

House Engrossed Senate Bill

~~health care institutions; licensing; complaints~~
(now: health care institutions; licensing; compliance)

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

SENATE BILL 1162

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-405.04; AMENDING TITLE 36, CHAPTER 4, ARIZONA REVISED
STATUTES, BY ADDING ARTICLE 4.1; RELATING TO HEALTH CARE.

(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 36-405.04, to read:

4 36-405.04. Licensing and monitoring of health care
5 institutions; joint review of monitoring and
6 compliance functions; reporting requirement

7 A. THE DEPARTMENT SHALL LICENSE AND MONITOR THE OPERATION OF HEALTH
8 CARE INSTITUTIONS TO ENSURE COMPLIANCE WITH THIS CHAPTER.

9 B. THE DEPARTMENT AND THE ARIZONA HEALTH CARE COST CONTAINMENT
10 SYSTEM SHALL COORDINATE TO REVIEW MONITORING AND COMPLIANCE FUNCTIONS TO
11 IDENTIFY AREAS OF OVERLAP RELATED TO HEALTH CARE INSTITUTION LICENSING
12 STANDARDS. THE REVIEW MUST INCLUDE, AT A MINIMUM:

13 1. LICENSING, CERTIFICATION AND ENROLLMENT REQUIREMENTS.

14 2. ON-SITE SURVEYS, INSPECTIONS, AUDITS AND OTHER COMPLIANCE
15 ACTIVITIES.

16 3. DATA COLLECTION AND REPORTING REQUIREMENTS.

17 4. CORRECTIVE ACTION AND ENFORCEMENT PROCESSES APPLICABLE TO HEALTH
18 CARE INSTITUTIONS.

19 C. THE DEPARTMENT AND THE ARIZONA HEALTH CARE COST CONTAINMENT
20 SYSTEM SHALL:

21 1. IDENTIFY OPPORTUNITIES TO ELIMINATE OR REDUCE DUPLICATIVE,
22 REDUNDANT OR INCONSISTENT REQUIREMENTS WHILE MAINTAINING PATIENT SAFETY
23 AND APPROPRIATE REGULATORY OVERSIGHT.

24 2. COORDINATE OR ALIGN POLICIES, PROCEDURES AND OPERATIONAL
25 PRACTICES TO MINIMIZE ADMINISTRATIVE BURDENS ON HEALTH CARE INSTITUTIONS.

26 D. THIS SECTION DOES NOT REQUIRE ANY ACTION THAT IS INCONSISTENT
27 WITH FEDERAL MEDICAID CONDITIONS OF PARTICIPATION OR CONDITIONS OF PAYMENT
28 OR OTHER APPLICABLE FEDERAL REQUIREMENTS.

29 E. ON OR BEFORE DECEMBER 31, 2026 AND ON OR BEFORE OCTOBER 31 EVERY
30 FOUR YEARS THEREAFTER, THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT TO THE
31 HOUSE OF REPRESENTATIVES AND THE SENATE HEALTH AND HUMAN SERVICES
32 COMMITTEES, OR THEIR SUCCESSOR COMMITTEES, THAT SUMMARIZES THE FINDINGS OF
33 THE REVIEW, IDENTIFIES AREAS OF DUPLICATION OR OVERLAP AND INCLUDES
34 RECOMMENDATIONS FOR STATUTORY, REGULATORY OR ADMINISTRATIVE CHANGES.

35 F. ON OR BEFORE DECEMBER 31, 2026, THE DEPARTMENT AND THE ARIZONA
36 HEALTH CARE COST CONTAINMENT SYSTEM SHALL REVIEW THEIR RULES AND POLICIES
37 RELATING TO BEHAVIORAL HEALTH TECHNICIANS TO ENSURE ALIGNMENT WITH ARTICLE
38 4.1 OF THIS CHAPTER.

39 Sec. 2. Title 36, chapter 4, Arizona Revised Statutes, is amended
40 by adding article 4.1, to read:

41 ARTICLE 4.1. BEHAVIORAL HEALTH TECHNICIANS

42 36-444. Definition of behavioral health technician

43 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES, "BEHAVIORAL
44 HEALTH TECHNICIAN" MEANS AN INDIVIDUAL TO WHOM ALL OF THE FOLLOWING APPLY:

1 1. IS EMPLOYED BY A BEHAVIORAL HEALTH FACILITY OR BY A HOSPITAL
2 AUTHORIZED TO PROVIDE PSYCHIATRIC SERVICES THAT IS A LICENSED HEALTH CARE
3 INSTITUTION PURSUANT TO THIS CHAPTER.

4 2. PROVIDES BEHAVIORAL HEALTH SERVICES UNDER THE SUPERVISION OR
5 CLINICAL OVERSIGHT OF EITHER:

6 (a) A LICENSED BEHAVIORAL HEALTH PROFESSIONAL.

7 (b) A REGISTERED NURSE WHO IS LICENSED PURSUANT TO TITLE 32,
8 CHAPTER 15, WHO IS WORKING WITHIN THE REGISTERED NURSE'S SCOPE OF PRACTICE
9 AND WHO IS PROVIDING SUPERVISION IN A FACILITY THAT IS LICENSED AS A
10 HOSPITAL PURSUANT TO THIS CHAPTER.

11 3. PERFORMS ONLY DELEGATED CLINICAL AND SUPPORTIVE FUNCTIONS
12 CONSISTENT WITH THE INDIVIDUAL'S DEMONSTRATED TRAINING AND COMPETENCE AND
13 THE EMPLOYING BEHAVIORAL HEALTH FACILITY'S OR HOSPITAL'S POLICIES AND
14 PROCEDURES.

