHYSICIAN AND THE RESIDENT OR THE RESIDENT'S AUTHORIZED
33 REPRESENTATIVE PROVIDES INFORMED CONSENT.

34 D. THE DEPARTMENT MAY ADOPT ANY NECESSARY RULES FOR THE PURPOSES OF
35 THIS SECTION.