

REFERENCE TITLE: health profession regulatory boards; membership

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1235

Introduced by
Senators Shamp: Carroll, Dunn, Petersen, Rogers, Shope; Representatives
Blackman, Bliss, Carbone

AN ACT

AMENDING SECTIONS 32-802, 32-901, 32-1203, 32-1402, 32-1502, 32-1602, 32-1672, 32-1702, 32-1801, 32-1902, 32-2002, 32-2062, 32-2502, 32-2902, 32-3252, 32-3402, 32-3502, 32-3902, 32-4102 AND 36-446.02, ARIZONA REVISED STATUTES; RELATING TO HEALTH PROFESSION REGULATORY BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-802, Arizona Revised Statutes, is amended to
3 read:

4 32-802. State board of podiatry examiners; members;
5 compensation; employees; immunity

6 A. The state board of podiatry examiners is established consisting
7 of five members who are appointed by the governor. Each member shall be
8 appointed for a term of five years, to begin and end on February 1.

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

15 C. ~~Three~~ TWO members of the board shall have practiced podiatry
16 continuously in this state for ~~not less than~~ AT LEAST two years
17 immediately preceding appointment and shall have valid licenses to
18 practice podiatry. ~~Two~~ THREE members of the board shall be ~~lay persons~~
19 LAYPERSONS. All members of the board shall be citizens of the United
20 States.

21 D. A vacancy on the board occurring other than by the expiration of
22 a term shall be filled by appointment by the governor for the unexpired
23 term.

24 E. All appointments shall be made promptly, and in the case of the
25 vacancy of a professional member or members, appointment shall be made no
26 later than ninety days from the expiration of the term or vacancy.

27 F. The term of any member, at the discretion of the board, may end
28 and the office be declared vacant for the member's failure to attend three
29 consecutive meetings of the board.

30 G. Members of the board shall receive compensation of ~~fifty dollars~~
31 \$50 for each day of actual service in the business of the board.

32 H. Subject to title 41, chapter 4, article 4, the board may employ
33 personnel, including trained investigators, as it deems necessary to carry
34 out the purposes of this chapter.

35 I. Members and personnel of the board are personally immune from
36 suit with respect to all acts done and actions taken in good faith and in
37 furtherance of the purposes of this chapter.

38 Sec. 2. Section 32-901, Arizona Revised Statutes, is amended to
39 read:

40 32-901. State board of chiropractic examiners; members;
41 removal; immunity

42 A. The state board of chiropractic examiners is established
43 consisting of ~~three~~ TWO licensed chiropractors and ~~two~~ THREE consumer
44 members who are appointed by the governor. One member shall be appointed
45 each year for a term of five years, to begin and end on July 1.

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

7 C. Each member of the board shall be a resident of this state, and
8 each of the licensed chiropractic members shall have practiced
9 chiropractic in this state for three years or more. The ~~two~~ THREE
10 consumer members of the board shall not be in any manner connected with,
11 or have an interest in, any college or school of chiropractic or any
12 person practicing any form of healing or treatment of bodily or mental
13 ailments. A board member shall not receive compensation as an agent or
14 employee of or a contractor for an insurance company. This subsection
15 does not prevent a board member who is a licensed chiropractor from
16 receiving compensation from an insurance company for patient care as
17 provided for in a patient's insurance policy.

18 D. Before taking office, each board member shall take an oath
19 prescribed by law and shall affirm by oath that the board member meets the
20 qualifications as prescribed in this section.

21 E. The governor may remove board members for neglect of duty,
22 malfeasance or misfeasance in office. Vacancies occurring on the board
23 other than by expiration of a term shall be filled for the unexpired
24 portion of the term by appointment in the same manner as regular
25 appointments.

26 F. A member of the board may not serve more than two consecutive
27 terms.

28 G. A board member who acts within the board member's authority is
29 personally immune from civil liability with respect to all actions taken
30 in good faith pursuant to this chapter.

31 Sec. 3. Section 32-1203, Arizona Revised Statutes, is amended to
32 read:

33 32-1203. State board of dental examiners; members;
34 qualifications; terms

35 A. The state board of dental examiners is established consisting of
36 ~~six~~ ONE licensed ~~dentists~~ DENTIST, ~~two~~ ONE licensed dental ~~hygienists~~
37 HYGIENTIST, ~~two~~ FOUR public members and one business entity member WHO ARE
38 appointed by the governor for a term of four years, to begin and end on
39 January 1.

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

1 C. The business entity member and the public members may
2 participate in all board proceedings and determinations, except in
3 preparing, giving or grading examinations for licensure. THE dental
4 hygienist board ~~members~~ MEMBER may participate in all board proceedings
5 and determinations, except in preparing, giving and grading examinations
6 that do not relate to dental hygiene procedures.

7 D. A board member shall not serve more than two consecutive terms.

8 E. For the purposes of this section, the business entity member
9 must be an employee or owner of a registered business entity pursuant to
10 section 32-1213 and may not include a person who is licensed pursuant to
11 this chapter.

12 Sec. 4. Section 32-1402, Arizona Revised Statutes, is amended to
13 read:

14 32-1402. Arizona medical board; members; appointment;
15 qualifications; term; removal; compensation;
16 immunity; report

17 A. The Arizona medical board is established. The board consists of
18 twelve members, ~~four~~ SEVEN of whom ~~shall~~ represent the public and ~~eight~~
19 FIVE of whom ~~shall be~~ ARE actively practicing medicine. One of the ~~four~~
20 SEVEN public members shall be a licensed practical nurse or a professional
21 nurse, as defined in chapter 15 of this title, with at least five years'
22 experience. The ~~eight~~ FIVE physicians must be from at least three
23 different counties of ~~the~~ THIS state. Not more than ~~five~~ TWO of the board
24 members may be from any one county. Members of the board are appointed by
25 the governor. All appointments shall be made promptly. The governor
26 shall make all appointments pursuant to section 38-211.