15 36-444.01. Qualifications; standards

16 A. A BEHAVIORAL HEALTH TECHNICIAN SHALL:

17 1. BE AT LEAST EIGHTEEN YEARS OF AGE.

18 2. POSSESS A MINIMUM OF A HIGH SCHOOL DIPLOMA OR THE EQUIVALENT.

19 3. SUCCESSFULLY COMPLETE ANY REQUIRED BACKGROUND CHECKS.

20 B. BEFORE PROVIDING SUPERVISED DIRECT SERVICES, A BEHAVIORAL HEALTH
21 TECHNICIAN SHALL COMPLETE TRAINING THAT ADDRESSES:

22 1. BEHAVIORAL HEALTH SYSTEM ORIENTATION.

23 2. CONFIDENTIALITY AND COMPLIANCE.

24 3. PROFESSIONAL BOUNDARIES AND ETHICS.

25 4. CRISIS RESPONSE AND DE-ESCALATION TECHNIQUES AND SKILLS.

26 5. TRAUMA-INFORMED AND RECOVERY-ORIENTED CARE.

27 C. A BEHAVIORAL HEALTH FACILITY OR HOSPITAL MAY ADOPT INTERNAL
28 STANDARDS FOR BEHAVIORAL HEALTH TECHNICIANS THAT EXCEED STATUTORY
29 MINIMUMS. THE EMPLOYING BEHAVIORAL HEALTH FACILITY OR HOSPITAL SHALL
30 PROVIDE ONGOING TRAINING THAT THE BEHAVIORAL HEALTH FACILITY OR HOSPITAL
31 REQUIRES OR THAT IS REQUIRED BY LAW.

32 36-444.02. Duties

33 A. A BEHAVIORAL HEALTH TECHNICIAN MAY PROVIDE SERVICES CONSISTENT
34 WITH THE INDIVIDUAL'S TRAINING, DELEGATION AND SUPERVISION, INCLUDING:

35 1. IMPLEMENTING CLIENT TREATMENT, SERVICE OR RECOVERY PLANS.

36 2. PROVIDING SKILLS TRAINING AND SUPPORTIVE COUNSELING TO SUPPORT
37 BEHAVIORAL, EMOTIONAL AND RECOVERY-ORIENTED FUNCTIONING OF CLIENTS.

38 3. ASSISTING WITH CLIENT SELF-ADMINISTRATION OF MEDICATION AS
39 AUTHORIZED BY LAW OR WITHIN AN APPLICABLE SCOPE OF PRACTICE.

40 4. COMPLETING DOCUMENTATION AND CLERICAL ACTIVITIES RELATED TO
41 CLIENT CARE.

42 5. CONTRIBUTING TO CLIENT ASSESSMENTS AND SERVICE PLANNING,
43 INCLUDING:

44 (a) INTERVIEWING AND RECORDING CLIENT HISTORY, CURRENT STATUS AND
45 DESIRED GOALS.

1 (b) GATHERING AND RECORDING COLLATERAL AND SUPPORTIVE DOCUMENTATION
2 TO ASSIST IN DEVELOPING THE SERVICE PLAN.

3 (c) RECORDING STRENGTHS, NEEDS, ABILITIES AND PREFERENCES INTO A
4 SERVICE PLAN.

5 6. PROVIDING EDUCATION REGARDING TREATMENT OPTIONS AND COMMUNITY
6 RESOURCES.

7 7. SUBMITTING ALLOWABLE BILLING CONSISTENT WITH PAYER REQUIREMENTS.

8 8. SUPPORTING MOBILE CRISIS TEAMS AND THEIR INTERVENTIONS,
9 INCLUDING ENGAGEMENT, DE-ESCALATION, SAFETY PLANNING, FOLLOW-UP
10 COORDINATION, COLLECTION OF COLLATERAL INFORMATION AND ASSISTANCE WITH
11 ASSESSMENT ACTIVITIES.

12 9. PROVIDING CLIENT TRANSPORTATION, MEAL PREPARATION AND DAILY
13 LIVING SUPPORTS CONSISTENT WITH TREATMENT GOALS.

14 10. SCHEDULING CLIENT APPOINTMENTS AND PROVIDING CASE MANAGEMENT
15 SUPPORT ACTIVITIES.

16 11. MONITORING AND DOCUMENTING VITAL SIGNS OF CLIENTS AND OTHER
17 HEALTH INDICATORS FOR WHICH THE BEHAVIORAL HEALTH TECHNICIAN HAS RECEIVED
18 APPROPRIATE TRAINING AND AUTHORIZATION.

19 12. PROVIDING OTHER SUPPORTIVE OR REHABILITATIVE SERVICES
20 CONSISTENT WITH THE INDIVIDUAL'S TRAINING AND SUPERVISION AND THE
21 EMPLOYING BEHAVIORAL HEALTH FACILITY'S OR HOSPITAL'S LICENSE.

22 B. THIS SECTION DOES NOT AUTHORIZE ANY BEHAVIORAL HEALTH TECHNICIAN
23 TO DIAGNOSE MEDICAL OR BEHAVIORAL HEALTH CONDITIONS, PRESCRIBE MEDICATIONS
24 OR PROVIDE SERVICES BEYOND THOSE THAT ARE DELEGATED TO THE BEHAVIORAL
25 HEALTH TECHNICIAN AND SUPERVISED BY A LICENSED BEHAVIORAL HEALTH
26 PROFESSIONAL OR A REGISTERED NURSE WHO IS LICENSED PURSUANT TO TITLE 32,
27 CHAPTER 15.