

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF HEALTH SERVICES

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

SP-018-ALS-OAD, Direct Risk to the Life, Health or Safety of Patients or Residents in a Residential Care Institution

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

December 12, 2002

3. Summary of the contents of the substantive policy statement:

The substantive policy statement informs the public that the Department may consider a residential care institution's pattern of noncompliance with a rule to be a "direct risk to the life, health or safety of patients or residents," as used in A.R.S. § 36-401(A)(42), even if a single violation of the rule is not considered to be a direct risk.

4. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a new substantive policy statement.

5. The name and address and telephone number of the person to whom questions and comments about the substantive policy statement may be directed:

Name: Lisa Wynn, Deputy Assistant Director
Address: Arizona Department of Health Services
Division of Assurance and Licensure Services
1647 E. Morten
Phoenix, AZ 85020

Telephone: (602) 674-4200

Fax: (602) 861-0645

or

Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 102
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

6. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A copy of the substantive policy statement may be obtained from the Arizona Department of Health Services, Division of Assurance and Licensure Services, Office of the Assistant Director, 1647 E. Morten, Phoenix, AZ 85020. The Department charges 25¢ per page for copying. Payment may be made with cash or by check or money order made payable to the Arizona Department of Health Services.