27 B. Each doctor of medicine who is appointed to the board shall have
28 been a resident of this state and actively engaged in the practice of
29 medicine as a licensed physician in this state for at least the five years
30 before appointment.

31 C. The term of office of a member of the board is five years,
32 commencing on July 1 and terminating on July 1 of the fifth year. Each
33 member is eligible for reappointment for not more than one additional
34 term. However, the term of office for a member of the board appointed to
35 fill a vacancy occasioned other than by expiration of a full term is for
36 the unexpired portion of that term. Each member may be appointed only
37 once to fill a vacancy caused other than by expiration of a term. The
38 governor may reappoint that member to not more than two additional full
39 terms. Each member of the board shall continue to hold office until the
40 appointment and qualification of that member's successor, subject to the
41 following exceptions:

42 1. A member of the board, after notice and a hearing before the
43 governor, may be removed on a finding by the governor of continued neglect
44 of duty, incompetence, or unprofessional or dishonorable conduct, in

1 which event that member's term shall end when the governor makes this
2 finding.

3 2. The term of any member automatically ends:

4 (a) On death.

5 (b) On written resignation submitted to the board chairman or to
6 the governor.

7 (c) On absence from ~~the~~ THIS state for a period of more than six
8 months.

9 (d) For failure to attend three consecutive meetings of the board.

10 (e) Five years after retirement from the active practice of
11 medicine.

12 D. The board shall annually elect, from among its membership, a
13 ~~chairman~~ CHAIRPERSON, a ~~vice-chairman~~ VICE CHAIRPERSON and a secretary,
14 who shall hold their respective offices at the pleasure of the board.

15 E. Board members are eligible to receive compensation in the amount
16 of up to ~~two hundred fifty dollars~~ \$250 per day for each day of actual
17 service in the business of the board, including time spent in preparation
18 for and attendance at board meetings, and all expenses necessarily and
19 properly incurred in attending meetings of the board.

20 F. Members of the board are personally immune from suit with
21 respect to all acts done and actions taken in good faith and in
22 furtherance of the purposes of this chapter.

23 G. The board shall submit a written report to the governor, the
24 Arizona regulatory board of physician assistants and the members of the
25 health and human services committee of the senate and the health committee
26 of the house of representatives, or their successor committees, ~~no~~ NOT
27 later than August 31 of each year on the board's licensing and
28 disciplinary activities for the previous fiscal year. The report must
29 include both of the following:

30 1. Information regarding staff turnover that indicates whether the
31 person was temporary, part-time or full-time and in which department or
32 division the person worked.

33 2. The number of investigators who have been hired and how many of
34 them have completed the investigator training program required by section
35 32-1405.

36 H. Public members appointed to the board may submit a separate
37 written report to the governor ~~by~~ ON OR BEFORE August 31 of each year
38 setting forth their comments relative to the board's licensing and
39 disciplinary activities for the previous fiscal year.

40 Sec. 5. Section 32-1502, Arizona Revised Statutes, is amended to
41 read:

42 32-1502. Naturopathic physicians medical board; members;
43 appointment; qualifications; terms; immunity

44 A. The naturopathic physicians medical board is established
45 consisting of the following members:

1 anesthetist. One member shall be a nursing assistant or a nursing
2 assistant educator. ~~Two~~ FIVE members shall represent the public and ~~two~~
3 ~~members~~ ONE MEMBER shall be A licensed practical ~~nurses~~ NURSE. Members
4 shall be appointed for a term of five years, to begin and end on June 30.

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

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

16 D. The governor may remove any person from the board for neglect of
17 any duty imposed by law or for incompetency or unprofessional or
18 dishonorable conduct.

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

20 1. On the death of the member.

21 2. On the member's written resignation submitted to the board
22 president or to the governor.

23 3. On the member's failure to attend three consecutive board
24 meetings.

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

28 Sec. 7. Section 32-1672, Arizona Revised Statutes, is amended to
29 read:

30 32-1672. State board of dispensing opticians; members;
31 qualifications; terms; removal; immunity

32 A. The state board of dispensing opticians is established
33 consisting of seven members WHO ARE appointed by the governor. ~~five~~ THREE
34 members of the board shall be licensees in good standing under this
35 chapter. ~~Two~~ FOUR members of the board shall be public members.

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

42 C. Each member shall serve for a term of five years expiring on the
43 first day in January of the appropriate year. A member shall not serve
44 for more than two complete consecutive terms.

1 D. The board shall elect from among its membership a ~~chairman~~
2 CHAIRPERSON and such other officers as it deems necessary, who shall hold
3 their offices at the pleasure of the board.

4 E. Members of the board are eligible to receive compensation in the
5 amount of ~~fifty dollars~~ \$50 for each day of actual service in the business
6 of the board.

7 F. The governor may remove a board member from office if the
8 governor determines that the member is guilty of malfeasance, misfeasance
9 or dishonorable conduct.

10 G. The board, the secretary-treasurer of the board and permanent
11 and temporary board personnel are immune from civil liability for any act
12 the board, its officers and board personnel perform in good faith and in
13 furtherance of this chapter.

