

Senate Engrossed

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-first Legislature  
Second Regular Session  
2014

CHAPTER 250

## **SENATE BILL 1379**

AN ACT

AMENDING SECTION 12-571, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-3217; RELATING TO HEALTH CARE PROFESSIONALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-571, Arizona Revised Statutes, is amended to  
3 read:

4 12-571. Qualified immunity; health professionals; nonprofit  
5 clinics; previously owned prescription eyeglasses

6 A. A health professional, ~~as defined in section 32-3201,~~ OR A HEALTH  
7 PROFESSIONAL WHO MEETS THE REQUIREMENTS OF SECTION 32-3217 AND who provides  
8 medical or dental treatment within the scope of the health professional's  
9 certificate or license at a nonprofit clinic where neither the professional  
10 nor the clinic receives compensation for any treatment provided at the clinic  
11 is not liable in a medical malpractice action, unless such health  
12 professional was grossly negligent.

13 B. A health professional who, within the professional's scope of  
14 practice, provides previously owned prescription eyeglasses free of charge  
15 through a charitable, nonprofit or fraternal organization is not liable for  
16 an injury to the recipient if the recipient or the recipient's parent or  
17 legal guardian has signed a medical malpractice release form and the injury  
18 is not a direct result of the health professional's intentional misconduct or  
19 gross negligence. For purposes of this subsection, "medical malpractice  
20 release form" means a document that the recipient or the recipient's parent  
21 or legal guardian signs before the recipient receives eyeglasses pursuant to  
22 this subsection to acknowledge that the eyeglasses were not made specifically  
23 for the recipient and to accept full responsibility for the recipient's eye  
24 safety.

25 Sec. 2. Title 32, chapter 32, article 1, Arizona Revised Statutes, is  
26 amended by adding section 32-3217, to read:

27 32-3217. Volunteer health services registration; health  
28 professionals; free medical clinic

29 A. A HEALTH PROFESSION REGULATORY BOARD IN THIS STATE MAY ISSUE A  
30 VOLUNTEER HEALTH SERVICES REGISTRATION TO ALLOW A HEALTH PROFESSIONAL WHO IS  
31 NOT A LICENSEE TO PRACTICE IN THIS STATE FOR A TOTAL OF UP TO FOURTEEN DAYS  
32 EACH CALENDAR YEAR IF THE HEALTH PROFESSIONAL MEETS ALL OF THE FOLLOWING  
33 REQUIREMENTS:

34 1. HOLDS AN ACTIVE AND UNRESTRICTED LICENSE IN A STATE, TERRITORY OR  
35 POSSESSION OF THE UNITED STATES.

36 2. HAS NEVER HAD A LICENSE REVOKED OR SUSPENDED.

37 3. IS NOT THE SUBJECT OF AN UNRESOLVED COMPLAINT.

38 4. APPLIES FOR REGISTRATION EVERY TWO YEARS AS PRESCRIBED BY THE  
39 BOARD.

40 5. AGREES TO RENDER SERVICES AT A FREE MEDICAL CLINIC THAT DOES NOT  
41 PROVIDE ABORTIONS AND RESTRICTS THE HEALTH PROFESSIONAL'S AUTHORIZED SERVICES  
42 AND DUTIES TO THE PROVISION OF CARE OR SERVICE AT A FREE MEDICAL CLINIC.

43 6. PROVIDES ONLY THE CARE OR SERVICES THAT THE HEALTH PROFESSIONAL IS  
44 LICENSED OR AUTHORIZED TO PROVIDE BY THE HEALTH PROFESSIONAL'S REGULATORY

1 AGENCY OR THIS STATE'S REGULATORY BOARD FOR THE SAME HEALTH PROFESSION,  
2 WHICHEVER IS MORE STRINGENT.

3 B. THE FOURTEEN DAYS OF PRACTICE PRESCRIBED BY SUBSECTION A OF THIS  
4 SECTION MAY BE PERFORMED CONSECUTIVELY OR CUMULATIVELY DURING EACH CALENDAR  
5 YEAR.

6 C. FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF SUBSECTION A OF THIS  
7 SECTION, AN APPLICANT SHALL PROVIDE THE APPROPRIATE HEALTH PROFESSION  
8 REGULATORY BOARD THE NAME OF EACH STATE IN WHICH THE PERSON IS LICENSED OR  
9 HAS HELD A LICENSE AND THE BOARD SHALL VERIFY WITH THE APPLICABLE REGULATORY  
10 AGENCY OF EACH STATE THAT THE APPLICANT IS LICENSED OR HAS HELD A LICENSE,  
11 HAS NEVER HAD THE LICENSE REVOKED OR SUSPENDED AND IS NOT THE SUBJECT OF AN  
12 UNRESOLVED COMPLAINT. THE BOARD MAY ACCEPT THE VERIFICATION OF THE  
13 INFORMATION REQUIRED BY SUBSECTION A, PARAGRAPHS 1, 2 AND 3 OF THIS SECTION  
14 FROM EACH OF THE OTHER STATE'S REGULATORY AGENCIES EITHER ELECTRONICALLY OR  
15 BY HARD COPY.

16 D. A HEALTH PROFESSION REGULATORY BOARD ISSUING A VOLUNTEER HEALTH  
17 SERVICES REGISTRATION PURSUANT TO THIS SECTION MAY NOT CHARGE A FEE.

18 E. A HEALTH PROFESSION REGULATORY BOARD MAY IMMEDIATELY SUSPEND OR  
19 REVOKE A REGISTRATION ISSUED PURSUANT TO THIS SECTION ON RECEIVING PROOF  
20 SATISFACTORY TO THE HEALTH PROFESSION REGULATORY BOARD THAT THE HOLDER OF THE  
21 REGISTRATION HAS ENGAGED IN PRACTICE IN THIS STATE THAT IS OUTSIDE THE SCOPE  
22 OF THE REGISTRATION OR THAT GROUNDS EXIST FOR ACTION AGAINST THE HOLDER OF  
23 THE REGISTRATION UNDER THE RELEVANT CHAPTER OF THIS TITLE. THE HOLDER OF A  
24 REGISTRATION MAY REQUEST A HEARING TO CHALLENGE THE SUSPENSION OR REVOCATION  
25 OF A REGISTRATION IN THE MANNER PERMITTED FOR APPEALABLE AGENCY ACTIONS UNDER  
26 TITLE 41, CHAPTER 6, ARTICLE 10.

APPROVED BY THE GOVERNOR APRIL 30, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2014.

Passed the House April 23, 2014,

by the following vote: 55 Ayes,

0 Nays, 5 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate March 4, 2014,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]  
President of the Senate

[Signature]  
Assistant Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2014,

at 9:25 o'clock A M.

[Signature]  
Secretary to the Governor

Approved this 30<sup>th</sup> day of

April, 2014,

at 2:04 o'clock P M.

[Signature]  
Governor of Arizona

S.B. 1379

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30<sup>th</sup> day of April, 2014,

at 4:26 o'clock P M.

[Signature]  
Secretary of State