

REFERENCE TITLE: Alzheimer's; dementia; advisory council

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

SB 1539

Introduced by
Senators Alston: Bowie, Hatathlie, Marsh, Rios; Representatives Jermaine,
Longdon, Solorio

AN ACT

AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-123.04; RELATING TO THE DEPARTMENT OF HEALTH SERVICES.

(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 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-123.04, to read:

4 36-123.04. Alzheimer's disease and other dementias advisory
5 council; membership; duties; state Alzheimer's
6 plan; annual report

7 A. THE ALZHEIMER'S DISEASE AND OTHER DEMENTIAS ADVISORY COUNCIL IS
8 ESTABLISHED TO EXAMINE THE NEEDS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED
9 WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS, THE SERVICES AVAILABLE IN
10 THIS STATE FOR THOSE INDIVIDUALS AND THE ABILITY OF HEALTH CARE PROVIDERS
11 AND FACILITIES TO MEET THE CURRENT AND FUTURE NEEDS OF THOSE INDIVIDUALS.

12 B. THE ADVISORY COUNCIL CONSISTS OF:

13 1. THE FOLLOWING VOTING MEMBERS WHO ARE APPOINTED BY THE DIRECTOR:

14 (a) ONE MEMBER WHO HAS BEEN DIAGNOSED WITH ALZHEIMER'S DISEASE OR
15 ANOTHER DEMENTIA OR A FAMILY MEMBER OF SUCH AN INDIVIDUAL.

16 (b) ONE MEMBER WHO IS THE FAMILY CAREGIVER OF AN INDIVIDUAL WHO HAS
17 BEEN DIAGNOSED WITH ALZHEIMER'S DISEASE OR ANOTHER DEMENTIA.

18 (c) ONE REPRESENTATIVE OF NURSING HOMES.

19 (d) ONE REPRESENTATIVE OF ASSISTED LIVING FACILITIES.

20 (e) ONE REPRESENTATIVE OF ADULT DAY CARE SERVICE PROVIDERS.

21 (f) ONE REPRESENTATIVE OF HOME CARE PROVIDERS.

22 (g) ONE MEDICAL PROFESSIONAL WHO HAS EXPERIENCE IN DIAGNOSING AND
23 TREATING ALZHEIMER'S DISEASE.

24 (h) ONE MEMBER WHO CONDUCTS RESEARCH REGARDING ALZHEIMER'S DISEASE
25 OR OTHER DEMENTIAS.

26 (i) ONE REPRESENTATIVE OF A LEADING NATIONAL ORGANIZATION THAT
27 ADVOCATES ON BEHALF OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH
28 ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

29 (j) ONE REPRESENTATIVE OF THE AREA AGENCIES ON AGING IN THIS STATE.

30 (k) ONE REPRESENTATIVE OF AN ORGANIZATION THAT ADVOCATES FOR OLDER
31 ADULTS.

32 2. THE FOLLOWING NONVOTING MEMBERS:

33 (a) THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES OR THE
34 DIRECTOR'S DESIGNEE.

35 (b) THE DIRECTOR OF THE DIVISION OF AGING AND ADULT SERVICES IN THE
36 DEPARTMENT OF ECONOMIC SECURITY OR THE DIRECTOR'S DESIGNEE.

37 (c) THE DIRECTOR OF THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
38 OR THE DIRECTOR'S DESIGNEE.

39 (d) THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY OR THE
40 DIRECTOR'S DESIGNEE.

41 (e) THE CHAIRPERSON OF THE WORKFORCE ARIZONA COUNCIL OR THE
42 CHAIRPERSON'S DESIGNEE.

43 (f) THE STATE LONG-TERM CARE OMBUDSMAN OR THE OMBUDSMAN'S DESIGNEE.

1 C. EACH VOTING MEMBER ON THE ADVISORY COUNCIL SHALL EACH SERVE ONE
2 TWO-YEAR TERM, UNTIL THAT MEMBER'S SUCCESSOR IS APPOINTED. IF THE
3 DIRECTOR IS UNABLE TO FIND A PERSON WHO MEETS THE CRITERIA TO SUCCEED A
4 MEMBER WHOSE TERM HAS EXPIRED, THE DIRECTOR MAY REAPPOINT THE MEMBER FOR
5 AN ADDITIONAL TWO-YEAR TERM. THE DIRECTOR SHALL MAKE ALL INITIAL
6 APPOINTMENTS NOT LATER THAN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS
7 SECTION.

