

REFERENCE TITLE: health professionals; title use; prohibitions

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2187

Introduced by
Representative Parker B

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-3227.01; 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, article 1, Arizona Revised
3 Statutes, is amended by adding section 32-3227.01, to read:

4 32-3227.01. Health professionals; use of titles;
5 prohibitions; enforcement; definitions

6 A. A HEALTH PROFESSIONAL MAY USE ONLY THE FOLLOWING LICENSE TITLES
7 AND DESIGNATIONS IN ALL ADVERTISEMENTS, PROFESSIONAL COMMUNICATIONS AND
8 PROFESSIONAL IDENTIFICATIONS IN A CLINICAL SETTING:

9 1. FOR A PHYSICIAN WHO IS LICENSED PURSUANT TO CHAPTER 13 OF THIS
10 TITLE OR A MEDICAL RESIDENT WHO HAS COMPLETED MEDICAL SCHOOL AND IS
11 ENROLLED IN A RESIDENCY PROGRAM, "DOCTOR OF MEDICINE", "DR.", "PHYSICIAN"
12 OR "M.D.".

13 2. FOR A PHYSICIAN WHO IS LICENSED PURSUANT TO CHAPTER 17 OF THIS
14 TITLE OR A MEDICAL RESIDENT WHO HAS COMPLETED MEDICAL SCHOOL AND IS
15 ENROLLED IN A RESIDENCY PROGRAM, "DOCTOR OF OSTEOPATHIC MEDICINE", "DR.",
16 "PHYSICIAN" OR "D.O.".

17 3. FOR A PHYSICIAN WHO IS LICENSED PURSUANT TO CHAPTER 13 OR 17 OF
18 THIS TITLE AND WHO IS CERTIFIED BY THE AMERICAN BOARD OF MEDICAL
19 SPECIALTIES OR THE AMERICAN OSTEOPATHIC ASSOCIATION CERTIFYING BOARD OR
20 WHO IS BOARD ELIGIBLE, THE SPECIALTY DESIGNATION "SURGEON",
21 "DERMATOLOGIST", "ANESTHESIOLOGIST", "CARDIOLOGIST", "ENDOCRINOLOGIST",
22 "GASTROENTEROLOGIST", "GENERAL PRACTITIONER", "GYNECOLOGIST",
23 "HEMATOLOGIST", "INTERNIST", "INTENSIVIST", "LARYNGOLOGIST",
24 "NEPHROLOGIST", "NEUROLOGIST", "OBSTETRICIAN", "ONCOLOGIST",
25 "OPHTHALMOLOGIST", "ORTHOPEDIC SURGEON", "ORTHOPEDIST", "OSTEOPATH",
26 "OTOLOGIST", "OTOLARYNGOLOGIST", "OTORHINOLARYNGOLOGIST", "PATHOLOGIST",
27 "PEDIATRICIAN", "PRIMARY CARE PHYSICIAN", "PROCTOLOGIST", "PSYCHIATRIST",
28 "RADIOLOGIST", "RHEUMATOLOGIST", "RHINOLOGIST", "UROLOGIST" OR "DENTIST",
29 AS APPLICABLE, OR ANY OTHER TITLE, WORD, ABBREVIATION, DESCRIPTION OF
30 SERVICES OR DESIGNATION TO INDICATE THAT THE PERSON IS LICENSED TO
31 PRACTICE MEDICINE.

32 4. FOR A REGISTERED NURSE WHO IS LICENSED PURSUANT TO CHAPTER 15 OF
33 THIS TITLE, "REGISTERED NURSE" OR "R.N.".

34 5. FOR A LICENSED PRACTICAL NURSE WHO IS LICENSED PURSUANT TO
35 CHAPTER 15 OF THIS TITLE, "LICENSED PRACTICAL NURSE" OR "L.P.N.".

36 6. FOR AN ADVANCED PRACTICE REGISTERED NURSE WHO IS LICENSED
37 PURSUANT TO CHAPTER 15 OF THIS TITLE, "A.P.R.N." AND ONE OF THE FOLLOWING
38 ROLE TITLES:

39 (a) "CERTIFIED REGISTERED NURSE ANESTHETIST", "ANESTHETIST" OR
40 "C.R.N.A.".

41 (b) "CLINICAL NURSE SPECIALIST" OR "C.N.S.".

42 (c) "CERTIFIED NURSE PRACTITIONER" OR "C.N.P.".

43 (d) "CERTIFIED NURSE MIDWIFE" OR "C.N.M.".

1 7. FOR A PHYSICIAN ASSISTANT WHO IS LICENSED PURSUANT TO CHAPTER 25
2 OF THIS TITLE, "PHYSICIAN ASSISTANT" OR "P.A.".

3 B. AN ADVANCED PRACTICE REGISTERED NURSE MAY NOT USE A MEDICAL
4 TITLE OR MEDICAL SPECIALTY TITLE SPECIFIED IN SUBSECTION A, PARAGRAPHS 1,
5 2 AND 3 OF THIS SECTION EITHER ALONE OR IN COMBINATION WITH ANY NURSING
6 TITLE.

