

## **ARTICLE 1. GENERAL**

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## ARTICLE 1. GENERAL

### R9-10-101. Definitions

In addition to the definitions in A.R.S. § 36-401(A), the following definitions apply in this Chapter unless otherwise specified:

1. "Abuse" means:
  - a. The same:
    - i. For an adult, as in A.R.S. § 46-451; or
    - ii. For a child, as in A.R.S. § 8-201;
  - b. A pattern of ridiculing or demeaning a patient;
  - c. Making derogatory remarks or verbally harassing a patient; or
  - d. Threatening to inflict physical harm on a patient.
2. "Accredited" has the same meaning as in A.R.S. § 36-422.
3. "Activities of daily living" means ambulating, bathing, toileting, grooming, eating, and getting in or out of a bed or a chair.
4. "Adjacent" means not intersected by:
  - a. Property owned, operated, or controlled by a person other than the applicant or licensee; or
  - b. A public thoroughfare.
5. "Administrative completeness review time-frame" has the same meaning as in A.R.S. § 41-1072.
6. "Administrative office" means a location used by personnel for recordkeeping and record retention but not for providing medical services, nursing services, or health-related services.
7. "Admission" means, after completion of an individual's screening or registration by a health care institution, the individual begins receiving physical health services or behavioral health services and is accepted as a patient of the health care institution.
8. "Adult" has the same meaning as in A.R.S. § 1-215.
9. "Adult behavioral health therapeutic home" means a ~~behavioral health supportive home~~ residence that provides room and board, assists in acquiring daily living skills, coordinates transportation to scheduled appointments, monitors behaviors, assists in the self-administration of medication, and provides feedback to a case manager related to behavior for an individual 18 years of age or older based on the individual's behavioral

health issue and need for behavioral health services and may provide behavioral health services under the clinical oversight of a behavioral health professional.

10. "Adverse reaction" means an unexpected outcome that threatens the health or safety of a patient as a result of a medical service, nursing service, or health-related service provided to the patient.
11. "Ancillary services" means services other than medical services, nursing services, or health-related services provided to a patient.
12. "Anesthesiologist" means a physician granted clinical privileges to administer anesthesia.
13. "Applicant" means a governing authority requesting:
  - a. Approval of a health care institution's architectural plans and specifications, or
  - b. A health care institution license.
14. "Application packet" means the information, documents, and fees required by the Department for the:
  - a. Approval of a health care institution's modification or construction, or
  - b. Licensure of a health care institution.
15. "Assessment" means an analysis of a patient's need for physical health services or behavioral health services to determine which services a health care institution will provide to the patient.
16. "Assistance in the self-administration of medications" means restricting a patient's access to the patient's medication and providing support to the patient while the patient takes the medication to ensure that the medication is taken as ordered.
17. "Attending physician" means a physician designated by a patient to participate in or coordinate the medical services provided to the patient.
18. "Authenticate" means to establish authorship of a document or an entry in a medical record by:
  - a. A written signature;
  - b. An individual's initials, if the individual's written signature appears on the document or in the medical record;
  - c. A rubber-stamp signature; or
  - d. An electronic signature code.
19. "Available" means:
  - a. For an individual, the ability to be contacted and to provide an immediate response by any means possible;

- b. For equipment and supplies, physically retrievable at a health care institution;  
and
  - c. For a document, retrievable a health care institution or accessible according to the applicable time-frames in this Chapter.
20. "Behavioral health facility" means a behavioral health inpatient facility, a behavioral health residential facility, a substance abuse transitional facility, a behavioral health specialized transitional facility, an outpatient treatment center that provides only behavioral health services, an adult behavioral health therapeutic home, or a behavioral health ~~supportive~~ respite home.
21. "Behavioral health inpatient facility" means a health care institution that provides continuous treatment to an individual experiencing a behavioral health issue that causes the individual to:
- a. Have a limited or reduced ability to meet the individual's basic physical needs;
  - b. Suffer harm that significantly impairs the individual's judgment, reason, behavior, or capacity to recognize reality;
  - c. Be a danger to self;
  - d. Be a danger to others;
  - e. Be persistently or acutely disabled as defined in A.R.S. § 36-501; or
  - f. Be gravely disabled.
22. "Behavioral health issue" means an individual's condition related to a mental disorder, a personality disorder, substance abuse, or a significant psychological or behavioral response to an identifiable stressor or stressors.
23. "Behavioral health observation/stabilization services" means crisis services provided, in an outpatient setting, to an individual whose behavior or condition indicates that the individual:
- a. Requires nursing services,
  - b. May require medical services, and
  - c. May be a danger to others or a danger to self.
24. "Behavioral health paraprofessional" means an individual who is not a behavioral health professional who provides behavioral health services at or for a health care institution according to the health care institution's policies and procedures that:
- a. If the behavioral health services were provided in a setting other than a licensed health care institution, the individual would be required to be licensed as a behavioral professional under A.R.S. Title 32, Chapter 33; and

