

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

# HOUSE BILL 2197

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4; AMENDING SECTION 36-104, ARIZONA REVISED STATUTES; RELATING TO HEALTH PROFESSIONALS.

(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, Arizona Revised Statutes, is  
3 amended by adding article 4, to read:

4 ARTICLE 4. HEALTH PROFESSIONALS WORKFORCE DATABASE

5 32-3247. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "BOARD" MEANS A HEALTH PROFESSIONAL REGULATORY BOARD THAT  
8 PROVIDES LICENSURE, CERTIFICATION OR REGISTRATION AND REGULATION PURSUANT  
9 TO CHAPTER 13, 15, 17, 19.1 OR 33 OF THIS TITLE.

10 2. "DATABASE" MEANS THE HEALTH PROFESSIONALS WORKFORCE DATABASE  
11 THAT IS DEVELOPED FROM DESIGNATED DATABASE INFORMATION.

12 3. "DESIGNATED DATABASE INFORMATION":

13 (a) MEANS INFORMATION THAT IS COLLECTED BY A BOARD PURSUANT TO  
14 SECTION 32-3247.01.

15 (b) DOES NOT INCLUDE IDENTIFICATION MATERIALS AND INFORMATION  
16 REQUIRED TO DETERMINE QUALIFICATIONS OF AN APPLICANT FOR LICENSURE,  
17 CERTIFICATION OR REGISTRATION.

18 4. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF HEALTH  
19 SERVICES.

20 32-3247.01. Designated database information; collection;  
21 confidentiality

22 A. BEGINNING JANUARY 2, 2020, EACH BOARD SHALL COLLECT FROM  
23 APPLICANTS FOR INITIAL OR RENEWAL LICENSURE, CERTIFICATION OR REGISTRATION  
24 THE DESIGNATED DATABASE INFORMATION PRESCRIBED IN RULE BY THE DIRECTOR  
25 PURSUANT TO SECTION 36-104, PARAGRAPH 25.

26 B. TO PROTECT THE PRIVACY AND SECURITY OF HEALTH PROFESSIONALS WHO  
27 PROVIDE INFORMATION PURSUANT TO THIS SECTION, PERSONALLY IDENTIFIABLE  
28 INFORMATION COLLECTED PURSUANT TO THIS SECTION IS CONFIDENTIAL AND IS NOT  
29 A PUBLIC RECORD PURSUANT TO TITLE 39, CHAPTER 1, ARTICLE 2.

30 Sec. 2. Section 36-104, Arizona Revised Statutes, is amended to  
31 read:

32 36-104. Powers and duties

33 This section is not to be construed as a statement of the  
34 department's organization. This section is intended to be a statement of  
35 powers and duties in addition to the powers and duties granted by section  
36 36-103. The director shall:

37 1. Administer the following services:

38 (a) Administrative services, which shall include at a minimum the  
39 functions of accounting, personnel, standards certification, electronic  
40 data processing, vital statistics and the development, operation and  
41 maintenance of buildings and grounds ~~utilized~~ USED by the department.

42 (b) Public health support services, which shall include at a  
43 minimum:

44 (i) Consumer health protection programs that include at least the  
45 functions of community water supplies, general sanitation, vector control  
46 and food and drugs.

- 1 (ii) Epidemiology and disease control programs that include at  
2 least the functions of chronic disease, accident and injury control,  
3 communicable diseases, tuberculosis, venereal disease and others.
- 4 (iii) Laboratory services programs.
- 5 (iv) Health education and training programs.
- 6 (v) Disposition of human bodies programs.
- 7 (c) Community health services, which shall include at a minimum:
- 8 (i) Medical services programs that include at least the functions  
9 of maternal and child health, preschool health screening, family planning,  
10 public health nursing, premature and newborn program, immunizations,  
11 nutrition, dental care prevention and migrant health.
- 12 (ii) Dependency health care services programs that include at least  
13 the functions of need determination, availability of health resources to  
14 medically dependent individuals, quality control, utilization control and  
15 industry monitoring.
- 16 (iii) Children with physical disabilities services programs.
- 17 (iv) Programs for the prevention and early detection of an  
18 intellectual disability.
- 19 (d) Program planning, which shall include at least the following:
- 20 (i) An organizational unit for comprehensive health planning  
21 programs.
- 22 (ii) Program coordination, evaluation and development.
- 23 (iii) Need determination programs.
- 24 (iv) Health information programs.
- 25 2. Include and administer, within the office of the director, staff  
26 services, which shall include at a minimum budget preparation, public  
27 information, appeals, hearings, legislative and federal government  
28 liaison, grant development and management and departmental and interagency  
29 coordination.
- 30 3. Make rules ~~and regulations~~ for the organization and proper and  
31 efficient operation of the department.
- 32 4. Determine when a health care emergency or medical emergency  
33 situation exists or occurs within ~~the~~ THIS state that cannot be  
34 satisfactorily controlled, corrected or treated by the health care  
35 delivery systems and facilities available. When such a situation is  
36 determined to exist, the director shall immediately report that situation  
37 to the legislature and the governor. The report shall include information  
38 on the scope of the emergency, recommendations for solution of the  
39 emergency and estimates of costs involved.
- 40 5. Provide a system of unified and coordinated health services and  
41 programs between ~~the~~ THIS state and county governmental health units at  
42 all levels of government.
- 43 6. Formulate policies, plans and programs to effectuate the  
44 missions and purposes of the department.

