

To: ADHS Employees
From: ADHS Legislative Affairs
Date: April 24, 2015
Re: 2015 Legislative and Budget Summary

The First Regular Session of the 52th Legislature ended April 3, 2015. 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 3rd, 2015.

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>
H2102	CHILDREN CHRONIC ILLNESS; PHYSICAL DISABILITY	July 3, 2015
H2212	LICENSING ACCOUNTABILITY ENFORCEMENT; EXCEEDING	July 3, 2015
H2213	INSPECTIONS; AUDITS; NOTICE; RIGHTS	July 3, 2015
H2297	STATE AGENCY; RULEMAKING; RESTRICTIONS	July 3, 2015
H2488	HOUSING ASSISTANCE; SERIOUSLY MENTALLY ILL	July 3, 2015
H2489	EMTS; PEACE OFFICERS; NALOXONE ADMINISTRATORS	July 3, 2015
H2605	DHS; STROKE CARE PROTOCOLS	July 3, 2015
H2645	LAB TESTING WITHOUT PHYSICIAN ORDER	July 3, 2015
S1194	MEDICALLY UNDERSERVED AREAS	July 3, 2015
S1257	BEHAVIORAL HEALTH TRANSFER; AHCCCS	July 1, 2016
S1283	OUTPATIENT TREATMENT CENTERS; COLOCATION	EMERGENCY
S1318	ABORTION HEALTH CARE; EXCHANGE; LICENSURE	July 3, 2015
S1393	DELAYED BIRTH CERTIFICATES; NATIVE AMERICANS	July 3, 2015
S1400	HUMAN RIGHTS COMMITTEES; MEMBERS	July 3, 2015
S1469	BUDGET; GENERAL APPROPRIATIONS; FY 2015-2016	July 1, 2015
S1475	BUDGET; BRB; HEALTH; FY 2015-2016	July 1, 2015
S1480	BUDGET; BRB; AGENCY CONSOLIDATION; FY 2015-2016	July 1, 2015

GENERAL / ADMINISTRATION

SB 1469: BUDGET; GENERAL APPROPRIATIONS; FY 2015-16

The "feed bill" for FY 2015-16, contains appropriations for state agencies and programs. SB 1469 contains appropriations for ADHS and various footnotes (Sec. 50) relating to public/family health, behavioral health, the Arizona State Hospital and department wide budget implementations.

SB 1475: BUDGET; BRB; HEALTH; FY 2015-16

SB 1475 includes provisions related to public health necessary to implement the FY 2015-16 state budget. For ADHS, the bill establishes new separate funds (sec. 1-2), eliminates ADHS responsibility for a joint report (sec. 5), outlines payment responsibility for SVP and RTC costs at the State Hospital (sec. 8-9), allows ADHS to reduce provider payments by up to 5% with limitations (sec. 17), outlines use of funds for Alzheimer's research (sec. 21), and stipulates ADHS and AHCCCS will issue a joint report on the hospital transparency report (sec. 23).

SB 1480: BUDGET; BRB; AGENCY CONSOLIDATION; FY 2015-16

The bill contains provisions for the transfer of the Division of Behavioral Health Services to AHCCCS (sec. 9).

DIVISION OF OPERATIONS

HB 2102: CHILDREN; CHRONIC ILLNESS; PHYSICAL DISABILITY

HB 2102 makes conforming changes related to the transfer of the Children's Rehabilitative Services (CRS) program from ADHS to AHCCCS. There are no policy changes contained in the legislation.

HB 2297: STATE AGENCY RULEMAKING; RESTRICTIONS

HB 2297 prohibits agencies from adopting rules that would increase existing regulation on property rights or business, unless the rule is part of a comprehensive effort to reduce regulatory burden, necessary to implement statute, or required by a court. The bill also contains an exemption for rules that are necessary to "protect health and public safety," and also provides a definition of "to protect public health and safety."

DIVISION OF PUBLIC HEALTH

HB 2212: LICENSING ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION

HB 2212 largely impacts licensure functions at ADHS. Requires new language to be added to all license applications, whether printed or in electronic format.

HB 2213: INSPECTIONS; AUDITS; NOTICE; RIGHTS

HB 2213 makes various revisions to the small business bill of rights. It includes specific ADHS exemptions for licensed HCI's and Child Care providers for some of the provisions.