- b. Are provided under supervision by a behavioral health professional.
25. "Behavioral health professional" means:
- a. ~~an~~ An individual licensed under A.R.S. Title 32, Chapter 33, whose scope of practice allows the individual to:
    - ~~a.i.~~ Independently engage in the practice of behavioral health as defined in A.R.S. § 32-3251; or
    - ~~b.ii.~~ Except for a licensed substance abuse technician, engage in the practice of behavioral health as defined in A.R.S. § 32-3251 under direct supervision as defined in A.A.C. R4-6-101-;
  - b. A psychiatrist as defined in A.R.S. § 36-501;
  - c. A psychologist as defined in A.R.S. § 32-2061;
  - d. A physician;
  - e. A registered nurse practitioner licensed as an adult psychiatric and mental health nurse; or
  - f. A behavior analyst as defined in A.R.S. § 32-2091.
26. "Behavioral health residential facility" means a health care institution that provides treatment to an individual experiencing a behavioral health issue that:
- a. Limits the individual's ability to be independent, or
  - b. Causes the individual to require treatment to maintain or enhance independence.
27. "Behavioral health services" means medical services, nursing services, health-related services, or ancillary services provided to an individual to address the individual's behavioral health issue.
28. "Behavioral health specialized transitional facility" means a health care institution that provides behavioral health services and physical health services to an individual determined to be a sexually violent person according to A.R.S. Title 36, Chapter 37.
29. "~~Behavioral health supportive respite home~~ Behavioral health therapeutic home or a children's behavioral health respite home" means ~~an adult behavioral health therapeutic home or a children's behavioral health respite home~~ a residence where respite care services, which may include assistance in the self-administration of medication, are provided to an individual based on the individual's behavioral health issue and need for behavioral health services.
30. "Behavioral health technician" means an individual who is not a behavioral health professional who provides behavioral health services at or for a health care institution according to the health care institution's policies and procedures that:

- a. If the behavioral health services were provided in a setting other than a licensed health care institution, the individual would be required to be licensed as a behavioral professional under A.R.S. Title 32, Chapter 33; and
  - b. Are provided with clinical oversight by a behavioral health professional.
31. "Biohazardous medical waste" has the same meaning as in A.A.C. R18-13-1401.
32. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
33. "Case manager" means an individual assigned by an entity other than a health care institution to coordinate the physical health services or behavioral health services provided to a patient at the health care institution.
34. "Certification" means, in this Article, a written statement that an item or a system complies with the applicable requirements incorporated by reference in A.A.C. R9-1-412.
35. "Certified health physicist" means an individual recognized by the American Board of Health Physics as complying with the health physics criteria and examination requirements established by the American Board of Health Physics.
36. "Change in ownership" means conveyance of the ability to appoint, elect, or otherwise designate a health care institution's governing authority from an owner of the health care institution to another person.
37. "Chief administrative officer" or "administrator" means an individual designated by a governing authority to implement the governing authority's direction in a health care institution.
38. ~~"Children's behavioral health respite home" means a behavioral health supportive home where respite services are provided to an individual under 18 years of age based on the individual's behavioral health issue and need for behavioral health services and includes assistance in the self-administration of medication.~~
39. "Clinical laboratory services" means the biological, microbiological, serological, chemical, immunohematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body for the purpose of providing information for the diagnosis, prevention, or treatment of a disease or impairment of a human being, or for the assessment of the health or a human being,

including procedures to determine, measure, or otherwise describe the presence or absence of various substances or organisms in the body.

40. "Clinical oversight" means:
- a. Monitoring the behavioral health services provided by a behavioral health technician to ensure that the behavioral health technician is providing the behavioral health services according to the health care institution's policies and procedures,
  - b. Providing on-going review of a behavioral health technician's skills and knowledge related to the provision of behavioral health services,
  - c. Providing guidance to improve a behavioral health technician's skills and knowledge related to the provision of behavioral health services, and
  - d. Recommending training for a behavior health technician to improve the behavioral health technician's skills and knowledge related to the provision of behavioral health services.
41. "Clinical privileges" means authorization to a medical staff member to provide medical services granted by a governing authority or according to medical staff bylaws.
42. "Collaborating health care institution" means a health care institution licensed to provide outpatient behavioral health services that has a written agreement with ~~a provider~~ an adult behavioral health therapeutic home or a behavioral health respite home to:
- a. Coordinate behavioral health services provided to a resident at the adult behavioral health therapeutic home or a recipient at a behavioral health respite home, and
  - b. Work with the provider to ensure a resident at the adult behavioral health therapeutic home or a recipient at a behavioral health respite home receives behavioral health services according to the resident's assessment or treatment plan.
43. "Communicable disease" has the same meaning as in A.R.S. § 36-661.
44. "Conspicuously posted" means placed at a location that is visible and accessible within the area where the public enters the premises of a health care institution.
45. "Consultation" means an evaluation of a patient requested by a medical staff member or personnel member.
46. "Contracted services" means medical services, nursing services, health-related services, ancillary services, or environmental services provided according to a documented agreement between a health care institution and the person providing the medical

services, nursing services, health-related services, ancillary services, or environmental services.

