House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 22

HOUSE BILL 2024

AN ACT

AMENDING SECTION 36-405, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-405, Arizona Revised Statutes, is amended to
3 read:
4 36-405. Powers and duties of the director
5 A. The director shall adopt rules to establish minimum standards and
6 requirements for the construction, modification and licensure of health care
7 institutions necessary to assure the public health, safety and welfare. The
8 standards and requirements shall relate to the construction, equipment,
9 sanitation, staffing for medical, nursing and personal care services, and
10 record keeping pertaining to the administration of medical, nursing and
11 personal care services, in accordance with generally accepted practices of
12 health care. The director shall use the current standards adopted by the
13 joint commission on accreditation of hospitals and the commission on
14 accreditation of the American osteopathic association or those adopted by any
15 recognized accreditation organization approved by the department as
16 guidelines in prescribing minimum standards and requirements under this
17 section.
18 B. The director may, by rule:
19 1. Classify and subclassify health care institutions according to
20 character, size, range of services provided, medical or dental specialty
21 offered, duration of care and standard of patient care required for the
22 purposes of licensure. Classes of health care institutions may include
23 hospitals, infirmaries, outpatient treatment centers, health screening
24 services centers and residential care facilities. Whenever the director
25 reasonably deems distinctions in rules and standards to be appropriate among
26 different classes or subclasses of health care institutions the director may
27 make such distinctions.
28 2. Prescribe standards for determining a health care institution's
29 substantial compliance with licensure requirements.
30 3. Prescribe the criteria for the licensure inspection process.
31 4. Prescribe standards for the selection of health care related
32 demonstration projects.
33 5. Prescribe standards for training programs for assisted living
34 facilities.
35 C. THE DIRECTOR MAY:
36 1. GRANT, DENY, SUSPEND AND REVOKE APPROVAL OF TRAINING PROGRAMS FOR
37 ASSISTED LIVING FACILITIES.
38 2. IMPOSE A CIVIL PENALTY PURSUANT TO SECTION 36-431.01 AGAINST A
39 TRAINING PROGRAM THAT VIOLATES THIS CHAPTER OR RULES ADOPTED PURSUANT TO THIS
40 CHAPTER.
41 ~~C.~~ D. The director shall establish and collect the following
42 nonrefundable fees for health care institutions:
43 1. Fees of not to exceed fifty dollars for a license application.
44 2. Architectural drawing review fees of not to exceed the following
45 amounts:

(a) For a project with a cost of less than one hundred thousand dollars, fifty dollars.

(b) For a project with a cost of one hundred thousand dollars or more and less than five hundred thousand dollars, one hundred dollars.

(c) For a project with a cost of five hundred thousand dollars or more, one hundred fifty dollars.

3. Initial license and license renewal fees of not to exceed the following amounts:

(a) For a facility with no licensed capacity, one hundred dollars.

(b) For a facility with a licensed capacity of one to fifty-nine beds, one hundred dollars, plus an additional fee in the amount of the licensed capacity times ten dollars.

(c) For a facility with a licensed capacity of sixty to ninety-nine beds, two hundred dollars, plus an additional fee in the amount of the licensed capacity times ten dollars.

(d) For a facility with a licensed capacity of one hundred to one hundred forty-nine beds, three hundred dollars, plus an additional fee in the amount of the licensed capacity times ten dollars.

(e) For a facility with a licensed capacity of one hundred fifty beds or more, five hundred dollars, plus an additional fee in the amount of the licensed capacity times ten dollars.

~~D.~~ E. Subsection ~~C~~ D OF THIS SECTION does not apply to a health care institution operated by a state agency pursuant to state or federal law or to adult foster care residential settings.

APPROVED BY THE GOVERNOR APRIL 1, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 1, 2004.

Passed the House January 26, 2004,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate March 29, 2004,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Ken Bennett
President of the Senate

Charmion Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29th day of March, 2004

at 3:26 o'clock P. M.

Jennifer Ybarra
Secretary to the Governor

Approved this 1 day of

April, 2004,

at 11:00 o'clock A. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1 day of April, 2004,

at 12:36 o'clock P. M.

Janice K. Brewer
Secretary of State

H.B. 2024