14 Sec. 8. Section 32-1702, Arizona Revised Statutes, is amended to
15 read:

16 32-1702. State board of optometry; members; appointment;
17 qualifications; terms; removal; meetings

18 A. The state board of optometry is established consisting of the
19 following members who are appointed by the governor to staggered four-year
20 terms that end on July 1:

21 1. ~~Five~~ THREE members who have been licensed and engaged in the
22 active practice of optometry in this state for at least three years
23 immediately before the appointment.

24 2. ~~Two~~ FOUR public members who do not have a direct or indirect
25 interest in the practice of optometry, opticianry or medicine.

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

32 C. The governor may remove any professional member for incompetency
33 or unprofessional conduct or if the member's license has been revoked or
34 suspended or if the member has been censured or placed on probation. The
35 governor may remove any member for neglect of duty or improper conduct.
36 The unexcused absence of a member for more than two consecutive meetings
37 is justification for removal. Appointment by the governor to fill a
38 vacancy caused other than by expiration of a term is for the unexpired
39 portion of the term.

40 D. A member of the board is ineligible to serve more than two
41 consecutive full terms. The completion of the unexpired portion of a full
42 term does not constitute a full term for purposes of this subsection.

43 E. The board shall conduct regular meetings at least six times each
44 year at times and places designated by the board or the governor. Special
45 meetings may be called that the president determines are necessary to

1 carry out the functions of the board, including meetings using
 2 communications equipment that allows all members participating in the
 3 meetings to hear each other.

4 F. A majority of the members of the board constitutes a quorum and
 5 a majority vote of a quorum present at any meeting governs all actions
 6 taken by the board.

7 Sec. 9. Section 32-1801, Arizona Revised Statutes, is amended to
 8 read:

9 32-1801. Arizona board of osteopathic examiners in medicine
 10 and surgery; members; qualifications; oath;
 11 removal

12 A. The Arizona board of osteopathic examiners in medicine and
 13 surgery is established consisting of seven members WHO ARE appointed by
 14 the governor. One member of the board shall be appointed each year for a
 15 term of five years, to begin and end on April 15.

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

22 C. ~~Two~~ FOUR members of the board shall be public members who ~~shall~~
 23 ARE not ~~be~~ in any manner connected with, or DO NOT have an interest in,
 24 any school of medicine or any person practicing any form of healing or
 25 treatment of bodily or mental ailments and who ~~has~~ HAVE demonstrated an
 26 interest in the health problems of ~~the~~ THIS state. The other ~~five~~ THREE
 27 members of the board shall have engaged in the practice of medicine as an
 28 osteopathic physician in this state for at least five years preceding
 29 their appointments, hold active licenses in good standing and, at the time
 30 of appointment, be practicing medicine with direct patient contact. In
 31 making appointments of each professional member of the board, the governor
 32 shall consider a list of qualified persons submitted by the Arizona
 33 osteopathic medical association and recommendations by any other person.
 34 Members of the board shall continue in office until their successors are
 35 appointed and qualified. Each board member, before entering on ~~his~~ THE
 36 MEMBER'S duties, shall take an oath prescribed by law and in addition
 37 thereto shall make an oath as to ~~his~~ THE MEMBER'S qualifications as
 38 prescribed in this section. ~~no~~ A board member may NOT serve more than two
 39 consecutive five year terms.

40 D. The governor may remove A board ~~members if they fail~~ MEMBER WHO
 41 FAILS to attend three or more board meetings within twelve months. This
 42 does not include telephonic meetings of the board. The governor may also
 43 remove A board ~~members~~ MEMBER for malfeasance, misfeasance or incompetence
 44 in ~~their~~ office, unprofessional or dishonorable conduct in ~~their~~ office or
 45 unprofessional or dishonorable conduct. The governor shall appoint a

1 qualified replacement to fill a vacant position for the unexpired portion
2 of the term.

3 Sec. 10. Section 32-1902, Arizona Revised Statutes, is amended to
4 read:

5 32-1902. Arizona state board of pharmacy; members;
6 qualifications; terms; oath; immunity

7 A. The Arizona state board of pharmacy is established consisting of
8 the following members who are appointed by the governor:

9 1. ~~Six~~ THREE pharmacists, at least one of whom is a pharmacist
10 employed by a licensed hospital and at least one of whom is employed by a
11 community pharmacy and engaged in the day-to-day practice of pharmacy.

12 2. One pharmacy technician.

13 3. ~~Two~~ FIVE public members.

14 B. To be qualified for appointment:

15 1. A pharmacist must be licensed as a pharmacist in this state or
16 any other jurisdiction for a period of at least ten years and licensed as
17 a pharmacist and a resident in this state for a period of at least five
18 years immediately before the date of appointment.

19 2. Each public member must be a resident of this state for a period
20 of at least five years immediately before the date of appointment.

21 3. A pharmacy technician must be a practicing pharmacy technician
22 in this state or any other jurisdiction for at least five years and be
23 licensed as a pharmacy technician and a resident of this state for at
24 least five years immediately before the date of appointment. A pharmacy
25 technician appointed before July 1, 2009 does not have to meet the minimum
26 five year licensure requirement of this paragraph.

27 C. Each pharmacist and pharmacy technician member shall serve for a
28 term of five years. Public members may serve for a term of five years
29 unless removed by the governor. The public members shall after the first
30 of every year present a written report to the governor. Vacancies
31 occurring on the board other than by expiration of term of office shall be
32 filled for the unexpired portion of the term only.