47. "Contractor" has the same meaning as in A.R.S. § 32-1101.
48. "Controlled substance" has the same meaning as in A.R.S. § 36-2501.
49. "Counseling" has the same meaning as "practice of professional counseling" in A.R.S. § 32-3251.
50. "Counseling facility" means ~~an outpatient treatment center~~ a facility that only provides and was licensed as a behavioral health outpatient clinic before October 1, 2013 to provide one or more of the following services:
  - a. Counseling;
  - b. DUI screening, education, or treatment according to the requirements in 9 A.A.C. 20, Article 1; or
  - c. Misdemeanor domestic violence offender treatment according to the requirements in 9 A.A.C. 20, Article 2.
51. "Court-ordered evaluation" has the same meaning as "evaluation" in A.R.S. § 36-501.
52. "Court-ordered pre-petition screening" has the same meaning as in A.R.S. § 36-501.
53. "Court-ordered treatment" means treatment provided according to A.R.S. Title 36, Chapter 5.
54. "Crisis services" means immediate and unscheduled behavioral health services provided to a patient to address an acute behavioral health issue affecting the patient.
55. "Current" means up-to-date, extending to the present time.
56. "Daily living skills" means activities necessary for an individual to live independently and include meal preparation, laundry, housecleaning, home maintenance, money management, and appropriate social interactions.
57. "Danger to others" has the same meaning as in A.R.S. § 36-501.
58. "Danger to self" has the same meaning as in A.R.S. § 36-501.
59. "Detoxification services" means behavioral health services and medical services provided to an individual to:
  - a. Reduce or eliminate the individual's dependence on alcohol or other drugs, or
  - b. Provide treatment for the individual's signs or symptoms of withdrawal from alcohol or other drugs.
60. "Diagnostic procedure" means a method or process performed to determine whether an individual has a medical condition or behavioral health issue.



61. "Dialyzer" means an apparatus containing semi-permeable membranes used as a filter to remove wastes and excess fluid from a patient's blood.
62. "Disaster" means an unexpected occurrence that adversely affects a health care institution's ability to provide services.
63. "Discharge" means a documented termination of services to a patient by a health care institution.
64. "Discharge instructions" means documented information relevant to a patient's medical condition or behavioral health issue provided by a health care institution to the patient or the patient's representative at the time of the patient's discharge.
65. "Discharge planning" means a process of establishing goals and objectives for a patient or resident in preparation for the patient's or resident's discharge.
66. "Discharge summary" means a documented brief review of services provided to a patient, current patient status, and reasons for the patient's discharge.
67. "Disinfect" means to clean in order to prevent the growth of or to destroy disease-carrying microorganisms.
68. "Documentation" or "documented" means information in written, photographic, electronic, or other permanent form.
69. "Drill" means a response to a planned, simulated event.
70. "Drug" has the same meaning as in A.R.S. § 32-1901.
71. "Electronic" has the same meaning as in A.R.S. § 44-7002.
72. "Electronic signature" has the same meaning as in A.R.S. § 44-7002.
73. "Emergency" means an immediate threat to the life or health of a patient.
74. "Emergency medical services provider" has the same meaning as in A.R.S. § 36-2201.
75. "Environmental services" means activities such as housekeeping, laundry, facility maintenance, or equipment maintenance.
76. "Equipment" means, in this Article, an apparatus, a device, a machine, or a unit that is required to comply with the specifications incorporated by reference in A.A.C. R9-1-412.
77. "Exploitation" has the same meaning as in A.R.S. § 46-451.
78. "Factory-built building" has the same meaning as in A.R.S. § 41-2142.
79. "Family" or "family member" means an individual's spouse, sibling, child, parent, grandparent, or another individual designated by the individual.
80. "Food services" means the storage, preparation, serving, and cleaning up of food intended for consumption in a health care institution.
81. "Garbage" has the same meaning as in A.A.C. R18-13-302.

82. "General consent" means documentation of an agreement from an individual or the individual's representative to receive physical health services to address the individual's medical condition or behavioral health services to address the individual's behavioral health issues.
83. "General hospital" means a subclass of hospital that provides surgical services and emergency services.
84. "Gravely disabled" has the same meaning as in A.R.S. § 36-501.
85. "Hazard" or "hazardous" means a condition or situation where a patient or other individual may suffer physical injury.
86. "Health care directive" has the same meaning as in A.R.S. § 36-3201.
87. "Hemodialysis" means the process for removing wastes and excess fluids from a patient's blood by passing the blood through a dialyzer.
88. "Home health agency" has the same meaning as in A.R.S. § 36-151.
89. "Home health aide" means an individual employed by a home health agency to provide home health services under the direction of a registered nurse or therapist.
90. "Home health aide services" means those tasks that are provided to a patient by a home health aide under the direction of a registered nurse or therapist.
91. "Home health services" has the same meaning as in A.R.S. § 36-151.
92. "Hospice inpatient facility" means a subclass of hospice that provides hospice services to a patient on a continuous basis with the expectation that the patient will remain on the hospice's premises for 24 hours or more.
93. "Hospital" means a class of health care institution that provides, through an organized medical staff, inpatient beds, medical services, continuous nursing services, and diagnosis or treatment to a patient.
94. "Immediate" means without delay.
95. "Incident" means an unexpected occurrence that harms or has the potential to harm a patient, while the patient is:
- a. On the premises of a health care institution, or
  - b. Not on the premises of a health care institution but directly receiving physical health services or behavioral health services from a personnel member who is providing the physical health services or behavioral health services on behalf of the health care institution.
96. "Infection control" means to identify, prevent, monitor, and minimize infections.

