Senate Engrossed House Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 25

HOUSE BILL 2064

AN ACT

AMENDING TITLE 32, CHAPTER 11, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1241; AMENDING TITLE 32, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1437; AMENDING SECTION 32-2524, ARIZONA REVISED STATUTES; RELATING TO HEALTH PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Title 32, chapter 11, article 2, Arizona Revised Statutes, is amended by adding section 32-1241, to read:

32-1241. Training permits; qualified military health professionals

A. THE BOARD SHALL ISSUE A TRAINING PERMIT TO A QUALIFIED MILITARY HEALTH PROFESSIONAL WHO IS PRACTICING DENTISTRY IN THE UNITED STATES ARMED FORCES AND WHO IS DISCHARGING THE HEALTH PROFESSIONAL'S OFFICIAL DUTIES BY PARTICIPATING IN A CLINICAL TRAINING PROGRAM BASED AT A CIVILIAN HOSPITAL AFFILIATED WITH THE UNITED STATES DEPARTMENT OF DEFENSE.

B. BEFORE THE BOARD ISSUES THE TRAINING PERMIT, THE QUALIFIED MILITARY HEALTH PROFESSIONAL MUST SUBMIT A WRITTEN STATEMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE THAT THE APPLICANT:

1. IS A MEMBER OF THE UNITED STATES ARMED FORCES WHO IS PERFORMING DUTIES FOR AND AT THE DIRECTION OF THE UNITED STATES DEPARTMENT OF DEFENSE AT A LOCATION IN THIS STATE APPROVED BY THE UNITED STATES DEPARTMENT OF DEFENSE.

2. HAS A CURRENT LICENSE OR IS CREDENTIALED TO PRACTICE DENTISTRY IN A JURISDICTION OF THE UNITED STATES.

3. MEETS ALL REQUIRED QUALIFICATION STANDARDS PRESCRIBED PURSUANT TO 10 UNITED STATES CODE SECTION 1094(d) RELATING TO THE LICENSURE REQUIREMENTS FOR HEALTH PROFESSIONALS.

4. HAS NOT HAD A LICENSE TO PRACTICE REVOKED BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER.

5. IS NOT CURRENTLY UNDER INVESTIGATION, SUSPENSION OR RESTRICTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER.

6. HAS NOT SURRENDERED, RELINQUISHED OR GIVEN UP A LICENSE IN LIEU OF DISCIPLINARY ACTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER. THIS PARAGRAPH DOES NOT PREVENT THE BOARD FROM CONSIDERING THE REQUEST FOR A TRAINING PERMIT OF A QUALIFIED MILITARY HEALTH PROFESSIONAL WHO SURRENDERED, RELINQUISHED OR GAVE UP A LICENSE IN LIEU OF DISCIPLINARY ACTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IF THAT REGULATORY BOARD SUBSEQUENTLY REINSTATED THE QUALIFIED MILITARY HEALTH PROFESSIONAL'S LICENSE.

C. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY NOT OPEN AN OFFICE OR DESIGNATE A PLACE TO MEET PATIENTS OR RECEIVE CALLS RELATING TO THE PRACTICE OF DENTISTRY IN THIS STATE OUTSIDE OF THE FACILITIES AND PROGRAMS OF THE APPROVED CIVILIAN HOSPITAL.

D. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY NOT PRACTICE OUTSIDE OF THE PROFESSIONAL'S SCOPE OF PRACTICE.

E. A TRAINING PERMIT ISSUED PURSUANT TO THIS SECTION IS VALID FOR ONE YEAR. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY APPLY ANNUALLY TO THE BOARD TO RENEW THE PERMIT. WITH EACH APPLICATION TO RENEW THE QUALIFIED MILITARY HEALTH PROFESSIONAL MUST SUBMIT A WRITTEN STATEMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE ASKING THE BOARD FOR CONTINUATION OF THE TRAINING PERMIT.

F. THE BOARD MAY NOT IMPOSE A FEE TO ISSUE OR RENEW A TRAINING PERMIT TO A QUALIFIED MILITARY HEALTH PROFESSIONAL PURSUANT TO THIS SECTION.

Sec. 2. Title 32, chapter 13, article 2, Arizona Revised Statutes, is amended by adding section 32-1437, to read:

32-1437. Training permits; qualified military health professionals

A. THE BOARD SHALL ISSUE A TRAINING PERMIT TO A QUALIFIED MILITARY HEALTH PROFESSIONAL WHO IS PRACTICING ALLOPATHIC MEDICINE IN THE UNITED STATES ARMED FORCES AND WHO IS DISCHARGING THE HEALTH PROFESSIONAL'S OFFICIAL DUTIES BY PARTICIPATING IN A CLINICAL TRAINING PROGRAM BASED AT A CIVILIAN HOSPITAL AFFILIATED WITH THE UNITED STATES DEPARTMENT OF DEFENSE.