8 D. THE ADVISORY COUNCIL MEMBERS SHALL SELECT THE CHAIRPERSON AND
9 VICE CHAIRPERSON, WHO MAY NOT BE EMPLOYEES OF THIS STATE AND WHO SERVE IN
10 THEIR ROLE FOR UP TO TWO CONSECUTIVE YEARS. THE ADVISORY COUNCIL SHALL
11 HOLD ITS FIRST MEETING NOT LATER THAN THIRTY DAYS AFTER THE APPOINTMENT OF
12 ITS MEMBERS. THE DIRECTOR OR THE DIRECTOR'S DESIGNEE SHALL CALL AND
13 PRESIDE OVER THE FIRST MEETING UNTIL THE CHAIRPERSON AND VICE CHAIRPERSON
14 ARE SELECTED. ONCE THE CHAIRPERSON AND VICE CHAIRPERSON ARE SELECTED, THE
15 ADVISORY COUNCIL SHALL MEET AT THE CALL OF THE CHAIRPERSON AT LEAST
16 QUARTERLY. A MAJORITY OF THE VOTING MEMBERS OF THE ADVISORY COUNCIL
17 CONSTITUTES A QUORUM FOR THE CONDUCT OF THE MEETINGS.

18 E. ADVISORY COUNCIL MEMBERS ARE NOT ELIGIBLE FOR COMPENSATION BUT
19 ARE ELIGIBLE TO RECEIVE REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,
20 CHAPTER 4, ARTICLE 2.

21 F. THE DEPARTMENT SHALL PROVIDE SPACE FOR MEETINGS AND STAFF
22 SUPPORT TO THE ADVISORY COUNCIL AS NECESSARY TO ASSIST THE COUNCIL IN
23 PERFORMING ITS DUTIES.

24 G. THE ADVISORY COUNCIL SHALL CONSIDER AND MAKE FINDINGS AND
25 RECOMMENDATIONS ON ALL OF THE FOLLOWING:

26 1. TRENDS IN THIS STATE'S ALZHEIMER'S DISEASE AND OTHER DEMENTIAS
27 POPULATIONS AND SERVICE NEEDS, INCLUDING:

28 (a) THIS STATE'S ROLE IN PROVIDING OR FACILITATING LONG-TERM CARE,
29 FAMILY CAREGIVER SUPPORT AND ASSISTANCE TO INDIVIDUALS WHO ARE DIAGNOSED
30 WITH EARLY-STAGE OR EARLY-ONSET ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

31 (b) THIS STATE'S POLICIES REGARDING INDIVIDUALS WHO ARE DIAGNOSED
32 WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

33 (c) THE FISCAL IMPACT OF ALZHEIMER'S DISEASE AND OTHER DEMENTIAS ON
34 PUBLICLY FUNDED HEALTH CARE PROGRAMS.

35 2. ESTABLISHING A SURVEILLANCE SYSTEM TO BETTER DETERMINE THE
36 NUMBER OF INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER
37 DEMENTIAS IN THIS STATE AND TO MONITOR CHANGES TO THOSE NUMBERS.

38 3. EXISTING RESOURCES, SERVICES AND CAPACITY RELATING TO DIAGNOSING
39 AND CARING FOR INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR
40 OTHER DEMENTIAS, INCLUDING:

41 (a) THE TYPE, COST AND AVAILABILITY OF DEMENTIA CARE SERVICES.

42 (b) THE AVAILABILITY OF HEALTH CARE WORKERS IN THIS STATE WHO CAN
43 SERVE INDIVIDUALS WHO ARE DIAGNOSED WITH DEMENTIA, INCLUDING NEUROLOGISTS,
44 GERIATRICIANS AND DIRECT CARE WORKERS.

1 4. DEMENTIA-SPECIFIC TRAINING REQUIREMENTS FOR PUBLIC AND PRIVATE
2 EMPLOYEES WHO INTERACT WITH INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S
3 DISEASE OR OTHER DEMENTIAS, INCLUDING LONG-TERM CARE WORKERS, CASE
4 MANAGERS, ADULT PROTECTIVE SERVICES WORKERS, LAW ENFORCEMENT OFFICERS AND
5 FIRST RESPONDERS.

6 5. HOME AND COMMUNITY-BASED SERVICES, INCLUDING RESPITE CARE, FOR
7 INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS
8 AND THEIR FAMILIES.

9 6. QUALITY CARE MEASURES FOR HOME AND COMMUNITY-BASED SERVICES AND
10 RESIDENTIAL CARE FACILITIES.

11 7. STATE-SUPPORTED RESEARCH ON ALZHEIMER'S DISEASE AND OTHER
12 DEMENTIAS CONDUCTED AT UNIVERSITIES IN THIS STATE.