97. "Informed consent" means advising a patient of a proposed treatment, surgical procedure, psychotropic drug, or diagnostic procedure; alternatives to the treatment, surgical procedure, psychotropic drug, or diagnostic procedure; associated risks and possible complications; and obtaining documented authorization for the proposed treatment, surgical procedure, psychotropic drug, or diagnostic procedure from the patient or the patient's representative.
98. "In-service education" means organized instruction or information that is related to physical health services or behavioral health services and that is provided to a medical staff member, personnel member, employee, or volunteer.
99. "Interval note" means documentation updating a patient's:
- a. Medical condition after a medical history and physical examination is performed;
  - or
  - b. Behavioral health issue after an assessment is performed.
100. "Isolation" means the separation, during the communicable period, of infected individuals from others, to limit the transmission of infectious agents.
101. "Leased facility" means a facility occupied or used during a set time in exchange for compensation.
102. "License" means:
- a. Written approval issued by the Department to a person to operate a class or subclass of a health care institution, except for a behavioral health service agency, at a specific location; or
  - b. Written approval issued to an individual to practice a profession in this state.
103. "Licensee" means an owner approved by the Department to operate a health care institution.
104. "Manage" means to implement policies and procedures established by a governing authority, an administrator, or an individual providing direction to a personnel member.
105. "Medical condition" means the state of a patient's physical or mental health, including the patient's illness, injury, or disease.
106. "Medical history" means an account of a patient's health, including past and present illnesses, diseases, or medical conditions.
107. "Medical practitioner" means a physician, physician assistant, or registered nurse practitioner.
108. "Medical record" has the same meaning as "medical records" in A.R.S. § 12-2291.

109. "Medical staff" means physicians and other individuals licensed pursuant to A.R.S. Title 32 who have clinical privileges at a health care institution.
110. "Medical staff by-laws" means standards, approved by the medical staff and the governing authority, that provide the framework for the organization, responsibilities, and self-governance of the medical staff.
111. "Medical staff member" means an individual who is part of the medical staff of a health care institution.
112. "Medication" means one of the following used to maintain health or to prevent or treat a medical condition or behavioral health issue:
- a. Biologicals as defined in A.A.C. R18-13-1401,
  - b. Prescription medication as defined in A.R.S. § 32-1901, or
  - c. Nonprescription medication as defined in A.R.S. § 32-1901.
113. "Medication administration" means the provision or application of a medication to the body of a patient by a medical practitioner or a nurse or as otherwise provided by law.
114. "Medication error" means:
- a. The failure to administer an ordered medication;
  - b. The administration of a medication not ordered; or
  - c. A medication administered:
    - i. In an incorrect dosage,
    - ii. More than 60 minutes from the ordered time of administration unless ordered to do so, or
    - iii. By an incorrect route of administration.
115. "Mental disorder" means the same as in A.R.S. § 36-501.
116. "Mobile clinic" means a movable structure that:
- a. Is not physically attached to a health care institution's facility;
  - b. Provides medical services, nursing services, or health related service to an outpatient under the direction of the health care institution's personnel; and
  - c. Is not intended to remain in one location indefinitely.
117. "Monitor" or "monitoring" means to check systematically on a specific condition or situation.
118. "Neglect" has the same meaning:
- a. For an individual less than 18 years of age, as in A.R.S. § 8-201; or
  - b. For an individual 18 years of age or older, as in A.R.S. § 46-451.

