



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

FACT SHEET FOR S.B. 1085

nursing supported group homes; licensure

Purpose

Requires licensure of nursing-supported group homes operated by Department of Economic Security (DES) contracted service providers.

Background

The Department of Health Services (DHS) is responsible for the regulation of various health care institutions including child care centers, assisted living centers, nursing homes and hospitals. DHS is additionally responsible for regulating certain licenses, including child care facility licenses, long-term care facility licenses, and medical facility licenses ([A.R.S. § 36-422](#)).

The Division of Developmental Disabilities (DDD), a division of DES, provides services to individuals diagnosed with developmental and intellectual disabilities including cerebral palsy, autism and epilepsy. Services provided by DDD include: 1) attendant care; 2) habilitation; 3) home health aide; 4) home nursing; 5) occupational, physical and speech therapies; 6) respite care; and 7) medical services. DES is responsible for licensing specified residential settings, including adult developmental homes and child developmental homes. DDD is additionally responsible for ensuring that state-operated residential settings that are owned or leased by DDD meet standards prescribed for group homes, unless the setting is certified as an Intermediate Care Facility for Individuals with Intellectual Disabilities ([DDD](#)).

According to DE-S, the focus of nursing-supported group homes is to meet the needs of members of DDD that require continuous nursing intervention and/or nursing oversight. Nursing support is offered in these group homes on a continual 24-hour-per-day, 7-day-per-week basis, including assistance with a member's personal and physical needs and routine daily living skills, implementing strategies to address behavioral concerns, ensuring the member's health needs are met and mobility or adaptive communication training. The services are not provided to members who have an unplanned intermittent need for nursing or members who are hospitalized. Currently, professional direct service staff in a nursing-supported group home must be licensed, trained, and supervised in accordance with Arizona law and the Nurse Practice Act and obtain and maintain necessary prescribing healthcare provider prescriptions and orders ([DES](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a nursing-supported group home that is operated in Arizona by a service provider under contract with DES to be licensed by July 1, 2022.

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2. Excludes, beginning July 1, 2022, licensed nursing-supported group homes from the requirement that contracts for the purchase of residential care services require a community residential setting to be licensed.
3. Allows, beginning July 1, 2022, a service provider that operates a nursing-supported group home to install, oversee and monitor electronic monitoring devices in the home's common areas.
4. Requires, beginning July 1, 2022, DHS to notify DDD when a nursing-supported group home license has been denied, suspended, or revoked or of any other licensing action taken on a nursing-supported group home.
5. Exempts, beginning July 1, 2022, licensed nursing- supported group homes from being required to meet the same standards as group homes.
6. Exempts licensed nursing-supported group homes from the zoning standards for health care institutions prescribed by DHS.
7. Requires, beginning July 1, 2022, a nursing-supported group home to allow the following to inspect the facility at reasonable times:
 - a) parents and guardians of facility residents;
 - b) members of the Developmental Disabilities Advisory Council; and
 - c) employees of an Arizona nonprofit advocacy organization that is a state chapter of a national advocacy organization, that has affiliated local chapters within Arizona and that has historical expertise with monitoring residential settings for persons with intellectual and developmental disabilities.
8. Exempts DHS from rulemaking requirements for 18 months after the general effective date.
9. Defines *nursing supported group home*.
10. Modifies, beginning July 1, 2022, the definition of a *community residential setting* to include nursing-supported group homes.
11. Makes technical and conforming changes.
12. Becomes effective on the general effective date, with a delayed effective date as noted.

Prepared by Senate Research

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CRS/gs