

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SENATE BILL 1405

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-415; 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 Statutes,
3 is amended by adding section 36-415, to read:

4 36-415. Hospitals; patients; verification and reporting
5 requirements; disciplinary action; immunity

6 A. IF A PERSON WHO SEEKS OR IS RECEIVING EMERGENCY OR NONEMERGENCY
7 MEDICAL CARE AT, A HOSPITAL CANNOT PROVIDE VALID HEALTH INSURANCE
8 INFORMATION, THE HOSPITAL ADMISSIONS OFFICER OR REPRESENTATIVE MUST CONFIRM
9 AT SOME POINT DURING THE COURSE OF THE PERSON'S ADMISSION OR TREATMENT THAT
10 THE PERSON IS A CITIZEN OF THE UNITED STATES, A LEGAL RESIDENT OF THE UNITED
11 STATES OR LAWFULLY PRESENT IN THE UNITED STATES. THE ADMISSIONS OFFICER OR
12 REPRESENTATIVE MAY USE ANY METHOD PRESCRIBED IN SECTION 1-501 TO VERIFY
13 CITIZENSHIP OR LEGAL STATUS AND MAY ALSO USE THE FOLLOWING MEANS OF
14 VERIFICATION:

- 15 1. A UNITED STATES MILITARY I.D.
- 16 2. A DRIVER LICENSE FROM ANY STATE OF THE UNITED STATES.
- 17 3. ANY VALID DOCUMENTATION OF IDENTITY AND RESIDENCE ISSUED BY A STATE
18 IN THIS COUNTRY.
- 19 4. PROOF OF CITIZENSHIP FROM A COUNTRY THAT PARTICIPATES IN THE VISA
20 WAIVER PROGRAM RECOGNIZED BY THE UNITED STATES GOVERNMENT.
- 21 5. PROOF OF CANADIAN CITIZENSHIP.
- 22 6. PROOF OF A VALID NON-IMMIGRANT VISA THAT IS RECOGNIZED BY THE
23 UNITED STATES GOVERNMENT.

24 B. IF THE ADMISSIONS OFFICER OR REPRESENTATIVE WHO AFTER MAKING A
25 REASONABLE ATTEMPT CANNOT VERIFY THE PATIENT'S CITIZENSHIP OR LEGAL STATUS AS
26 REQUIRED PURSUANT TO SUBSECTION A OF THIS SECTION, THE ADMISSIONS OFFICER OR
27 REPRESENTATIVE, OR A PERSON NOT DIRECTLY INVOLVED IN ADMINISTERING THE ACTUAL
28 MEDICAL CARE OF A PATIENT MUST IMMEDIATELY CONTACT THE LOCAL FEDERAL
29 IMMIGRATION OFFICE OR A LOCAL LAW ENFORCEMENT AGENCY TO REPORT THE INCIDENT.

30 C. A HOSPITAL MUST SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT TO
31 DOCUMENT ITS COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION IN A MANNER AND
32 FORM PRESCRIBED BY THE DEPARTMENT. EACH REPORT MUST INCLUDE DOCUMENTATION
33 REGARDING THE NUMBER OF REFERRALS TO IMMIGRATION AND LAW ENFORCEMENT PURSUANT
34 TO SUBSECTION B OF THIS SECTION.

35 D. A HOSPITAL THAT DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS
36 SECTION IS SUBJECT TO DISCIPLINARY ACTION AGAINST ITS LICENSE BY THE
37 DEPARTMENT.

38 E. A HOSPITAL THAT COMPLIES WITH THE REQUIREMENTS OF THIS SECTION IS
39 NOT SUBJECT TO CIVIL LIABILITY.