119. "Nephrologist" means a physician who is board eligible or board certified in nephrology by a professional credentialing board.
120. "Nurse" has the same meaning as registered nurse or practical nurse as defined in A.R.S. § 32-1601.
121. "Nursing personnel" means individuals authorized according to A.R.S. § Title 32, Chapter 15 to provide nursing services.
122. "Observation chair" means a physical piece of equipment that:
- a. Is located in a designated area where behavioral health observation/stabilization services are provided,
  - b. Allows an individual to fully recline, and
  - c. Is used by the individual while receiving crisis services.
123. "Occupational therapist" has the same meaning as in A.R.S. § 32-3401.
124. "Occupational therapist assistant" has the same meaning as in A.R.S. § 32-3401.
125. "On-call" means a time during which an individual is available and required to come to a health care institution when requested by the health care institution.
126. "Order" means instructions to provide
- a. Physical health services to a patient from a medical practitioner or as otherwise provided by law; or
  - b. Behavioral health services to a patient from a behavioral health professional.
127. "Orientation" means the initial instruction and information provided to an individual before starting work or volunteer services in a health care institution.
128. "Outing" means a social or recreational activity that:
- a. Occurs away from the premises,
  - b. Is not part of a behavioral health residential facility's daily routine, and
  - c. Lasts longer than four hours.
129. "Outpatient surgical center" means a class of health care institution that has the facility, staffing, and equipment to provide surgery and anesthesia services to a patient whose recovery, in the concurring opinions of the surgeon and the anesthesiologist, does not require inpatient care in a hospital.
130. "Outpatient treatment center" means a health care institution class without inpatient beds that provides physical health services or behavioral health services for the diagnosis and treatment of patients.
131. "Overall time-frame" means the same as in A.R.S. § 41-1072.

132. "Owner" means a person who appoints, elects, or designates a health care institution's governing authority.
133. "Patient," "resident," or "participant" means an individual receiving physical health services or behavioral health services from a health care institution.
134. "Patient follow-up instructions" means information relevant to a patient's medical condition or behavioral health issue that is provided to the patient, the patient's representative, or a health care institution.
135. "Patient's representative," means a patient's legal guardian, an individual acting on behalf of the patient with the written consent of the patient, or a surrogate as defined in A.R.S. § 36-3201.
136. "Person" means the same as in A.R.S. § 1-215 and includes a governmental agency.
137. "Personnel member" means, except as defined in specific Articles in this Chapter and excluding a medical staff member, an individual providing physical health services or behavioral health services to a patient.
138. "Pest control program" means activities that minimize the presence of insects and vermin in a health care institution to ensure that a patient's health and safety is not at risk.
139. "Pharmacist" has the same meaning as in A.R.S. § 32-1901.
140. "Physical examination" means to observe, test, or inspect an individual's body to evaluate health or determine cause of illness, injury, or disease.
141. "Physical health services" means medical services, nursing services, health-related services, or ancillary services provided to an individual to address the individual's medical condition.
142. "Physical therapist" has the same meaning as in A.R.S. § 32-2001.
143. "Physical therapist assistant" has the same meaning as in A.R.S. § 32-2001.
144. "Physician assistant" has the same meaning as in A.R.S. § 32-2501.
145. "Premises" means property that is designated by an applicant or licensee and licensed by the Department as part of a health care institution where physical health services or behavioral health services are provided to a patient.
146. "Professional credentialing board" means a non-governmental organization that designates individuals who have met or exceeded established standards for experience and competency in a specific field.
147. "Progress note" means documentation by a medical staff member, nurse, or personnel member of:

- a. An observed patient response to a physical health service or behavioral health service provided to a patient,
  - b. A patient's significant change in condition, or
  - c. Observed behavior of a patient related to the patient's medical condition or behavioral health issue.
148. "PRN" means pro re nata or given as needed.
149. "Project" means specific construction or modification of a facility stated on an architectural plans and specifications approval application.
150. "Provider" means an individual to whom the Department issues a license to operate an adult behavioral health therapeutic home or a children's behavioral health respite home in the individual's place of residence.
151. "Provisional license" means the Department's written approval to operate a health care institution issued to an applicant or licensee that is not in substantial compliance with the applicable laws and rules for the health care institution.
152. "Psychotropic medication" means a chemical substance that crosses the blood-brain barrier and acts primarily on the central nervous system where it affects brain function, resulting in alterations in perception, mood, consciousness, cognition, and behavior that is provided to a patient to address the patient's behavioral health issue.
153. "Quality management program" means ongoing activities designed and implemented by a health care institution to improve the delivery of medical services, nursing services, health-related services, and ancillary services provided by the health care institution.
154. "Recovery care center" has the same meaning as in A.R.S. § 36-448.51.
155. "Referral" means providing an individual with a list of the class or subclass of health care institution or type of health care professional that may be able to provide the behavioral health services or physical health services that individual may need and may include the name or names of specific health care institutions or health care professionals.
156. "Registered dietitian" means an individual approved to work as a dietitian by the American Dietetic Association's Commission on Dietetic Registration.
157. "Registered nurse" has the same meaning as in A.R.S. § 32-1601.
158. "Registered nurse practitioner" has the same meaning as A.R.S. § 32-1601.
159. "Regular basis" means at recurring, fixed, or uniform intervals.
160. "Research" means the use of human subject in the systematic study, observation, or evaluation of factors related to the prevention, assessment, treatment, or understanding of a medical condition or behavioral health issue.

