

REFERENCE TITLE: nursing board; licensure; appropriation

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

HB 2494

Introduced by
Representative Bliss

AN ACT

AMENDING SECTION 32-1602, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 15, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1634.05; APPROPRIATING MONIES; RELATING TO THE ARIZONA STATE BOARD OF NURSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-1602, Arizona Revised Statutes, is amended to
3 read:

4 32-1602. Board of nursing; member terms; immunity

5 A. The Arizona state board of nursing is established consisting of
6 eleven members who are appointed by the governor. Six members shall be
7 registered nurses, including at least one registered nurse practitioner,
8 clinical nurse specialist or certified registered nurse anesthetist. One
9 member shall be a nursing assistant or a nursing assistant educator. Two
10 members shall represent the public and two members shall be licensed
11 practical nurses, **EXCEPT THAT IF A QUALIFIED CANDIDATE CANNOT BE**
12 **IDENTIFIED WITHIN NINETY DAYS AFTER A VACANCY OCCURS, A REGISTERED NURSE**
13 **MAY BE APPOINTED.** Members shall be appointed for a term of five years, to
14 begin and end on June 30.

15 B. Before appointment by the governor, a prospective member of the
16 board shall submit a full set of fingerprints to the governor for the
17 purpose of obtaining a state and federal criminal records check pursuant
18 to section 41-1750 and Public Law 92-544. The department of public safety
19 may exchange this fingerprint data with the federal bureau of
20 investigation.

21 C. On or before May 1 each year and at any other time a vacancy on
22 the board occurs, the governor shall make an appointment or appointments
23 to the board. **AN** appointment to fill a vacancy other than by expiration
24 shall be for the unexpired term. A person shall not serve more than two
25 consecutive terms as a member of the board.

26 D. The governor may remove any person from the board for neglect of
27 any duty imposed by law or for incompetency or unprofessional or
28 dishonorable conduct.

29 E. A board member's term automatically ends:

30 1. On the death of the member.

31 2. On the member's written resignation submitted to the board
32 president or to the governor.

33 3. On the member's failure to attend three consecutive board
34 meetings.

35 F. A board member who acts within the scope of board duties,
36 without malice and in the reasonable belief that the member's action is
37 warranted by law is not subject to civil liability.

38 Sec. 2. Title 32, chapter 15, article 2, Arizona Revised Statutes,
39 is amended by adding section 32-1634.05, to read:

40 32-1634.05. Expedited licensure or certification;
41 notification; jurisdiction; validity

42 A. **THE BOARD SHALL ISSUE A LICENSE OR CERTIFICATE TO AN ADVANCED**
43 **PRACTICE REGISTERED NURSE OR A REGISTERED NURSE WITHIN FIVE BUSINESS DAYS**
44 **AFTER RECEIPT OF AN APPLICATION FROM A PERSON TO WHOM ALL OF THE FOLLOWING**
45 **APPLY:**

1 1. THE PERSON HOLDS A CURRENT LICENSE OR CERTIFICATE TO PRACTICE AS
2 AN ADVANCED PRACTICE REGISTERED NURSE OR A REGISTERED NURSE IN AT LEAST
3 ONE OTHER STATE OR TERRITORY OF THE UNITED STATES AND THE LICENSE OR
4 CERTIFICATE IS IN GOOD STANDING IN ALL STATES AND TERRITORIES OF THE
5 UNITED STATES IN WHICH THE PERSON HOLDS A LICENSE OR CERTIFICATE.

6 2. THE PERSON PROVIDES PROOF OF A VALID AND UNENCUMBERED LICENSE OR
7 CERTIFICATE IN ANOTHER STATE OR TERRITORY OF THE UNITED STATES THROUGH
8 BOARD REVIEW OF A NATIONAL NURSE LICENSE VERIFICATION SYSTEM OR BY ANOTHER
9 MANNER DETERMINED BY THE BOARD AS SUFFICIENT PROOF THAT THE PERSON IS IN
10 GOOD STANDING WITH ALL PROFESSIONAL LICENSING ENTITIES THAT HAVE ISSUED
11 THE PERSON A LICENSE OR CERTIFICATE.

12 3. THE PERSON HAS NOT HAD A LICENSE OR CERTIFICATE REVOKED AND HAS
13 NOT VOLUNTARILY SURRENDERED A LICENSE OR CERTIFICATE IN ANY OTHER STATE OR
14 TERRITORY OF THE UNITED STATES WHILE UNDER INVESTIGATION FOR
15 UNPROFESSIONAL CONDUCT.

