

To: ADHS Employees
From: ADHS Legislative Affairs
Date: May 6, 2014
Re: 2014 Legislative and Budget Summary

The Second Regular Session of the 51st Legislature ended April 24, 2014. This memo briefly (a) outlines legislation passed in to law that specifically impacts the Arizona Department of Health Services (ADHS) and (b) lists other health related law in which you may have interest. The general effective date for the laws passed this session is July 24th, 2014.

The Legislative Affairs Team extends our thanks to everyone throughout the Department for your responsiveness as issues arose before and during the session. We look forward to working together to provide legislators the best possible information to assist in their service.

Please feel free to contact ADHS Legislative Affairs at 602-542-1032 with any questions about these bills or other legislative issues.

<u>BILL NUMBER</u>	<u>SHORT TITLE</u>	<u>EFFECTIVE DATE</u>
HB 2260	SMALL BUSINESS BILL OF RIGHTS	July 24, 2014
HB 2284	ABORTION CLINICS; INSPECTION; MINORS; REPORTING	July 24, 2014
HB 2306	FINGERPRINT CLEARANCE CARDS; PERIODIC CHECKS	July 24, 2014
HB 2321	PROCUREMENT CODE OMNIBUS	July 24, 2014
HB 2332	UNCLAIMED REMAINS; VETERANS; BURIAL	July 24, 2014
HB 2436	FOOD HANDLER TRAINING; COURSES; CERTIFICATION	July 24, 2014
HB 2437	PUBLIC COMMITTEES; REPEAL; SUNSET	July 24, 2014
HB 2491	NEWBORN SCREENING PROGRAM	July 24, 2014
HB 2549	NURSING CARE INSTITUTIONS; THERAPEUTIC DRUGS	July 24, 2014
HB 2703	2014-2015; GENERAL APPROPRIATIONS	Varies
HB 2705	HEALTH; WELFARE; BUDGET RECONCILIATION; 2014-2015	Varies
SB 1040	LEAVE OF ABSENCE; AUXILIARY MEMBERS	July 24, 2014
SB 1097	SILVER ALERT NOTIFICATION SYSTEM	July 24, 2014
SB 1102	SCHOOL FACILITIES BOARD REVISIONS	July 24, 2014
SB 1216	LICENSURE; BEHAVIORAL HEALTH SERVICES	July 24, 2014
SB 1272	NONPROFIT CORPS; STATE MONIES; AUDITS	July 24, 2014
SB 1306	GOVERNMENT ENTITIES; CREDIT CARD PAYMENTS	July 24, 2014
SB 1225	MAMMOGRAPHY RESULTS; REPORT TO PATIENT	July 24, 2014

GENERAL / ADMINISTRATION

HB 2703: 2014-2015; GENERAL APPROPRIATIONS

The "feed bill" for FY2012-13, contains appropriations for state agencies and programs. Contains appropriations for ADHS (Sec. 43) and various footnotes (Sec. 107, 112, 128, 129, and 143) relating to public/family health, behavioral health, the Arizona State Hospital, and department wide budget implementations.

HB 2705: HEALTH; WELFARE; BUDGET RECONCILIATION; 2014-2015

HB 2705 includes provisions related to health necessary to implement the FY 2014-15 state budget. For ADHS, the bill continues and modifies provisions that require the department to report to the joint legislative budget committee on Medicaid and non-Medicaid behavioral health expenditures (Sec. 6), allows the department to set reimbursement rates for the costs of commitments of sexually violent individuals to be paid by the counties (Sec. 10), requires counties to reimburse the department for one hundred percent of the costs of a defendant's inpatient treatment (Sec. 11), permit the use of monies in the health research account for Alzheimer's disease research (Sec. 19), and require the directors of ADHS and AHCCCS submit a joint report on hospital charge master transparency (Sec. 22).

DIVISION OF PUBLIC HEALTH

HB 2284: ABORTION CLINICS; INSPECTION; MINORS; REPORTING

The bill contains various changes related to regulation of abortions. HB 2284 allows ADHS to enter and inspect licensed abortion clinics during business hours if the director determines there is reasonable cause to believe the clinic is not complying with licensing requirements and allows the department to take authorized action if the clinic is found not to be in compliance. It also states it is a class 1 misdemeanor for any person to cause, aid, or assist a minor in obtaining an abortion in violation of statute, requires facilities that perform abortions to report whether an infant was born alive and what efforts were made to promote, preserve, and maintain the life of the infant, and addresses how legal proceedings regarding the statute may be handled.

SB 1216: LICENSURE; BEHAVIORAL HEALTH SERVICES

SB 1216 provides a definition of "behavioral health services" and adds qualifying institutions pertaining to adult foster care. The bill allows ADHS to adopt licensing provisions that facilitate the co-location and integration of outpatient treatment centers that provide medical, nursing and health-related services with behavioral health services. The bill also contains conforming and technical language. Lastly, the bill authorizes exempt rule making authority until April 30, 2015.

SB 1225: MAMMOGRAPHY RESULTS; REPORT TO PATIENT

The bill requires on October 1, 2014, a patient categorized as having heterogeneously dense breasts or extreme dense breasts by a health care institution or facility that performs mammography examinations must receive a specified notice in the summary of mammography report.