33 D. On or before January 15 of each year in which a pharmacist or a
34 pharmacy technician is to be appointed, the executive director of the
35 pharmacy association of Arizona may submit to the governor a list of the
36 names of at least seven of its members who have been nominated by the
37 association, and who meet the requirements as provided in this section
38 for the next occurring vacancy on the board. The governor may make
39 appointments of licensed pharmacists and pharmacy technicians to the board
40 from the nominees on the list or from others having the necessary
41 qualifications.

42 E. Appointees to the board within thirty days after their
43 appointment shall take and subscribe to an oath or affirmation, before a
44 properly qualified officer, that they will faithfully and impartially

1 perform the duties of their office. The executive director shall file the
2 oath or affirmation with the secretary of state.

3 F. Members of the board are personally exempt from suit with
4 respect to all acts done and actions taken in good faith and in
5 furtherance of this chapter.

6 Sec. 11. Section 32-2002, Arizona Revised Statutes, is amended to
7 read:

8 32-2002. Board of physical therapy; members; appointment;
9 qualifications; terms; removal; reimbursement;
10 immunity

11 A. The board of physical therapy is established consisting of
12 members WHO ARE appointed by the governor pursuant to section 38-211.
13 ~~Four~~ TWO members shall be physical therapists who are residents of this
14 state, possess an unrestricted license to practice physical therapy in
15 this state and have been practicing in this state for at least five years
16 before their appointment. One member shall be a physical therapist
17 assistant who is a resident of this state, possesses an unrestricted
18 license issued pursuant to this chapter and has been performing selected
19 interventions in this state for at least five years before the person's
20 appointment. The governor shall also appoint ~~two~~ FOUR public members who
21 are residents of this state and who are not affiliated with, and do not
22 have a financial interest in, any health care profession but who have an
23 interest in consumer rights.

24 B. Board members serve staggered four-year terms. Board members
25 shall not serve for more than two successive four-year terms or for more
26 than ten consecutive years. By approval of a majority of the board, a
27 member's service may extend at the completion of a four-year term until a
28 new member is appointed or the current member is reappointed.

29 C. If requested by the board, the governor may remove a board
30 member for misconduct, incompetence or neglect of duty.

31 D. Board members are eligible for reimbursement of expenses
32 pursuant to title 38, chapter 4, article 2 to cover necessary expenses for
33 attending each board meeting or for representing the board in an official
34 ~~board approved~~ BOARD-APPROVED activity.

35 E. A board member who acts within the scope of board duties,
36 without malice and in the reasonable belief that the person's action is
37 warranted by law is immune from civil liability.

38 Sec. 12. Section 32-2062, Arizona Revised Statutes, is amended to
39 read:

40 32-2062. State board of psychologist examiners; members;
41 qualifications; appointments; terms; compensation;
42 immunity

43 A. The state board of psychologist examiners is established
44 consisting of ten members WHO ARE appointed by the governor pursuant to
45 section 38-211.

1 B. Each member of the board shall be a citizen of the United States
2 and a resident of this state at the time of appointment. ~~Seven~~ FOUR
3 members shall be licensed pursuant to this chapter, and ~~three~~ SIX MEMBERS
4 shall be public members who are not eligible for licensure. The board
5 shall have at all times, except for the period when a vacancy exists, ~~at~~
6 ~~least two members who are~~ ONE MEMBER WHO IS licensed as ~~psychologists~~ A
7 PSYCHOLOGIST and who ~~are~~ IS A full-time faculty ~~members from universities~~
8 MEMBER FROM A UNIVERSITY in this state with a doctoral program in
9 psychology that meets the requirements of section 32-2071, ~~at least three~~
10 TWO members who are psychologists in professional practice and ~~at least~~
11 ~~two members who are~~ ONE MEMBER WHO IS A behavior ~~analysts~~ ANALYST in
12 professional practice and who ~~are members~~ IS A MEMBER of the committee on
13 behavior analysts. The public members shall not have a substantial
14 financial interest in the health care industry and shall not have a
15 household member who is eligible for licensure under this chapter.

16 C. Each member shall serve for a term of five years beginning and
17 ending on the third Monday in January.

18 D. A vacancy on the board occurring other than by the expiration of
19 term shall be filled by appointment by the governor for the unexpired term
20 as provided in subsection C of this section. The governor, after a
21 hearing, may remove any member of the board for misconduct, incompetency
22 or neglect of duty.

23 E. Board members shall receive compensation in the amount of ~~one~~
24 ~~hundred dollars~~ \$100 for each cumulative eight hours of actual service in
25 the business of the board and reimbursement of all expenses pursuant to
26 title 38, chapter 4, article 2.

27 F. Members of the board and its employees, consultants and test
28 examiners are personally immune from suit with respect to all acts done
29 and actions taken in good faith and in furtherance of the purposes of this
30 chapter.

31 Sec. 13. Section 32-2502, Arizona Revised Statutes, is amended to
32 read:

33 32-2502. Arizona regulatory board of physician assistants;
34 members; appointment; terms; immunity

35 A. The Arizona regulatory board of physician assistants is
36 established consisting of the following members:

37 1. ~~Five~~ TWO physician assistants who hold a current regular license
38 pursuant to this chapter. The governor may appoint these members from a
39 list of qualified candidates submitted by the Arizona state association of
40 physician assistants. The governor may seek additional input and
41 nominations before the governor makes the physician assistant
42 appointments.

43 2. ~~Two~~ FIVE public members who are appointed by the governor.

