

REFERENCE TITLE: residential care institutions; inspections

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

## **HB 2249**

Introduced by  
Representative Carter

AN ACT

AMENDING SECTION 36-424, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-424, Arizona Revised Statutes, is amended to  
3 read:

4 36-424. Inspections; suspension or revocation of license;  
5 report to board of examiners of nursing care  
6 institution administrators and assisted living  
7 facility managers

8 A. Except as provided in subsection B of this section, the director  
9 shall inspect the premises of the health care institution and investigate  
10 the character and other qualifications of the applicant to ascertain  
11 whether the applicant and the health care institution are in substantial  
12 compliance with the requirements of this chapter and the rules established  
13 pursuant to this chapter. The director may prescribe rules regarding  
14 department background investigations into an applicant's character and  
15 qualifications.

16 B. The director may accept proof that a health care institution is  
17 an accredited hospital or is an accredited health care institution in lieu  
18 of all compliance inspections required by this chapter if the director  
19 receives a copy of the health care institution's accreditation report for  
20 the licensure period and the health care institution is accredited by an  
21 independent, nonprofit accrediting organization approved by the secretary  
22 of the United States department of health and human services. If the  
23 health care institution's accreditation report is not valid for the entire  
24 licensure period, the department may conduct a compliance inspection of  
25 the health care institution during the time period the department does not  
26 have a valid accreditation report for the health care institution. For  
27 the purposes of this subsection, each licensed premises of a health care  
28 institution must have its own accreditation report. The director may not  
29 accept an accreditation report in lieu of a compliance inspection of:

30 1. An intermediate care facility for individuals with intellectual  
31 disabilities.

32 2. A nursing-supported group home.

33 3. A health care institution if the health care institution has  
34 been subject to an enforcement action pursuant to section 36-427 or  
35 36-431.01 within the year preceding the annual licensing fee anniversary  
36 date.

37 4. A RESIDENTIAL CARE INSTITUTION.

38 C. On a determination by the director that there is reasonable  
39 cause to believe a health care institution is not adhering to the  
40 licensing requirements of this chapter, the director and any duly  
41 designated employee or agent of the director, including county health  
42 representatives and county or municipal fire inspectors, consistent with  
43 standard medical practices, may enter on and into the premises of any  
44 health care institution that is licensed or required to be licensed  
45 pursuant to this chapter at any reasonable time for the purpose of

1 determining the state of compliance with this chapter, the rules adopted  
2 pursuant to this chapter and local fire ordinances or rules. Any  
3 application for licensure under this chapter constitutes permission for  
4 and complete acquiescence in any entry or inspection of the premises  
5 during the pendency of the application and, if licensed, during the term  
6 of the license. If an inspection reveals that the health care institution  
7 is not adhering to the licensing requirements established pursuant to this  
8 chapter, the director may take action authorized by this chapter. Any  
9 health care institution, including an accredited hospital, whose license  
10 has been suspended or revoked in accordance with this section is subject  
11 to inspection on application for relicensure or reinstatement of license.

12 D. The director shall immediately report to the board of examiners  
13 of nursing care institution administrators and assisted living facility  
14 managers information identifying that a nursing care institution  
15 administrator's conduct may be grounds for disciplinary action pursuant to  
16 section 36-446.07.