B. BEFORE THE BOARD ISSUES THE TRAINING PERMIT, THE QUALIFIED MILITARY HEALTH PROFESSIONAL MUST SUBMIT A WRITTEN STATEMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE THAT THE APPLICANT:

1. IS A MEMBER OF THE UNITED STATES ARMED FORCES WHO IS PERFORMING DUTIES FOR AND AT THE DIRECTION OF THE UNITED STATES DEPARTMENT OF DEFENSE AT A LOCATION IN THIS STATE APPROVED BY THE UNITED STATES DEPARTMENT OF DEFENSE.

2. HAS A CURRENT LICENSE OR IS CREDENTIALED TO PRACTICE ALLOPATHIC MEDICINE IN A JURISDICTION OF THE UNITED STATES.

3. MEETS ALL REQUIRED QUALIFICATION STANDARDS PRESCRIBED PURSUANT TO 10 UNITED STATES CODE SECTION 1094(d) RELATING TO THE LICENSURE REQUIREMENTS FOR HEALTH PROFESSIONALS.

4. HAS NOT HAD A LICENSE TO PRACTICE REVOKED BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER.

5. IS NOT CURRENTLY UNDER INVESTIGATION, SUSPENSION OR RESTRICTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER.

6. HAS NOT SURRENDERED, RELINQUISHED OR GIVEN UP A LICENSE IN LIEU OF DISCIPLINARY ACTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IN THE UNITED STATES FOR AN ACT THAT OCCURRED IN THAT JURISDICTION THAT CONSTITUTES UNPROFESSIONAL CONDUCT PURSUANT TO THIS CHAPTER. THIS PARAGRAPH DOES NOT PREVENT THE BOARD FROM CONSIDERING THE REQUEST FOR A TRAINING PERMIT OF A QUALIFIED MILITARY HEALTH PROFESSIONAL WHO SURRENDERED, RELINQUISHED OR GAVE UP A LICENSE IN LIEU OF DISCIPLINARY ACTION BY A REGULATORY BOARD IN ANOTHER JURISDICTION IF THAT REGULATORY BOARD SUBSEQUENTLY REINSTATED THE QUALIFIED MILITARY HEALTH PROFESSIONAL'S LICENSE.

C. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY NOT OPEN AN OFFICE OR DESIGNATE A PLACE TO MEET PATIENTS OR RECEIVE CALLS RELATING TO THE PRACTICE OF ALLOPATHIC MEDICINE IN THIS STATE OUTSIDE OF THE FACILITIES AND PROGRAMS OF THE APPROVED CIVILIAN HOSPITAL.

D. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY NOT PRACTICE OUTSIDE OF THE PROFESSIONAL'S SCOPE OF PRACTICE.

E. A TRAINING PERMIT ISSUED PURSUANT TO THIS SECTION IS VALID FOR ONE YEAR. THE QUALIFIED MILITARY HEALTH PROFESSIONAL MAY APPLY ANNUALLY TO THE BOARD TO RENEW THE PERMIT. WITH EACH APPLICATION TO RENEW THE QUALIFIED MILITARY HEALTH PROFESSIONAL MUST SUBMIT A WRITTEN STATEMENT FROM THE UNITED STATES DEPARTMENT OF DEFENSE ASKING THE BOARD FOR CONTINUATION OF THE TRAINING PERMIT.

F. THE BOARD MAY NOT IMPOSE A FEE TO ISSUE OR RENEW A TRAINING PERMIT TO A QUALIFIED MILITARY HEALTH PROFESSIONAL PURSUANT TO THIS SECTION.

Sec. 3. Section 32-2524, Arizona Revised Statutes, is amended to read:

32-2524. Exemption from licensure

This chapter does not require licensure of:

1. A student who is enrolled in a physician assistant education program approved by the board.

2. A physician assistant who is an employee of the United States government and who works on land or in facilities owned or operated by the United States government.

3. A physician assistant who is a member of the ~~reserve components~~ ARMED FORCES of the United States and who is on official orders or performing official duties as outlined in the appropriate regulation of that branch of military service.

Sec. 4. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

APPROVED BY THE GOVERNOR APRIL 3, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2013.

Passed the House February 5, 2013

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

with Emergency

Speaker of the House

Pro Tempore

Cheryl Laube

Chief Clerk of the House

Passed the Senate March 19, 2013

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

with Emergency

President of the Senate

Carmen Billington

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary to the Governor

Approved this _____day of

_____

at _____o'clock _____M.

_____
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary of State

H.B. 2064

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

March 28, 2013,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

with Emergency

Speaker of the House

Cheryl Laubi

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

28 day of March, 2013,

at 2:45 o'clock P M.

Mikhaila Howard

Secretary to the Governor

Approved this 3rd. day of

April, 2013,

at 9:40 o'clock A. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4th day of April, 2013,

at 8:49 o'clock a M.

Secretary of State

H.B. 2064