

Senate Engrossed

health care directives registry; access

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

# **SENATE BILL 1190**

AN ACT

AMENDING SECTION 36-3295, ARIZONA REVISED STATUTES; RELATING TO THE HEALTH CARE DIRECTIVES REGISTRY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-3295, Arizona Revised Statutes, is amended to  
3 read:

4 36-3295. Registry information; confidentiality; health care  
5 provider access; use and transfer of information;  
6 definition

7 A. Information maintained by the qualifying health information  
8 exchange organization pursuant to this article is confidential and shall  
9 not be disclosed except as allowed by state or federal law.

10 B. The person who submits a document described in section 36-3292,  
11 ~~and~~ the person who is the subject of the document **AND THE SURROGATE OF THE**  
12 **PERSON WHO IS THE SUBJECT OF THE DOCUMENT** may access the document in the  
13 health care directives registry in a manner prescribed by the qualifying  
14 health information exchange organization.

15 C. Notwithstanding subsection A of this section, a health care  
16 provider may access the health care directives registry and receive a  
17 patient's health care directive documents for the provision of health care  
18 services.

19 D. The qualifying health information exchange organization shall  
20 use information contained in the registry only for purposes prescribed in  
21 this article, **EXCEPT THAT THE QUALIFYING HEALTH INFORMATION EXCHANGE**  
22 **ORGANIZATION MAY USE, DISCLOSE AND MAKE ACCESSIBLE THE INFORMATION**  
23 **CONTAINED IN THE REGISTRY THROUGH THE HEALTH INFORMATION ORGANIZATION AS**  
24 **AUTHORIZED BY SECTION 36-3805, SUBSECTION A.**

25 E. At the request of the person who submitted a document described  
26 in section 36-3292, the qualifying health information exchange  
27 organization may transmit the information received regarding the document  
28 to the registry system of another jurisdiction.

29 F. For the purposes of this section, "health care provider"  
30 includes an emergency medical service provider and emergency service  
31 technician providing emergency medical services as defined in section  
32 36-2201 and the organ procurement organization that maintains the donor  
33 registry established pursuant to section 36-858.