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House Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

HOUSE BILL 2541

AN ACT

AMENDING TITLE 32, CHAPTER 18, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1973; AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3210; AMENDING TITLE 36, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-414; RELATING TO HEALTH CARE PROVIDERS.

(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 18, article 3, Arizona Revised Statutes,
3 is amended by adding section 32-1973, to read:
4 32-1973. Right to refuse to participate in certain activities:
5 liability
6 A. A PHARMACY THAT STATES IN WRITING AN OBJECTION TO PARTICIPATING IN
7 ANY OF THE FOLLOWING ACTIVITIES ON MORAL OR RELIGIOUS GROUNDS IS NOT REQUIRED
8 TO PARTICIPATE IN THAT ACTIVITY BY PROVIDING DRUGS OR DEVICES THAT ARE
9 PRESCRIBED TO ACCOMPLISH THAT ACTIVITY:
10 1. AN ABORTION.
11 2. EMERGENCY CONTRACEPTION.
12 B. A PERSON OR PHARMACY THAT ACTS IN GOOD FAITH PURSUANT TO THIS
13 SECTION IS NOT SUBJECT TO CIVIL LIABILITY. FOR THE PURPOSES OF THIS
14 SUBSECTION, "PHARMACY" INCLUDES THE BUSINESS ENTITY THAT OWNS, CONTROLS OR
15 OPERATES THE PHARMACY.
16 Sec. 2. Title 32, chapter 32, article 1, Arizona Revised Statutes, is
17 amended by adding section 32-3210, to read:
18 32-3210. Right to refuse to participate in certain activities
19 A HEALTH PROFESSIONAL OR AN EMPLOYEE OF A HEALTH PROFESSIONAL WHO
20 STATES IN WRITING AN OBJECTION TO PARTICIPATING IN ANY OF THE FOLLOWING
21 ACTIVITIES ON MORAL OR RELIGIOUS GROUNDS IS NOT REQUIRED TO PARTICIPATE IN
22 THAT ACTIVITY AND IS NOT SUBJECT TO DISCIPLINARY ACTION FOR NOT PARTICIPATING
23 IN THAT ACTIVITY:
24 1. AN ABORTION.
25 2. EMERGENCY CONTRACEPTION.
26 Sec. 3. Title 36, chapter 4, article 1, Arizona Revised Statutes, is
27 amended by adding section 36-414, to read:
28 36-414. Right to refuse to participate in certain activities
29 A. A HEALTH CARE INSTITUTION THAT STATES IN WRITING AN OBJECTION TO
30 PARTICIPATING IN ANY OF THE FOLLOWING ACTIVITIES ON MORAL OR RELIGIOUS
31 GROUNDS IS NOT REQUIRED TO ADMIT OR TREAT ANY PATIENT FOR THE PURPOSE OF
32 PROVIDING OR PERFORMING:
33 1. AN ABORTION.
34 2. EMERGENCY CONTRACEPTION.
35 B. A PHYSICIAN, A PERSON WHO IS A MEMBER OF OR ASSOCIATED WITH THE
36 STAFF OF A HOSPITAL OR AN EMPLOYEE OF A PHYSICIAN OR HOSPITAL IN WHICH ANY
37 ACTIVITY DESCRIBED IN SUBSECTION A IS AUTHORIZED, WHO STATES IN WRITING AN
38 OBJECTION TO PARTICIPATING IN THAT ACTIVITY ON MORAL OR RELIGIOUS GROUNDS, IS
39 NOT REQUIRED TO PARTICIPATE IN THAT ACTIVITY.