

Fingerprint Clearance Cards

Approved House Bill (HB) 2049, amending Arizona Revised Statutes (A.R.S.) § 36-411

Dear Health Care Institution Licensees, Applicants, and Stakeholders,

On May 27, 2022, Governor Ducey approved House Bill (HB) 2049, amending Arizona Revised Statutes (A.R.S.) § 36-411 and requiring employees and owners, contracted persons, and volunteers of residential care institutions, nursing care institutions or home health agencies who provide medical services, nursing services, behavioral health services, health-related services, home health services or **direct supportive services** and who have not been subject to the fingerprinting requirements of a health professional's regulatory board pursuant to Title 32 to have a valid fingerprint clearance card (FPCC), or apply for a FPCC within 20 working days of beginning employment, volunteer work or contracted work.

Additionally, HB 2049 prohibits residential care institutions, nursing care institutions or home health agencies from allowing employees, **volunteers** or contracted persons from continuing employment or providing services if the person has been denied a FPCC or has had a FPCC **suspended or revoked**.

Further, HB 2049 allows eligible employees, **volunteers**, or contractors of a residential care institution, nursing care institution or home health agency to petition the Board of Fingerprinting for a good cause exception if the person provides **medical services, nursing services, behavioral health services, health-related services, home health services or direct supportive services** to residents or patients while under the direct visual supervision of an owner or employee who has a valid FPCC.

HB 2049 eliminates A.R.S. § 36-411(H) and A.R.S. 36-411(I). Therefore, employees who previously met this requirement will be required to obtain a valid fingerprint clearance card.

Finally, HB 2049 defines "**direct supportive services**," which means:

1. Services other than home health services that provide direct individual care and that are not provided in a common area of a health care institution, including:
 1. Assistance with ambulating, bathing, toileting, grooming, eating and getting in and out of a bed or chair.
 2. Assistance with self-administration of medication.
 3. Janitorial, maintenance, housekeeping or other services provided in a resident's room.
 4. Transportation services, including van services.
2. Does not include services provided by persons contracted directly by a resident or the resident's family in a health care institution.

Please be advised that [HB 2049](#) will be going into effect on September, 24, 2022. If you have any questions, please contact the applicable bureau within the Department's Division of Public Health Licensing Services.

Thank you,
Branch of Health Care Institutions Licensing
Division of Public Health Licensing Services
Arizona

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