HB 2491: NEWBORN SCREENING PROGRAM

This bill requires ADHS to adopt rules adding critical congenital heart defect screening and to consider adding severe combined immunodeficiency and Krabbe disease testing to the Newborn Screening Program. The bill also adds hearing disorders to the panel of newborn tests (no longer voluntary) and permits the ADHS director to designate laboratories other than the state laboratory to test for any new conditions added to the program. The bill contains exempt rule making authority through July 1, 2015.

The bill also contains session law outlining the vaccine financing and availability advisory Committee membership. The bill outlines deliverables (December 15, 2014) and reporting requirements for the committee. The committee self-repeals on December 31, 2015.

HB 2260: SMALL BUSINESS BILL OF RIGHTS

The bill adds to the small business bill of rights to include audits (defined). Includes provisions to post the bill of rights on the agency website, and provides specific changes that include various notifications and rights of small business owners.

HB 2332: UNCLAIMED REMAINS; VETERANS; BURIAL

The bill specifies procedures regarding the verification and burial of unclaimed cremated remains of veterans and eligible dependents.

HB 2436: FOOD HANDLER TRAINING; COURSES; CERTIFICATION

The bill states that if a county requires food handler training and certificates for employees in the food service industry, the food handler certificate training course must meet specified accreditation standards and includes outlined course requirements. The bill provides for county reciprocity for food handler cards, along with other provisions.

HB 2437: PUBLIC COMMITTEE; REPEAL; SUNSET

This large bill sunsets and repeals many public committees. For ADHS (Sec. 20), the Tobacco Revenue Use Spending and Tracking (TRUST) Commission has a sunset date of July 1, 2026.

[HB 2549](#): NURSING CARE INSTITUTIONS; THERAPEUTIC DRUGS

HB 2549 allows a nursing care institution's committee to establish written guidelines or procedures for making therapeutic drug substitutions if the Committee membership also includes a pharmacist, licensed in Arizona.

[SB 1097](#): SILVER ALERT SYSTEM

SB 1097 establishes an alert system for missing persons over the age of 65 that utilizes existing communication networks.

[SB 1102](#): SCHOOL FACILITIES BOARD REVISIONS

For ADHS, contains provisions to allow floor mats for infants in child care facilities under specific conditions.

DIVISION FOR PLANNING AND OPERATIONS

[HB 2306](#): FINGERPRINT CLEARANCE CARDS; PERIODIC CHECKS

HB 2306 requires (instead of allows) the Department of Public Safety to conduct periodic state criminal records checks in order to update the clearance status of fingerprint clearance cardholders. In addition, it allows for federal criminal history checks when authorized pursuant to federal law. The bill adds trafficking of persons for forced labor services to the list of offenses precluding an individual from receiving a fingerprint clearance card.

[HB 2321](#): PROCUREMENT OMNIBUS

This bill contains various changes to the Arizona Procurement Code and contains technical conformity.

[SB 1040](#): LEAVE OF ABSENCE; AUXILIARY MEMBERS

This bill allows a public employee, who serves as an auxiliary member of the U.S. military a leave of absence while under military orders.

[SB 1272](#): NONPROFIT CORPS; STATE MONIES; AUDIT

SB 1272 modifies the financial statement filing requirements for nonprofit organizations receiving state financial assistance.

[SB 1306](#): GOVERNMENT ENTITIES; CREDIT CARD PAYMENTS

SB 1306 allows the agency to require a vendor to accept a specific method of payment exclusively for any goods or services provided by the vendor to the agency.

OTHER HEALTH RELATED BILLS OF INTEREST

[HB 2007](#): DEVELOPMENTAL DISABILITY SERVICE CONTRACTS; MONITORING

[HB 2046](#): DISASTER RECOVERY; BUSINESS; TAX; REGULATION

[HB 2078](#): CANCER TREATMENT MEDS; COST-SHARING

[HB 2087](#): HEALTH REGULATORY BOARDS; TRAINING REQUIREMENTS

[HB 2100](#): ADDRESS CONFIDENTIALITY PROGRAM

[HB 2105](#): COURT ORDERED EVALUATIONS; PEACE OFFICERS

[HB 2322](#): NATIONAL INSTANT CRIMINAL BACKGROUND CHECKS

[HB 2404](#): AGENCIES; THIRD-PARTY ELECTRONIC SERVICE PROVIDERS

[HB 2453](#): SYNTHETIC DRUGS; REPORTING

[HB 2457](#): MENTAL HEALTH; VETERANS COURTS; ESTABLISHMENT

[HB 2605](#): TEACHERS; SUICIDE PREVENTION; CONTINUING EDUCATION

[HB 2667](#): PERSONS WITH DISABILITIES

[SB 1123](#): PROPERTY; LIABILITY; SCHOOLS; RECREATIONAL USERS

[SB 1221](#): ATTORNEY GENERAL REPRESENTATION; NONPARTY SUBPOENA

[SB 1276](#): HIV-RELATED TESTING; CONSENT; CONFIDENTIALITY; EXCEPTIONS

[SB 1309](#): COURT-ORDERED SERVICES; DEPENDENT CHILDREN

[SB 1339](#): PHYSICIANS; PRESCRIPTIONS; REQUIRED PATIENT EXAMINATIONS