161. "Respiratory care services" has the same meaning as practice of respiratory care as defined in A.R.S. § 32-3501.
162. "Restraint" means any physical or chemical method of restricting a patient's freedom of movement, physical activity, or access to the patient's own body.
163. "Risk" means potential for an adverse outcome.
164. "Room" means space contained by a floor, a ceiling, and walls extending from the floor to the ceiling that has at least one door.
165. "Rural general hospital" means a subclass of hospital having 50 or fewer inpatient beds and located more than 20 surface miles from a general hospital or another rural general hospital that requests to be and is licensed as a rural general hospital rather than a general hospital.
166. "Satellite facility" has the same meaning as in A.R.S. § 36-422.
167. "Scope of services" means a list of the behavioral health services or physical health services the governing authority of a health care institution has designated as being available to a patient at the health care institution.
168. "Seclusion" means the involuntary solitary confinement of a patient in a room or an area where the patient is prevented from leaving.
169. "Sexual abuse" means the same as in A.R.S. § 13-1404(A).
170. "Sexual assault" means the same as in A.R.S. § 13-1406(A).
171. "Shift" means the beginning and ending time of a continuous work period established by a health care institution's policies and procedures.
172. "Signature" means:
- a. The first and last name of an individual written with his or her own hand as a form of identification or authorization, or
  - b. An electronic signature or code.
173. "Significant change" means an observable deterioration or improvement in a patient's physical, cognitive, behavioral, or functional condition that may require an alteration to the physical health services or behavioral health services provided to the patient.
174. "Social worker" means an individual licensed according to A.R.S. Title 32, Chapter 33 to engage in the "practice of social work" as defined in A.R.S. § 32-3251.
175. "Social work services" has the same meaning as "practice of social work" in A.R.S. § 32-3251.
176. "Special hospital" means a subclass of hospital that:
- a. Is licensed to provide hospital services within a specific branch of medicine; or



- b. Limits admission according to age, gender, type of disease, or medical condition.
177. "Student" means an individual attending an educational institution and working under supervision in a health care institution through an arrangement between the health care institution and the educational institution.
178. "Substantial" when used in connection with a modification means:
- a. An addition or deletion of an inpatient bed or a change in the use of one or more of the inpatient beds;
  - b. A change in a health care institution's licensed capacity;
  - c. A change in the physical plant, including facilities or equipment, that costs more than \$300,000; or
  - d. A change in a health care institution that affects compliance with applicable physical plant codes and standards incorporated by reference in R9-1-412.
179. "Substance abuse" means an individual's misuse of alcohol or other drug or chemical that:
- a. Alters the individual's behavior or mental functioning;
  - b. Has the potential to cause the individual to be psychologically or physiologically dependent on alcohol or other drug or chemical; and
  - c. Impairs, reduces, or destroys the individual's social or economic functioning.
180. "Substance abuse transitional facility" means a subclass of health care institution that provides behavioral health services to an individual who is intoxicated or may have a substance abuse problem.
181. "Supportive services" has the same meaning as in A.R.S. § 36-151.
182. "Substantive review time-frame" means the same as in A.R.S. § 41-1072.
183. "Surgical procedure" means the excision or incision of a patient's body for the:
- a. Correction of a deformity or defect,
  - b. Repair of an injury, or
  - c. Diagnosis, amelioration, or cure of disease.
184. "Swimming pool" has the same meaning as "semipublic swimming pool" in A.A.C. R18-5-201.
185. "System" means interrelated, interacting, or interdependent elements that form a whole.
186. "Tax ID number" means a numeric identifier that a person uses to report financial information to the United States Internal Revenue Services.
187. "Telemedicine" has the same meaning as in A.R.S. § 36-3601.

188. "Therapeutic diet" means foods or the manner in which food is to be prepared that are ordered for a patient.
189. "Time out" means providing a patient a voluntary opportunity to regain self-control in a designated area from which the patient is not physically prevented from leaving.
190. "Transfer" means a health care institution discharging a patient and sending the patient to another licensed health care institution as an inpatient or resident without intending that the patient be returned to the sending health care institution.
191. "Transport" means a health care institution:
  - a. Sending a patient to another licensed health care institution for outpatient services with the intent of returning the patient to the sending health care institution, or
  - b. Returning a patient to a sending licensed health care institution after the patient received outpatient services.
192. "Treatment" means a procedure or method to cure, improve, or palliate an individual's medical condition or behavioral health issue.
193. "Unclassified health care institution" means a health care institution not classified or subclassified in statute or in rule.
194. "Vascular access" means the point on a patient's body where blood lines are connected for hemodialysis.
195. "Volunteer" means an individual authorized by a health care institution to work for the health care institution on a regular basis without compensation from the health care institution and does not include a medical staff member who has clinical privileges at the health care institution.
196. "Working day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a state and federal holiday or a statewide furlough day.