44 3. ~~Two physicians~~ ONE PHYSICIAN who ~~are~~ IS actively engaged in the
45 practice of medicine and ~~who are~~ IS licensed pursuant to chapter 17 of

1 this title, ~~one of whom~~ WHO supervises or collaborates with a physician
2 assistant at the time of appointment, and who ~~are~~ IS appointed by the
3 governor.

4 4. ~~Two physicians~~ ONE PHYSICIAN who ~~are~~ IS actively engaged in the
5 practice of medicine and who ~~are~~ IS licensed pursuant to chapter 13 of
6 this title, ~~one of whom~~ WHO supervises or collaborates with a physician
7 assistant at the time of appointment, and who ~~are~~ IS appointed by the
8 governor.

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

15 C. The term of office of members of the board is four years, to
16 begin and end on July 1.

17 D. Each board member is eligible for appointment to not more than
18 two full terms, except that the term of office for a member WHO IS
19 appointed to fill a vacancy that is not caused by the expiration of a full
20 term is for the unexpired portion of that term and the governor may
21 reappoint that member to not more than two additional full terms. Each
22 board member may continue to hold office until the appointment and
23 qualification of that member's successor. The governor may remove a
24 member after notice and a hearing on a finding of continued neglect of
25 duty, incompetence or unprofessional or dishonorable conduct. That
26 member's term ends when the finding is made.

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

28 1. On written resignation submitted to the board chairperson or to
29 the governor.

30 2. If the member is absent from this state for more than six months
31 during a one-year period.

32 3. If the member fails to attend three consecutive regular board
33 meetings.

34 4. Five years after retirement from active practice.

35 F. Board members are immune from civil liability for all good faith
36 actions they take pursuant to this chapter.

37 Sec. 14. Section 32-2902, Arizona Revised Statutes, is amended to
38 read:

39 32-2902. Board of homeopathic and integrated medicine
40 examiners; members; terms; removal; immunity

41 A. The board of homeopathic and integrated medicine examiners is
42 established consisting of the following members WHO ARE appointed by the
43 governor:

44 1. ~~Two~~ FOUR public members.

1 ~~2. Until January 1, 2017, four members who are licensed pursuant to~~
2 ~~section 32-2912, subsection A.~~

3 ~~3. 2. Beginning January 1, 2017, five~~ THREE members who are
4 licensed pursuant to this chapter, one of whom is licensed pursuant to
5 section 32-2912, subsection B.

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

12 C. Board members serve staggered three-year terms ending on
13 June 30. Board members shall not serve more than three consecutive terms.
14 A board member may continue to serve until that member's replacement takes
15 office.

16 D. Board members shall be residents of this state for at least
17 three consecutive years immediately before their appointment.

18 E. The governor may remove a board member from office because of
19 that member's neglect of duty, malfeasance, misfeasance, incompetence or
20 unprofessional or dishonorable conduct.

21 F. A board member's term of office automatically ends if that
22 member is absent from this state for more than six months or if that
23 member fails to attend three consecutive regularly scheduled board
24 meetings.

25 G. Board members and board employees are immune from civil
26 liability for any good faith action they take to implement this chapter.

27 Sec. 15. Section 32-3252, Arizona Revised Statutes, is amended to
28 read:

29 32-3252. Board of behavioral health examiners; members;
30 appointment; qualifications; terms; compensation;
31 immunity; training program

32 A. The board of behavioral health examiners is established
33 consisting of the following members WHO ARE appointed by the governor:

34 1. The following professional members:

35 (a) ~~Two members who are~~ ONE MEMBER WHO IS licensed in social work
36 pursuant to this chapter, ~~at least one of whom is a licensed clinical~~
37 ~~social worker.~~

38 (b) ~~Two members who are~~ ONE MEMBER WHO IS licensed in counseling
39 pursuant to this chapter, ~~at least one of whom is a licensed professional~~
40 ~~counselor.~~

41 (c) ~~Two members who are~~ ONE MEMBER WHO IS licensed in marriage and
42 family therapy pursuant to this chapter, ~~at least one of whom is a~~
43 ~~licensed marriage and family therapist.~~

1 (d) ~~Two members who are~~ ONE MEMBER WHO IS licensed in addiction
2 counseling pursuant to this chapter, ~~at least one of whom is a licensed~~
3 ~~independent addiction counselor.~~

4 2. ~~Four~~ FIVE public members.

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

11 C. Each professional board member shall:

12 1. Be a resident of this state for at least one year before
13 appointment.

14 2. Be an active licensee in good standing.

15 3. Have at least five years of experience in an area of behavioral
16 health licensed pursuant to this chapter.

17 D. Each public board member shall:

18 1. Be a resident of this state for at least one year before
19 appointment.

20 2. Be at least twenty-one years of age.

21 3. Not be licensed or eligible for licensure pursuant to this
22 chapter unless the public member has been retired from active practice for
23 at least five years.

24 4. Not currently have a substantial financial interest in an entity
25 that directly provides behavioral health services.

26 5. Not have a household member who is licensed or eligible for
27 licensure pursuant to this chapter unless the household member has been
28 retired from active practice for at least five years.

29 E. The term of office of board members is three years, to begin and
30 end on the third Monday in January. A member shall not serve more than
31 two full consecutive terms.

32 F. The board shall annually elect a ~~chairman~~ CHAIRPERSON and
33 secretary-treasurer from its membership.

34 G. Board members are eligible to receive compensation of not more
35 than \$85 for each day actually and necessarily spent in the performance of
36 their duties.

37 H. Board members and personnel are personally immune from suit with
38 respect to all acts done and actions taken in good faith and in
39 furtherance of the purposes of this chapter.