7 C. HEALTH PROFESSIONALS WHO ARE NOT SPECIFIED IN SUBSECTION A OF
8 THIS SECTION MAY USE THE APPROPRIATE TITLE OR TITLES AS INDICATED IN THE
9 APPLICABLE STATUTES REGULATING THAT HEALTH PROFESSION.

10 D. AN ADVERTISEMENT BY A HEALTH PROFESSIONAL SHALL DISCLOSE ONLY
11 THE APPLICABLE LICENSE, AS SET FORTH IN THIS TITLE OR BY THE APPLICABLE
12 STATUTES IF NOT LISTED IN THIS TITLE, UNDER WHICH THE HEALTH PROFESSIONAL
13 IS AUTHORIZED TO PROVIDE HEALTH CARE SERVICES. MEDICAL TITLES AND MEDICAL
14 SPECIALTY TITLES MAY BE USED ONLY BY LICENSED PHYSICIANS AS SPECIFIED IN
15 SUBSECTION A OF THIS SECTION. AN ADVERTISEMENT MUST COMPLY WITH BOTH OF
16 THE FOLLOWING:

17 1. MAY NOT INCLUDE DECEPTIVE OR MISLEADING TERMS OR FALSE
18 REPRESENTATIONS.

19 2. MUST INCLUDE THE HEALTH PROFESSIONAL'S NAME AND THE TYPE OF
20 LICENSE THE HEALTH PROFESSIONAL HOLDS, AS SET FORTH IN THIS TITLE OR BY
21 THE APPLICABLE STATUTES IF NOT LISTED IN THIS TITLE, REGULATING THE HEALTH
22 PROFESSIONAL'S PROFESSION.

23 E. THIS SECTION DOES NOT:

24 1. PROHIBIT A HEALTH PROFESSIONAL FROM USING A TITLE OR TITLES
25 PRESCRIBED IN THE APPLICABLE STATUTES REGULATING THAT HEALTH PROFESSION.

26 2. PROHIBIT ANY HEALTH PROFESSIONAL FROM DISPLAYING ACADEMIC
27 DEGREES THAT THE HEALTH PROFESSIONAL HAS EARNED IN ANY CLINICAL SETTING.

28 3. PREVENT A HEALTH PROFESSIONAL FROM USING A PROFESSIONAL TITLE
29 THAT ACCURATELY DESCRIBES THE HEALTH PROFESSIONAL'S QUALIFICATIONS AND
30 CREDENTIALS IF SUCH USE IS NOT MISLEADING OR DECEPTIVE TO THE PUBLIC.

31 F. A VIOLATION OF THIS SECTION CONSTITUTES AN UNLAWFUL PRACTICE
32 UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND TAKE
33 APPROPRIATE ACTION AS PRESCRIBED BY TITLE 44, CHAPTER 10, ARTICLE 7.

34 G. FOR THE PURPOSES OF THIS SECTION:

35 1. "ADVERTISEMENT":

36 (a) MEANS A COMMUNICATION, WHETHER PRINTED, ELECTRONIC OR ORAL,
37 THAT NAMES A HEALTH PROFESSIONAL AND THE PRACTICE, PROFESSION OR
38 INSTITUTION IN WHICH THE HEALTH PROFESSIONAL IS EMPLOYED, VOLUNTEERS OR
39 OTHERWISE PROVIDES HEALTH CARE SERVICES.

40 (b) INCLUDES BUSINESS CARDS, IDENTIFICATION BADGES, LETTERHEAD,
41 PATIENT BROCHURES, EMAILS TO PATIENTS AND PROSPECTIVE PATIENTS, WEBSITES,
42 AUDIO AND VIDEO COMMUNICATIONS AND ANY OTHER COMMUNICATION THAT ADVERTISES
43 HEALTH CARE SERVICES TO PATIENTS OR POTENTIAL PATIENTS.

1 2. "DECEPTIVE OR MISLEADING TERMS OR FALSE REPRESENTATIONS"
2 INCLUDES THE USE OF TITLES, TERMS OR OTHER WORDS THAT MISSTATE, FALSELY
3 DESCRIBE, FALSELY HOLD OUT OR FALSELY DETAIL A HEALTH PROFESSIONAL'S
4 PROFESSIONAL SKILLS, TRAINING, EXPERTISE, EDUCATION, BOARD CERTIFICATION
5 OR LICENSURE, INCLUDING THE MISAPPROPRIATION OF MEDICAL TITLES AND MEDICAL
6 SPECIALTY TITLES BY PERSONS WHO ARE NOT LICENSED AS A PHYSICIAN PURSUANT
7 TO CHAPTER 13 OR 17 OF THIS TITLE.

8 Sec. 2. Short title

9 This act may be cited as the "Medical Title Transparency and Patient
10 Protection Act".