13 8. POLICIES AND STRATEGIES THAT ADDRESS THE FOLLOWING:

14 (a) INCREASING PUBLIC AWARENESS OF ALZHEIMER'S DISEASE AND OTHER
15 DEMENTIAS.

16 (b) EDUCATING PROVIDERS TO INCREASE EARLY DETECTION AND DIAGNOSIS
17 OF ALZHEIMER'S DISEASE AND OTHER DEMENTIAS.

18 (c) IMPROVING THE HEALTH CARE SERVICES RECEIVED BY INDIVIDUALS WHO
19 ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

20 (d) EVALUATING THE CAPACITY OF THE HEALTH CARE SYSTEM IN THIS STATE
21 IN MEETING THE GROWING NUMBER AND NEEDS OF INDIVIDUALS WHO ARE DIAGNOSED
22 WITH ALZHEIMER'S DISEASE AND OTHER DEMENTIAS.

23 (e) INCREASING THE NUMBER OF HEALTH CARE PROFESSIONALS IN THIS
24 STATE NECESSARY TO TREAT THE GROWING AGING AND ALZHEIMER'S DISEASE AND
25 OTHER DEMENTIAS POPULATIONS.

26 (f) IMPROVING SERVICES PROVIDED IN THE HOME AND COMMUNITY TO DELAY
27 AND DECREASE THE NEED FOR INSTITUTIONALIZED CARE FOR INDIVIDUALS WHO ARE
28 DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

29 (g) IMPROVING LONG-TERM CARE, INCLUDING ASSISTED LIVING, FOR
30 INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

31 (h) ASSISTING UNPAID ALZHEIMER'S DISEASE OR DEMENTIA CAREGIVERS.

32 (i) INCREASING AND IMPROVING RESEARCH ON ALZHEIMER'S DISEASE AND
33 OTHER DEMENTIAS.

34 (j) PROMOTING ACTIVITIES TO MAINTAIN AND IMPROVE BRAIN HEALTH.

35 (k) IMPROVING THE COLLECTION OF DATA AND INFORMATION RELATED TO
36 ALZHEIMER'S DISEASE AND OTHER DEMENTIAS AND THEIR PUBLIC HEALTH BURDENS.

37 (l) IMPROVING PUBLIC SAFETY AND ADDRESSING THE SAFETY-RELATED NEEDS
38 OF INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER
39 DEMENTIAS.

40 (m) ADDRESSING LEGAL PROTECTIONS FOR, AND LEGAL ISSUES FACED BY,
41 INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS.

42 (n) IMPROVING THE WAYS IN WHICH THE GOVERNMENT EVALUATES AND ADOPTS
43 POLICIES TO ASSIST INDIVIDUALS WHO ARE DIAGNOSED WITH ALZHEIMER'S DISEASE
44 OR OTHER DEMENTIAS AND THEIR FAMILIES.

1 H. NOT LATER THAN EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF THIS
2 SECTION, THE ADVISORY COUNCIL SHALL SUBMIT A NEW STATE ALZHEIMER'S PLAN TO
3 THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE
4 PRESIDENT OF THE SENATE. ON OR BEFORE FEBRUARY 1 OF EACH YEAR, THE
5 ADVISORY COUNCIL SHALL SUBMIT TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF
6 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE A REPORT ON THE STATUS OF
7 IMPLEMENTING THE STATE ALZHEIMER'S PLAN AND ON ANY RECOMMENDATIONS AND
8 BARRIERS TO IMPLEMENTATION AND SHALL SUBMIT A COPY OF THIS REPORT TO THE
9 SECRETARY OF STATE. EVERY FOUR YEARS, THE COUNCIL SHALL ISSUE AN UPDATED
10 STATE ALZHEIMER'S PLAN ADDRESSING THE ITEMS PRESCRIBED IN SUBSECTION G OF
11 THIS SECTION AND ANY OTHER ISSUES THE ADVISORY COUNCIL DEEMS NECESSARY AND
12 RELEVANT IN ADDRESSING ALZHEIMER'S DISEASE AND OTHER DEMENTIAS.

13 I. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENTS IDENTIFIED
14 IN THE STATE ALZHEIMER'S PLAN, LED BY THE DEPARTMENT OF HEALTH SERVICES,
15 SHALL IMPLEMENT THE RECOMMENDATIONS IN THE STATE ALZHEIMER'S PLAN. THE
16 STATUS OF IMPLEMENTATION SHALL BE INCLUDED IN THE ANNUAL REPORT PRESCRIBED
17 IN SUBSECTION H OF THIS SECTION.