40 I. Each board member must complete a twelve-hour training program
41 that emphasizes responsibilities for administrative management, licensure,
42 judicial processes and temperament within one year after appointment to
43 the board.

1 Sec. 16. Section 32-3402, Arizona Revised Statutes, is amended to
2 read:

3 32-3402. Board of occupational therapy examiners; members;
4 qualifications; terms; compensation; immunity

5 A. The board of occupational therapy examiners is established and
6 consists of five members WHO ARE appointed by the governor. Each board
7 member shall be a resident of the state at the time of appointment. The
8 governor shall appoint ~~two~~ THREE persons who are not engaged, directly or
9 indirectly, in the provision of health care services to serve as public
10 members. The other ~~three~~ TWO members shall have at least three years of
11 experience in occupational therapy or teaching in an accredited
12 occupational therapy education program in this state immediately before
13 appointment and shall be licensed under this chapter. The governor may
14 select board members from a list of licensees submitted by the Arizona
15 occupational therapy association, ~~inc.~~ or any other appropriate
16 organization.

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

23 C. The term of office of board members is three years to begin and
24 end on the third Monday in January. A member shall not serve more than
25 two consecutive terms.

26 D. The board, at its first regular meeting after the start of each
27 calendar year and as necessary, shall elect a chairperson and other
28 officers from among its members. The board shall meet at least once each
29 quarter in compliance with the open meeting requirements of title 38,
30 chapter 3, article 3.1 and shall keep an official record of these
31 meetings. Other meetings may be convened at the call of the chairperson
32 or the written request of any two board members. A majority of the
33 members of the board shall constitute a quorum.

34 E. Each member of the board is eligible to receive compensation in
35 the amount of ~~one hundred dollars~~ \$100 for each regular or special board
36 meeting the member attends and is eligible for reimbursement for all
37 expenses necessarily and properly incurred in attending board meetings.

38 F. A board member is immune from civil liability for any actions
39 that are within the scope of the board member's duties if they are taken
40 without malice and in the reasonable belief that they are warranted by
41 law.

1 Sec. 17. Section 32-3502, Arizona Revised Statutes, is amended to
2 read:

3 32-3502. Board of respiratory care examiners; members;
4 appointment; qualifications; removal

5 A. The board of respiratory care examiners is established
6 consisting of ~~seven~~ NINE members WHO ARE appointed by the governor. Each
7 board member shall be a resident of this state at the time of appointment.
8 The governor shall appoint:

9 1. ~~Three~~ TWO licensed respiratory care practitioners, ~~at least~~ one
10 of whom is a technical director of a respiratory care department or
11 respiratory care corporation or an officer or faculty member of a college,
12 school or institution engaged in respiratory therapy education and ~~at~~
13 ~~least~~ one of whom is involved in direct patient care.

14 2. A physician who is licensed pursuant to chapter 13 or 17 of this
15 title and who is knowledgeable in respiratory care.

16 3. ~~Two~~ FIVE public members who are not engaged, directly or
17 indirectly, in the provision of health care services.

18 4. One hospital administrator.

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

25 C. The respiratory care practitioner members shall:

26 1. Have at least five years of experience in respiratory care or
27 respiratory therapy education.

28 2. Have been employed actively in direct patient care, respiratory
29 therapy education or management or supervision of respiratory care for at
30 least three years immediately preceding appointment.

31 3. Be licensed pursuant to this chapter.

32 D. The governor may appoint the licensed respiratory care
33 practitioners from a list of seven qualified persons submitted to the
34 governor by the Arizona society for respiratory care.

35 E. The governor may appoint the physician member from a list of
36 three qualified persons submitted to the governor by the Arizona medical
37 association and the Arizona osteopathic medical association.

38 F. The governor may appoint the hospital administrator member from
39 a list of three qualified persons submitted to the governor by the Arizona
40 hospital association.

41 G. The term of office of each member is three years, to begin and
42 end on June 30. A member shall not serve for more than two consecutive
43 terms.

44 H. The governor may remove board members for neglect of duty,
45 malfeasance or misfeasance.

1 C. Board members shall be residents of this state for at least one
2 year immediately preceding their appointment.

3 D. Board members serve three-year terms to begin and end on the
4 third Monday in January. A member shall not serve more than two
5 consecutive terms.

6 E. The board shall meet in January of each year to elect a
7 chairperson and vice chairperson.

8 F. The board shall meet quarterly and at the call of the
9 chairperson or a majority of board members.

10 G. Board members are eligible to receive compensation in an amount
11 not to exceed \$50 per day for each day of actual service in the business
12 of the board and are eligible for reimbursement of expenses necessarily
13 and properly incurred in attending board meetings.

14 H. The governor may remove a board member from office for
15 malfeasance, dishonorable conduct or unprofessional management of board
16 duties.

17 I. The term of any member automatically ends on resignation or
18 absence from this state for a period of at least six months. The governor
19 shall fill vacancies for an unexpired portion of a term in the same manner
20 as regular appointments.

21 J. Board members and board employees are not subject to civil
22 liability for any act done or proceeding undertaken or performed in good
23 faith and in furtherance of the purposes of this chapter.