- 1           7. Make contracts and incur obligations within the general scope of  
2 the department's activities and operations subject to the availability of  
3 ~~funds~~ **MONIES**.
- 4           8. Be designated as the single state agency for the purposes of  
5 administering and in furtherance of each federally supported state plan.
- 6           9. Provide information and advice on request by local, state and  
7 federal agencies and by private citizens, business enterprises and  
8 community organizations on matters within the scope of the department's  
9 duties subject to the departmental rules and regulations on the  
10 confidentiality of information.
- 11          10. Establish and maintain separate financial accounts as required  
12 by federal law or regulations.
- 13          11. Advise with and make recommendations to the governor and the  
14 legislature on all matters concerning the department's objectives.
- 15          12. Take appropriate steps to reduce or contain costs in the field  
16 of health services.
- 17          13. Encourage and assist in the adoption of practical methods of  
18 improving systems of comprehensive planning, of program planning, of  
19 priority setting and of allocating resources.
- 20          14. Encourage an effective use of available federal resources in  
21 this state.
- 22          15. Research, recommend, advise and assist in the establishment of  
23 community or area health facilities, both public and private, and  
24 encourage the integration of planning, services and programs for the  
25 development of the state's health delivery capability.
- 26          16. Promote the effective ~~utilization~~ **USE** of health manpower and  
27 health facilities that provide health care for the citizens of this state.
- 28          17. Take appropriate steps to provide health care services to the  
29 medically dependent citizens of this state.
- 30          18. Certify training on the nature of sudden infant death syndrome,  
31 which shall include information on the investigation and handling of cases  
32 involving sudden and unexplained infant death for use by law enforcement  
33 officers as part of their basic training requirement.
- 34          19. Adopt protocols on the manner in which an autopsy shall be  
35 conducted under section 11-597, subsection D in cases of sudden and  
36 unexplained infant death.
- 37          20. Cooperate with the Arizona-Mexico commission in the governor's  
38 office and with researchers at universities in this state to collect data  
39 and conduct projects in the United States and Mexico on issues that are  
40 within the scope of the department's duties and that relate to quality of  
41 life, trade and economic development in this state in a manner that will  
42 help the Arizona-Mexico commission to assess and enhance the economic  
43 competitiveness of this state and of the Arizona-Mexico region.
- 44          21. Administer the federal family violence prevention and services  
45 act grants, and the department is designated as this state's recipient of  
46 federal family violence prevention and services act grants.

1           22. Accept and spend private grants of monies, gifts and devises  
2 for the purposes of methamphetamine education. The department shall  
3 disburse these monies to local prosecutorial or law enforcement agencies  
4 with existing programs, ~~faith-based~~ FAITH-BASED organizations and  
5 nonprofit entities that are qualified under section 501(c)(3) of the  
6 United States internal revenue code, including nonprofit entities  
7 providing services to women with a history of dual diagnosis disorders,  
8 and that provide educational programs on the repercussions of  
9 methamphetamine use. State general fund monies shall not be spent for the  
10 purposes of this paragraph. If the director does not receive sufficient  
11 monies from private sources to carry out the purposes of this paragraph,  
12 the director shall not provide the educational programs prescribed in this  
13 paragraph. Grant monies received pursuant to this paragraph are ~~to~~ NOT  
14 lapsing and do not revert to the state general fund at the close of the  
15 fiscal year.

16           23. Identify successful methamphetamine prevention programs in  
17 other states that may be implemented in this state.

18           24. Pursuant to chapter 13, article 8 of this title, coordinate all  
19 public health and risk assessment issues associated with a chemical or  
20 other toxic fire event if a request for the event is received from the  
21 incident commander, the emergency response commission or the department of  
22 public safety and if funding is available. Coordination of public health  
23 issues shall include general environmental health consultation and risk  
24 assessment services consistent with chapter 13, article 8 of this title  
25 and, in consultation with the Arizona poison control system, informing the  
26 public as to potential public health risks from the environmental  
27 exposure. Pursuant to chapter 13, article 8 of this title, the department  
28 of health services shall also prepare a report, in consultation with  
29 appropriate state, federal and local governmental agencies, that evaluates  
30 the public health risks from the environmental exposure. The department  
31 of health services' report shall include any department of environmental  
32 quality report and map of smoke dispersion from the fire, the results of  
33 any environmental samples taken by the department of environmental quality  
34 and the toxicological implications and public health risks of the  
35 environmental exposure. The department of health services shall consult  
36 with the Arizona poison control system regarding toxicology issues and  
37 shall prepare and produce its report for the public as soon as practicable  
38 after the event. The department of health services shall not use any  
39 monies pursuant to section 49-282, subsection E to implement this  
40 paragraph.

41           25. ADOPT RULES PURSUANT TO TITLE 32, CHAPTER 32, ARTICLE 4  
42 PRESCRIBING THE DESIGNATED DATABASE INFORMATION TO BE COLLECTED BY HEALTH  
43 PROFESSION REGULATORY BOARDS FOR THE HEALTH PROFESSIONALS WORKFORCE  
44 DATABASE.