

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 49

# **SENATE BILL 1102**

AN ACT

AMENDING SECTION 32-1403.01, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA MEDICAL BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1403.01, Arizona Revised Statutes, is amended to  
3 read:

4 32-1403.01. Licensees; profiles; required information; review;  
5 civil penalty

6 A. The board shall make available to the public a profile of each  
7 licensee. The board shall make this information available through an  
8 internet web site and, if requested, in writing. The profile shall contain  
9 the following information:

10 1. A description of any conviction of a felony or a misdemeanor  
11 involving moral turpitude within the last five years. For the purposes of  
12 this paragraph, a licensee is deemed to be convicted if the licensee pled  
13 guilty or was found guilty by a court of competent jurisdiction.

14 2. A description of any felony charges or misdemeanor charges  
15 involving moral turpitude within the last five years to which the licensee  
16 pled no contest.

17 3. ~~The number of pending complaints and Final board disciplinary and~~  
18 ~~nondisciplinary actions within the last five years. Information concerning~~  
19 ~~pending complaints shall contain the following statement:~~

20 ~~Pending complaints represent unproven allegations. On~~  
21 ~~investigation, many complaints are found to be without merit and~~  
22 ~~are dismissed.~~

23 4. All medical malpractice court judgments and all medical malpractice  
24 awards or settlements in which a payment is made to a complaining party  
25 within the last five years. Information concerning malpractice actions shall  
26 also contain the following statement:

27 The settlement of a medical malpractice action may occur for a  
28 variety of reasons that do not necessarily reflect negatively on  
29 the professional competence or conduct of the doctor. A payment  
30 in settlement of a medical malpractice action does not create a  
31 presumption that medical malpractice occurred.

32 5. The name and location of the licensee's medical school and the date  
33 of graduation.

34 6. The name and location of the institution from which the licensee  
35 received graduate medical education and the date that education was  
36 completed.

37 7. The licensee's primary practice location.

38 B. Each licensee shall submit the information required pursuant to  
39 subsection A each year as directed by the board. An applicant for licensure  
40 shall submit this information at the time of application. The applicant and  
41 licensee shall submit the information on a form prescribed by the board. A  
42 licensee shall submit immediately any changes in information required  
43 pursuant to subsection A, paragraphs 1, 2 and 4. The board shall update  
44 immediately its internet web site to reflect changes in information relating

1 to subsection A, paragraphs 1 through 4. The board shall update the internet  
2 web site information at least annually.

3 C. The board shall provide each licensee with a copy of the licensee's  
4 profile and give the licensee reasonable time to correct the profile before  
5 it is available to the public.

6 D. It is an act of unprofessional conduct for a licensee to provide  
7 erroneous information pursuant to this section. In addition to other  
8 disciplinary action, the board may impose a civil penalty of not more than  
9 one thousand dollars for each erroneous statement.

**APPROVED BY THE GOVERNOR APRIL 6, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 6, 2006.**