24 Sec. 19. Section 32-4102, Arizona Revised Statutes, is amended to
25 read:

26 32-4102. Board of athletic training; members; terms; removal;
27 compensation; immunity

28 A. The board of athletic training is established consisting of the
29 following members WHO ARE appointed by the governor:

30 1. ~~Three~~ TWO athletic trainers who are residents of this state, WHO
31 possess an unrestricted license to practice athletic training in this
32 state and WHO have been practicing in this state for at least five years
33 immediately preceding their appointment. The governor may make these
34 appointments from a list of names submitted by a statewide athletic
35 training association or any other group or person. ~~The initial three~~
36 ~~appointees are not required to be licensed pursuant to this chapter at the~~
37 ~~time of selection but shall meet all of the qualifications for licensure~~
38 ~~as prescribed by this chapter.~~

39 2. ~~Two~~ THREE public members who are residents of this state and who
40 are not affiliated with and do not have any financial interest in any
41 health care profession but who have an interest in consumer rights.

42 B. Board members serve staggered ~~five-year~~ FIVE-YEAR terms that
43 begin and end on the third Monday in January. Board members shall not
44 serve for more than two successive five year terms or for more than ten
45 consecutive years.

1 C. If requested by the board, the governor may remove a board
2 member for misconduct, incompetence or neglect of duty.

3 D. Board members are eligible for reimbursement of expenses
4 pursuant to title 38, chapter 4, article 2 to cover necessary expenses for
5 attending each board meeting or for representing the board in an official
6 ~~board approved~~ BOARD-APPROVED activity.

7 E. A board member who acts within the scope of board duties,
8 without malice and in the reasonable belief that the person's action is
9 warranted by law is not subject to civil liability.

10 Sec. 20. Section 36-446.02, Arizona Revised Statutes, is amended to
11 read:

12 36-446.02. Board of examiners; members; terms; meetings;
13 quorum; vacancies; compensation

14 A. The board of examiners of nursing care institution
15 administrators and assisted living facility managers is established
16 consisting of ~~eleven~~ THIRTEEN members WHO ARE appointed by the governor.

17 B. The board shall include:

18 1. One administrator who holds an active license issued pursuant to
19 this article or who is retired.

20 2. One assisted living facility manager who holds an active license
21 issued pursuant to this article or who is retired.

22 3. One administrator of a nonprofit or faith-based skilled nursing
23 facility who ~~either~~ holds an active license issued pursuant to this
24 article or who is retired.

25 4. One administrator of a proprietary skilled nursing facility who
26 ~~either~~ holds an active license issued pursuant to this article or who is
27 retired.

28 5. ~~Two managers~~ ONE MANAGER of an assisted living center who ~~either~~
29 ~~hold~~ HOLDS an active license issued pursuant to this article or who ~~are~~ IS
30 retired.

31 6. One manager of an assisted living home who ~~either~~ holds an
32 active license issued pursuant to this article or who is retired.

33 7. One public member who represents an organization that advocates
34 for the elderly.

35 8. ~~One person~~ TWO PERSONS who ~~is~~ ARE a family member of EITHER a
36 resident or a person who was a resident in the previous three years in
37 either a skilled nursing facility or an assisted living facility at the
38 time the person is appointed to the board.

39 9. ~~One person who is a~~ TWO PERSONS WHO ARE current or former
40 ~~resident~~ RESIDENTS of a skilled nursing facility or an assisted living
41 facility.

42 10. One public member who represents an organization that advocates
43 for individuals with Alzheimer's disease, dementia or other related
44 neurocognitive diseases or disorders.

1 11. ONE PUBLIC MEMBER WHO DOES NOT HAVE A DIRECT OR INDIRECT
2 FINANCIAL INTEREST IN NURSING CARE INSTITUTIONS OR ASSISTED LIVING
3 FACILITIES.

4 C. The board may not have more than three board members who are
5 appointed pursuant to subsection B, paragraphs 1 through 6 of this section
6 and who are retired. Each board member specified in subsection B,
7 paragraphs 1 through 6 of this section who is retired must have had an
8 active license issued pursuant to this article within the previous two
9 years at the time of appointment to the board and may not have had any
10 disciplinary action taken against the person's license or had a license
11 issued pursuant to this article revoked.

12 D. Board members who are not affiliated with a nursing care
13 institution or an assisted living facility shall not have a direct
14 financial interest in nursing care institutions or assisted living
15 facilities.

16 E. A board member shall not serve on any other board relating to
17 long-term care during the member's term with the board.

18 F. The term of a board member automatically ends when that member
19 no longer meets the qualifications for appointment to the board. The
20 board shall notify the governor of the board vacancy.

21 G. Board members who are not affiliated with a nursing care
22 institution or an assisted living facility shall be appointed for two-year
23 terms. Board members who are the administrator of a nursing care
24 institution or the manager of an assisted living facility shall be
25 appointed for three-year terms.

26 H. A board member shall not serve for more than two consecutive
27 terms.

28 I. The board shall meet at least twice a year.

29 J. A majority of the board members constitutes a quorum.

30 K. Board members are eligible to receive compensation as determined
31 pursuant to section 38-611 for each day actually spent performing their
32 duties under this chapter.

33 L. A board member who is absent from three consecutive regular
34 meetings or who fails to attend more than fifty percent of board meetings
35 over the course of one calendar year vacates the board member's position.
36 The board shall notify the governor of the vacancy.

37 Sec. 21. Retention of members

38 A. Notwithstanding section 32-802, Arizona Revised Statutes, as
39 amended by this act, all persons serving as members of the state board of
40 podiatry examiners on the effective date of this act may continue to serve
41 until the expiration of their normal terms. The governor shall make all
42 subsequent appointments as prescribed by statute.

43 B. Notwithstanding section 32-901, Arizona Revised Statutes, as
44 amended by this act, all persons serving as members of the state board of
45 chiropractic examiners on the effective date of this act may continue to

1 serve until the expiration of their normal terms. The governor shall make
2 all subsequent appointments as prescribed by statute.