**R9-10-102. Health Care Institution Classes and Subclasses; Requirements**

- A. A person may apply for a license as an unclassified health care institution; a health care institution class or subclass in A.R.S. Title 36, Chapter 4 or 9 A.A.C. 10; or one of the following classes or subclasses:
  1. General hospital,
  2. Rural general hospital,
  3. Special hospital,
  4. Behavioral health inpatient facility,

5. Nursing care institution,
  6. Recovery care center,
  7. Hospice inpatient facility,
  8. Hospice service agency,
  9. Behavioral health residential facility,
  10. Assisted living center,
  11. Assisted living home,
  12. Adult foster care home,
  13. Outpatient surgical center,
  14. Outpatient treatment center,
  15. Abortion clinic,
  16. Adult day health care facility,
  17. Home health agency,
  18. Substance abuse transitional facility,
  19. Behavioral health specialized transitional facility,
  20. Counseling facility,
  21. Adult behavioral health therapeutic home,
  22. ~~Children's behavioral~~ Behavioral health respite home, or
  23. Unclassified health care institution;
- B. A person shall apply for a license for the class or subclass that authorizes the provision of the highest level of physical care services or behavioral health services the proposed health care institution plans to provide. The Department shall review the proposed health care institution's scope of services to determine whether the requested health care institution class or subclass is appropriate.
- C. A health care institution shall comply with the requirements in 9 A.A.C. 10, Article 17 if:
1. There are no specific rules in 9 A.A.C. 10 for the health care institution's class or subclass, or
  2. The Department determines that the health care institution is an unclassified health care institution.

**R9-10-114. Behavioral Health Paraprofessionals, Behavioral Health Technicians**

If a health care institution is licensed as a behavioral health inpatient facility, behavioral health residential facility, substance abuse transitional facility, or behavioral health specialized transitional facility, or is

authorized to provide behavioral health services, an administrator shall ensure that policies and procedures are established, documented, and implemented that:

1. For a behavioral health paraprofessional providing services at the health care institution:
  - a. Delineate the services a behavioral health paraprofessional is allowed to provide at or for the health care institution;
  - b. If a behavioral health paraprofessional provides services under the practice of marriage and family therapy, the practice of professional counseling, the practice of social work, or the practice of substance abuse counseling as defined in A.R.S. § 32-3251, ensure that the behavioral health paraprofessional is under the supervision of ~~an individual licensed pursuant to A.R.S. Title 32, Chapter 33~~ a behavioral health professional licensed or board certified to provide the specific service being provided by the behavioral health paraprofessional;
  - c. Establish the qualifications for individuals providing supervision to a behavioral health paraprofessional; and
  - d. Establish documentation requirements for the supervision required in subsection (1)(b);
2. For a behavioral health technician providing services at the health care institution:
  - a. Delineate the services a behavioral health technician is allowed to provide at or for the health care institution;
  - b. Establish the qualifications for a behavioral health professional providing clinical oversight to a behavioral health technician;
  - c. If the behavioral health technician provides services under the practice of marriage and family therapy, the practice of professional counseling, the practice of social work, or the practice of substance abuse counseling as defined in A.R.S. § 32-3251, ensure that the behavioral health technician is under the clinical oversight of a behavioral health professional licensed or board certified ~~pursuant to A.R.S. Title 32, Chapter 33~~ to provide the specific service being provided by the behavioral health technician;
  - d. Delineate the methods used to provide clinical oversight including when clinical oversight is provided on an individual basis or in a group setting;
  - e. If clinical oversight is provided electronically, ensure that:
    - i. The clinical oversight is provided verbally with direct and immediate interaction between the behavioral health professional providing and the behavioral health technician receiving the clinical oversight,

- ii. A secure connection is used, and
  - iii. The identities of the behavioral health professional providing and the behavioral health technician receiving the clinical oversight are verified before clinical oversight is provided; and
- f. Ensure that a behavioral health technician receives clinical oversight at least once during each two week period, if the behavioral health technician provides services related to patient care at the health care institution during the two week period;
- g. Establish the duration of clinical oversight provided to a behavioral health technician to ensure that patient needs are met based on, for each behavioral health technician:
  - i. The scope and extent of the services provided,
  - ii. The acuity of the patients receiving services, and
  - iii. The number of patients receiving services;
- h. Establish documentation requirements for the clinical oversight required in subsection (2)(c); and
- i. Establish the process by which information pertaining to services provided by a behavioral health technician is provided to the behavioral health professional who is responsible for the clinical oversight of the behavioral health technician.

**R9-10-117. Collaborating Health Care Institution**

If a collaborating health care institution has an agreement with an adult behavioral health therapeutic home or children's behavioral health respite home, an administrator shall ensure that:

1. A description of the required skills and knowledge for a provider, based on the type of adult behavioral health therapeutic services or children's behavioral health respite services being provided, is established and documented;
2. A copy of an assessment or treatment plan for a resident that includes information necessary for a provider to meet the resident's needs for adult behavioral health therapeutic services or children's behavioral health respite services is completed and forwarded to the provider before the resident is admitted to the provider's behavioral health supportive home;
3. A resident's assessment or treatment plan is reviewed and updated at least once every twelve months and a copy of the resident's updated assessment or treatment plan is forwarded to the resident's provider;