HB 2489: EMTS; PEACE OFFICERS; NALOXONE ADMINISTRATION

HB 2489 allows a trained EMT or Peace Officer to administer Naloxone with a standing order from a qualified medical professional. The bill provides legal protections and immunity in various situations. It requires ADHS, in coordination with AZPOST, to develop a training program for EMT's and Peace Officers in the detection of opiate related drug overdose and the use of naloxone hydrochloride and other opiate antagonists.

HB 2605: DHS; STROKE CARE PROTOCOLS

HB 2605 is a rule-making bill that directs ADHS to adopt rules related to the coordination of stroke care in the EMS system. ADHS has exempt rule making authority until July 1, 2017.

HB 2645: LAB TESTING WITHOUT PHYSICIAN ORDER

HB 2645 allows a person to obtain any laboratory test from a licensed clinical laboratory on a direct access basis without a healthcare provider's request. ADHS is exempt from rule-making until July 3, 2016 to conform to the new statute.

SB 1194: MEDICALLY UNDERSERVED AREAS; LOAN REPAYMENT

The bill modifies statutes related to the Primary Care Loan Repayment Program and the Rural Private Primary Care Provider Loan Repayment programs. ADHS has exempt rule-making authority until December 31, 2016.

SB 1283: OUTPATIENT TREATMENT CENTERS; COLOCATION: RESPITE

The bill requires the ADHS Director to adopt rules related to OTC's and shared space and shared personnel (non-treatment). SB 1283 contains multiple new definitions and exempt rule making until April 15, 2016. The bill contains an emergency clause.

SB 1318: ABORTION; HEALTH CARE EXCHANGE; LICENSURE

The bill has multiple provisions related to abortion. For ADHS, the bill directs language be added to the ADHS website on informed consent and abortion.

SB 1393: DELAYED BIRTH CERTIFICATES; NATIVE AMERICANS

The bill requires ADHS to adopt rules related to issuing delayed birth certificates for Native American applicants born before 1970. ADHS has exempt rule-making authority until July 3, 2016.

DIVISION OF BEHAVIORAL HEALTH SERVICES

HB 2488: HOUSING ASSISTANCE; SERIOUSLY MENTALLY ILL

HB 2488 allows for SMI Housing Trust Fund dollars to be spent on rental assistance until December 31, 2017 for persons with a serious mental illness.

SB 1257: BEHAVIORAL HEALTH TRANSFER; AHCCCS

SB 1257 contains the technical language to statutorily transfer the duties of the Division of Behavioral Health from ADHS to AHCCCS. The transfer is effective after June 30, 2016.

SB 1400: HUMAN RIGHTS COMMITTEES; MEMBERS

SB 1400 expands and clarifies membership on various human rights committees (HRC). Contains and clarifies ADHS duties and HRC duties and contains technical and conforming changes.

OTHER HEALTH RELATED BILLS OF INTEREST

HB 2196: NURSING ASSISTANTS; NURSE AIDS

HB 2294: COURTS; APPROVED SCREENING TREATMENT FACILITIES

HB 2307: COURT-ORDERED TREATMENTS; HEARINGS

HB 2310: MENTAL HEALTH COURTS; ESTABLISHMENT

HB 2346: MEDICAL MARIJUANA; REIMBURSEMENT; NO REQUIREMENT

HB 2432: AZ FIRST RESPONDERS' DAY

HB 2526: GOVERNOR'S REGULATORY REVIEW COUNCIL; MEMBERSHIP

HB 2556: HEALTHCARE QUALITY ASSURANCE

HB 2643: SOVEREIGN AUTHORITY; AFFORDABLE CARE ACT

HB 2491: HOSPITALS; COMMUNITY HEALTH CENTERS; TRANSACTIONS

[SB 1001](#): NUCLEAR EMERGENCY APPROPS; ASSESSMENTS

[SB 1034](#): AHCCCS; EMERGENCY SERVICES; CASE MANAGEMENT

[SB 1035](#): DOMESTIC VIOLENCE TREATMENT PROGRAMS; PROVIDERS

[SB 1240](#): TOBACCO TAX STATUTES; REORGANIZATION

[SB 1282](#): TELEDENISTRY; DENTAL HYGEINISTS; DENTAL ASSISTANTS

[SB 1401](#): HOME CARE SERVICES; DISCLOSURE

[SB 1404](#): HEALTH CARE DIRECTIVES; CONFLICTS