3 C. Notwithstanding section 32-1203, Arizona Revised Statutes, as
4 amended by this act, all persons serving as members of the state board of
5 dental examiners on the effective date of this act may continue to serve
6 until the expiration of their normal terms. The governor shall make all
7 subsequent appointments as prescribed by statute.

8 D. Notwithstanding section 32-1402, Arizona Revised Statutes, as
9 amended by this act, all persons serving as members of the Arizona medical
10 board on the effective date of this act may continue to serve until the
11 expiration of their normal terms. The governor shall make all subsequent
12 appointments as prescribed by statute.

13 E. Notwithstanding section 32-1502, Arizona Revised Statutes, as
14 amended by this act, all persons serving as members of the naturopathic
15 physicians medical board on the effective date of this act may continue to
16 serve until the expiration of their normal terms. The governor shall make
17 all subsequent appointments as prescribed by statute.

18 F. Notwithstanding section 32-1602, Arizona Revised Statutes, as
19 amended by this act, all persons serving as members of the Arizona state
20 board of nursing on the effective date of this act may continue to serve
21 until the expiration of their normal terms. The governor shall make all
22 subsequent appointments as prescribed by statute.

23 G. Notwithstanding section 32-1672, Arizona Revised Statutes, as
24 amended by this act, all persons serving as members of the state board of
25 dispensing opticians on the effective date of this act may continue to
26 serve until the expiration of their normal terms. The governor shall make
27 all subsequent appointments as prescribed by statute.

28 H. Notwithstanding section 32-1702, Arizona Revised Statutes, as
29 amended by this act, all persons serving as members of the state board of
30 optometry on the effective date of this act may continue to serve until
31 the expiration of their normal terms. The governor shall make all
32 subsequent appointments as prescribed by statute.

33 I. Notwithstanding section 32-1801, Arizona Revised Statutes, as
34 amended by this act, all persons serving as members of the Arizona board
35 of osteopathic examiners in medicine and surgery on the effective date of
36 this act may continue to serve until the expiration of their normal terms.
37 The governor shall make all subsequent appointments as prescribed by
38 statute.

39 J. Notwithstanding section 32-1902, Arizona Revised Statutes, as
40 amended by this act, all persons serving as members of the Arizona state
41 board of pharmacy on the effective date of this act may continue to serve
42 until the expiration of their normal terms. The governor shall make all
43 subsequent appointments as prescribed by statute.

44 K. Notwithstanding section 32-2002, Arizona Revised Statutes, as
45 amended by this act, all persons serving as members of the board of

1 physical therapy on the effective date of this act may continue to serve
2 until the expiration of their normal terms. The governor shall make all
3 subsequent appointments as prescribed by statute.

4 L. Notwithstanding section 32-2062, Arizona Revised Statutes, as
5 amended by this act, all persons serving as members of the state board of
6 psychologist examiners on the effective date of this act may continue to
7 serve until the expiration of their normal terms. The governor shall make
8 all subsequent appointments as prescribed by statute.

9 M. Notwithstanding section 32-2502, Arizona Revised Statutes, as
10 amended by this act, all persons serving as members of the Arizona
11 regulatory board of physician assistants on the effective date of this act
12 may continue to serve until the expiration of their normal terms. The
13 governor shall make all subsequent appointments as prescribed by statute.

14 N. Notwithstanding section 32-2902, Arizona Revised Statutes, as
15 amended by this act, all persons serving as members of the board of
16 homeopathic and integrated medicine examiners on the effective date of
17 this act may continue to serve until the expiration of their normal terms.
18 The governor shall make all subsequent appointments as prescribed by
19 statute.

20 O. Notwithstanding section 32-3252, Arizona Revised Statutes, as
21 amended by this act, all persons serving as members of the board of
22 behavioral health examiners on the effective date of this act may continue
23 to serve until the expiration of their normal terms. The governor shall
24 make all subsequent appointments as prescribed by statute.

25 P. Notwithstanding section 32-3402, Arizona Revised Statutes, as
26 amended by this act, all persons serving as members of the board of
27 occupational therapy examiners on the effective date of this act may
28 continue to serve until the expiration of their normal terms. The
29 governor shall make all subsequent appointments as prescribed by statute.

30 Q. Notwithstanding section 32-3502, Arizona Revised Statutes, as
31 amended by this act, all persons serving as members of the board of
32 respiratory care examiners on the effective date of this act may continue
33 to serve until the expiration of their normal terms. The governor shall
34 make all subsequent appointments as prescribed by statute.

35 R. Notwithstanding section 32-3902, Arizona Revised Statutes, as
36 amended by this act, all persons serving as members of the acupuncture
37 board of examiners on the effective date of this act may continue to serve
38 until the expiration of their normal terms. The governor shall make all
39 subsequent appointments as prescribed by statute.

40 S. Notwithstanding section 32-4102, Arizona Revised Statutes, as
41 amended by this act, all persons serving as members of the board of
42 athletic training on the effective date of this act may continue to serve
43 until the expiration of their normal terms. The governor shall make all
44 subsequent appointments as prescribed by statute.

1 T. Notwithstanding section 36-446.02, Arizona Revised Statutes, as
2 amended by this act, all persons serving as members of the board of
3 examiners of nursing care institution administrators and assisted living
4 facility managers on the effective date of this act may continue to serve
5 until the expiration of their normal terms. The governor shall make all
6 subsequent appointments as prescribed by statute.