4. If documentation of a significant change in a resident's behavioral, physical, cognitive, or functional condition and the action taken by a provider to address the resident's changing needs is received by the health care institution, a behavioral health professional or behavioral health technician reviews the documentation and
  - a. Documents the review;
  - b. If applicable:
    - i. Updates the resident's assessment or treatment plan, and
    - ii. Forwards the updated assessment or treatment plan to the provider within 10 working days after receipt of the documentation of a significant change;
5. If the review and updated assessment or treatment plan required in subsection (4) is performed by a behavioral health technician, a behavioral health professional reviews and signs the review and updated assessment or treatment plan to ensure the resident is receiving the appropriate behavioral health services:
  - a. Before the updated assessment or treatment plan is forwarded to a provider, and
  - b. Within 10 working days after receipt of the documentation of a significant change;
6. Training for a provider, other than a provider who is a medical practitioner or a nurse, in the assistance in self-administration of medication:
  - a. Is provided by a medical practitioner or a registered nurse or the health care institution's personnel member trained by a medical practitioner or registered nurse;
  - b. Includes:
    - i. A demonstration of the provider's skills and knowledge necessary to provide assistance in the self-administration of medication,
    - ii. Identification of medication errors and medical emergencies related to medication that require emergency medical intervention, and
    - iii. Process for notifying the appropriate entities when an emergency medical intervention is needed; and
  - c. Is documented;
7. The following documents are maintained as long as the written agreement with a provider of a behavioral health supportive home is in effect:
  - a. A copy of the written agreement with the provider;
  - b. Documentation of required skills and knowledge for the provider; and

e. ~~Documentation of training in the assistance of self-administration of medication;~~  
~~and~~

8. ~~Documentation required in subsection (4) is maintained in the resident's medical record.~~

A. An administrator of a collaborating health care institution shall ensure that:

1. There is a list of adult behavioral health therapeutic homes and behavioral health respite homes for which the collaborating health care institution serves as a collaborating health care institution;

2. For each behavioral health respite home or adult behavioral health therapeutic home in subsection (A)(1), the collaborating health care institution maintains the following information:

a. For the behavioral health respite home or adult behavioral health therapeutic home:

i. Provider's name;

ii. Street address;

iii. License number;

iv. Whether the residence is a behavioral health respite home or an adult behavioral health therapeutic home;

v. If the residence is a behavioral health respite home, whether the behavioral health respite home provides respite care services to:

(1) Individuals 18 years of age or older, or

(2) Individuals younger than 18 years of age;

vi. A copy of the documented agreement that establishes the responsibilities of the behavioral health respite home or adult behavioral health therapeutic home and the collaborating health care institution consistent with the requirements in this Chapter;

vii. Name and contact information for the individual assigned by the collaborating health care institution to monitor the behavioral health respite home or adult behavioral health services therapeutic home;

b. For a provider in the behavioral health respite home or adult behavioral health therapeutic home, documentation of:

i. The provider's skills and knowledge,

ii. The provider's completion of training in the assistance in self-administration of medication;

iii. Verification of the provider's skills and knowledge; and





2. The referred patient does not present a threat to a recipient or resident accepted by and receiving behavioral health services from the behavioral health respite home or adult behavioral health therapeutic home based the referred patient's developmental levels, social skills, verbal skills, and personal history;
3. The referred patient requires services within the behavioral health respite home's or adult behavioral health therapeutic home's scope of services;
4. A provider of the behavioral health respite home or adult behavioral health therapeutic home has the verified skills and knowledge to provide behavioral health services to the referred patient;
5. A copy of an assessment or treatment plan for the referred patient includes information necessary for a provider to meet the referred patient's needs for behavioral health services is completed and forwarded to the provider before the referred patient is accepted as a recipient or resident;
6. A patient's assessment or treatment plan is reviewed and updated at least once every twelve months and a copy of the patient's updated assessment or treatment plan is forwarded to the patient's provider;
7. If documentation of a significant change in a patient's behavioral, physical, cognitive, or functional condition and the action taken by a provider to address patient's changing needs is received by the health care institution, a behavioral health professional or behavioral health technician reviews the documentation and
  - a. Documents the review; and
  - b. If applicable:
    - i. Updates the patient's assessment or treatment plan, and
    - ii. Forwards the updated assessment or treatment plan to the provider within 10 working days after receipt of the documentation of a significant change;
8. If the review and updated assessment or treatment plan required in subsection (7) is performed by a behavioral health technician, a behavioral health professional reviews and signs the review and updated assessment or treatment plan to ensure the patient is receiving the appropriate behavioral health services;
9. In addition to the medical records for a patient in this Chapter, a referred patient's medical record contains:

- a. The provider's, street address, and license number of the behavioral health respite home or adult behavioral health therapeutic home to which the patient is referred;
- b. A copy of the assessment or treatment plan provided to the behavioral health respite home or adult behavioral health therapeutic home;
- c. Documentation received according to and required by subsection (7); or
- d. Any information about the patient received from the behavioral health respite home or adult behavioral health therapeutic home; and
- e. Any follow-up actions taken by the collaborating health care institution related to the patient.

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