16 4. IF THE PERSON HAS HAD DISCIPLINE IMPOSED BY ANY PROFESSIONAL
17 LICENSING ENTITY IN ANOTHER STATE OR TERRITORY, THE BOARD DETERMINES THAT
18 THE MATTER HAS BEEN RESOLVED. IF THE MATTER HAS NOT BEEN RESOLVED BY THAT
19 JURISDICTION, THE BOARD MAY NOT ISSUE OR DENY A LICENSE OR CERTIFICATE
20 UNTIL THE MATTER IS RESOLVED AND ANY DISCIPLINE IMPOSED HAS BEEN
21 COMPLETED.

22 5. THE PERSON DOES NOT HAVE A COMPLAINT, ALLEGATION OR
23 INVESTIGATION PENDING BEFORE ANOTHER PROFESSIONAL LICENSING ENTITY IN
24 ANOTHER STATE OR TERRITORY OF THE UNITED STATES THAT RELATES TO
25 UNPROFESSIONAL CONDUCT. IF AN APPLICANT HAS ANY COMPLAINT, ALLEGATION OR
26 INVESTIGATION PENDING, THE BOARD SHALL SUSPEND THE APPLICATION PROCESS AND
27 MAY NOT ISSUE OR DENY A LICENSE OR CERTIFICATE TO THE APPLICANT UNTIL THE
28 COMPLAINT, ALLEGATION OR INVESTIGATION IS RESOLVED.

29 6. THE PERSON PROVIDES PROOF OF HAVING A FEDERAL BACKGROUND CHECK
30 ALREADY COMPLETED BY ANOTHER STATE OR TERRITORY PROFESSIONAL LICENSING
31 ENTITY. THE BOARD SHALL ACCEPT ANOTHER STATE OR TERRITORY PROFESSIONAL
32 LICENSING ENTITY'S REQUIREMENT FOR A BACKGROUND CHECK BEFORE ISSUING A
33 LICENSE OR CERTIFICATE AS SUFFICIENT PROOF THAT THE PERSON HAS COMPLETED A
34 BACKGROUND CHECK.

35 7. THE PERSON IS A RESIDENT OF THIS STATE OR IS PHYSICALLY WORKING
36 OR HAS ACCEPTED AN OFFER TO PHYSICALLY WORK IN THIS STATE.

37 B. THE BOARD SHALL ACKNOWLEDGE BY WRITTEN OR ORAL COMMUNICATION TO
38 THE APPLICANT FOR AN EXPEDITED LICENSE OR CERTIFICATE THE DATE OF RECEIPT
39 OF THE APPLICATION FOR EXPEDITED LICENSURE OR CERTIFICATION PURSUANT TO
40 THIS SECTION. WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF THE APPLICATION,
41 THE BOARD SHALL PROVIDE TO THE APPLICANT A NOTICE OF LICENSURE OR
42 CERTIFICATION APPROVAL OR A WRITTEN EXPLANATION OF REASONS THE APPLICANT
43 IS NOT ELIGIBLE FOR EXPEDITED LICENSURE OR CERTIFICATION.

1 C. A PERSON WHO IS LICENSED OR CERTIFIED PURSUANT TO THIS SECTION
2 IS SUBJECT TO THE LAWS REGULATING THE PERSON'S PRACTICE IN THIS STATE AND
3 IS SUBJECT TO THE BOARD'S JURISDICTION.

4 D. A LICENSE OR CERTIFICATE ISSUED PURSUANT TO THIS SECTION IS
5 VALID ONLY IN THIS STATE.

6 E. A LICENSE OR CERTIFICATE ISSUED PURSUANT TO THIS SECTION ALLOWS
7 A PERSON TO PRACTICE AS AN ADVANCED PRACTICE REGISTERED NURSE OR A
8 REGISTERED NURSE IN THIS STATE AND IS VALID UNTIL THE LICENSE OR
9 CERTIFICATE IS REQUIRED TO BE RENEWED PURSUANT TO THIS ARTICLE.

10 Sec. 3. Appropriation; Arizona state board of nursing;
11 exemption

12 A. The sum of \$100,000 and one FTE are appropriated from the board
13 of nursing fund established pursuant to section 32-1611, Arizona Revised
14 Statutes, in fiscal year 2024-2025 to the Arizona state board of nursing
15 for the purposes of section 32-1634.05, Arizona Revised Statutes, as added
16 by this act.

17 B. The appropriation made in subsection A of this section is exempt
18 from the provisions of section 35-190, Arizona Revised Statutes, relating
19 to lapsing of appropriations.