

Senate Engrossed

vaccination status; denial; prohibition

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

# SENATE BILL 1194

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-3230.03; AMENDING TITLE 36, CHAPTER 4, ARTICLE 1,  
ARIZONA REVISED STATUTES, BY ADDING SECTION 36-420.06; RELATING TO HEALTH  
CARE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised  
3 Statutes, is amended by adding section 32-3230.03, to read:

4 32-3230.03. Health professionals; denial of care; vaccination  
5 status; prohibition; civil penalty

6 A. A HEALTH PROFESSIONAL MAY NOT DENY CARE OR SERVICES TO ANY  
7 PERSON BASED ON THE PERSON'S VACCINATION STATUS OR ADVERSELY AFFECT A  
8 PERSON'S OPTIONS FOR, PRIORITY LEVEL OF OR QUALITY OF HEALTH CARE BASED ON  
9 THE PERSON'S VACCINATION STATUS.

10 B. ANY PERSON WHO BELIEVES THAT THE PERSON'S HEALTH CARE HAS BEEN  
11 ADVERSELY AFFECTED IN VIOLATION OF SUBSECTION A OF THIS SECTION HAS A  
12 CAUSE OF ACTION IN A COURT OF COMPETENT JURISDICTION.

13 C. A HEALTH PROFESSIONAL WHO IS FOUND TO BE IN VIOLATION OF THIS  
14 SECTION IS SUBJECT TO A CIVIL PENALTY OF \$500 PER VIOLATION OR THREE TIMES  
15 THE AMOUNT OF ACTUAL DAMAGES SUFFERED BY THE PERSON AS A RESULT OF THE  
16 VIOLATION, WHICHEVER IS MORE. THE COURT MAY AWARD A PLAINTIFF WHO  
17 PREVAILS IN AN ACTION UNDER THIS SECTION PUNITIVE DAMAGES, COURT COSTS AND  
18 REASONABLE ATTORNEY FEES.

19 D. NOTWITHSTANDING ANY OTHER LAW, A DECLARATION OF A PUBLIC HEALTH  
20 EMERGENCY, HEALTH CARE CRISIS OR PANDEMIC DOES NOT:

21 1. EXEMPT HEALTH PROFESSIONALS FROM THE REQUIREMENTS OF SUBSECTION  
22 A OF THIS SECTION.

23 2. OVERRIDE OR EXEMPT HEALTH PROFESSIONALS FROM THE PROTECTIONS AND  
24 REQUIREMENTS OF THIS SECTION. ANY HEALTH CARE-RELATED MANDATE ISSUED IN  
25 RESPONSE TO A DECLARATION OF A PUBLIC HEALTH EMERGENCY, HEALTH CARE CRISIS  
26 OR PANDEMIC SHALL BE INTERPRETED AND ENFORCED IN A MANNER THAT UPHOLDS  
27 THIS SECTION, ENSURING THAT THE HEALTH CARE-RELATED MANDATE DOES NOT  
28 CONFLICT WITH THE FUNDAMENTAL RIGHTS THAT THIS SECTION PROTECTS.

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

31 36-420.06. Health care institutions; denial of care;  
32 vaccination status; prohibition; civil penalty

33 A. A HEALTH CARE INSTITUTION MAY NOT DENY CARE OR SERVICES TO ANY  
34 PERSON BASED ON THE PERSON'S VACCINATION STATUS OR ADVERSELY AFFECT A  
35 PERSON'S OPTIONS FOR, PRIORITY LEVEL OF OR QUALITY OF HEALTH CARE BASED ON  
36 THE PERSON'S VACCINATION STATUS.

37 B. ANY PERSON WHO BELIEVES THAT THE PERSON'S HEALTH CARE HAS BEEN  
38 ADVERSELY AFFECTED IN VIOLATION OF SUBSECTION A OF THIS SECTION HAS A  
39 CAUSE OF ACTION IN A COURT OF COMPETENT JURISDICTION.

40 C. A HEALTH CARE INSTITUTION THAT IS FOUND TO BE IN VIOLATION OF  
41 THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF \$500 PER VIOLATION OR THREE  
42 TIMES THE AMOUNT OF ACTUAL DAMAGES SUFFERED BY THE PERSON AS A RESULT OF  
43 THE VIOLATION, WHICHEVER IS MORE. THE COURT MAY AWARD A PLAINTIFF WHO  
44 PREVAILS IN AN ACTION UNDER THIS SECTION PUNITIVE DAMAGES, COURT COSTS AND  
45 REASONABLE ATTORNEY FEES.

1           D. NOTWITHSTANDING ANY OTHER LAW, A DECLARATION OF A PUBLIC HEALTH  
2 EMERGENCY, HEALTH CARE CRISIS OR PANDEMIC DOES NOT:  
3           1. EXEMPT HEALTH CARE INSTITUTIONS FROM THE REQUIREMENTS OF  
4 SUBSECTION A OF THIS SECTION.  
5           2. OVERRIDE OR EXEMPT HEALTH CARE INSTITUTIONS FROM THE PROTECTIONS  
6 AND REQUIREMENTS OF THIS SECTION. ANY HEALTH CARE-RELATED MANDATE ISSUED  
7 IN RESPONSE TO A DECLARATION OF A PUBLIC HEALTH EMERGENCY, HEALTH CARE  
8 CRISIS OR PANDEMIC SHALL BE INTERPRETED AND ENFORCED IN A MANNER THAT  
9 UPHOLDS THIS SECTION, ENSURING THAT THE HEALTH CARE-RELATED MANDATE DOES  
10 NOT CONFLICT WITH THE FUNDAMENTAL RIGHTS THAT THIS SECTION PROTECTS.