

House Engrossed Senate Bill

FILED
MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 84

SENATE BILL 1213

AN ACT

AMENDING SECTIONS 32-2502, 32-2507 AND 32-2523, ARIZONA REVISED STATUTES;
RELATING TO THE ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-2502, Arizona Revised Statutes, is amended to
3 read:

4 32-2502. Arizona regulatory board of physician assistants;
5 membership; appointment; terms; immunity

6 A. The Arizona regulatory board of physician assistants is established
7 consisting of the following members:

8 1. Five physician assistants who hold a current regular license
9 pursuant to this chapter. The governor may appoint these members from a list
10 of qualified candidates submitted by the Arizona state association of
11 physician assistants. The governor may seek additional input and nominations
12 before the governor makes the physician assistant appointments.

13 2. Two public members who are appointed by the governor.

14 3. Two physicians who are actively engaged in the practice of medicine
15 and who are licensed pursuant to chapter 17 of this title, one of whom
16 supervises a physician assistant at the time of appointment, and who are
17 appointed by the governor.

18 4. Two physicians who are actively engaged in the practice of medicine
19 and who are licensed pursuant to chapter 13 of this title, one of whom
20 supervises a physician assistant at the time of appointment, and who are
21 appointed by the governor.

22 B. The term of office of members of the board is four years to begin
23 and end on July 1.

24 C. Each board member is eligible for appointment to not more than two
25 full terms, except that the term of office for a member appointed to fill a
26 vacancy that is not caused by the expiration of a full term is for the
27 unexpired portion of that term and the governor may reappoint that member to
28 not more than two additional full terms. Each board member may continue to
29 hold office until the appointment and qualification of that member's
30 successor. However, ~~the entity that appoints a board member~~ GOVERNOR may
31 remove ~~that~~ A member, after notice and a hearing ~~before that entity~~, on a
32 finding of continued neglect of duty, incompetence or unprofessional or
33 dishonorable conduct. That member's term ends when the ~~entity makes this~~
34 finding IS MADE.

35 D. A board member's term automatically ends:

36 1. On written resignation submitted to the board chairperson or to an
37 ~~appointing entity~~ THE GOVERNOR.

38 2. If the member is absent from this state for more than six months
39 during a one-year period.

40 3. If the member fails to attend three consecutive regular board
41 meetings.

42 4. Five years after retirement from active practice.

43 E. Board members are immune from civil liability for all good faith
44 actions they take pursuant to this chapter.

1 Sec. 2. Section 32-2507, Arizona Revised Statutes, is amended to read:
2 32-2507. Licensee profiles; civil penalty

3 A. The board shall make available to the public a profile of each
4 licensee. The board shall make this information available through an
5 internet ~~web-site~~ WEBSITE and, if requested, in writing. The profile shall
6 contain the following information:

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

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

15 3. The number of pending complaints and final board disciplinary and
16 nondisciplinary actions within the last five years. Information concerning
17 pending complaints shall contain the following statement:

18 Pending complaints represent unproven allegations. On
19 investigation, many complaints are found to be without merit and
20 are dismissed.

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

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

31 5. The name and location of the licensee's training and the date of
32 graduation.

33 6. The licensee's primary practice location.

34 B. Each licensee shall submit the information required pursuant to
35 subsection A OF THIS SECTION ~~each year~~ as directed by the board. An
36 applicant for licensure shall submit this information at the time of
37 application. The applicant and licensee shall submit the information on a
38 form prescribed by the board. A licensee shall submit immediately any
39 changes in information required pursuant to subsection A, paragraphs 1, 2 and
40 4 OF THIS SECTION. The board shall update immediately its internet ~~web-site~~
41 WEBSITE to reflect changes in information relating to subsection A,
42 paragraphs 1, ~~through~~ 2, 3 AND 4 OF THIS SECTION. The board shall update the
43 internet ~~web-site~~ WEBSITE information ~~at least annually~~ AFTER RECEIPT OF THE
44 RENEWAL APPLICATION PURSUANT TO SECTION 32-2523.

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

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

8 Sec. 3. Section 32-2523, Arizona Revised Statutes, is amended to read:

9 32-2523. Licensure; renewal; continuing education; audit;
10 penalty fee; expiration

11 A. Except as provided in section 32-4301, each holder of a regular
12 license shall renew the license ~~on or before June 1 of each year~~ EVERY OTHER
13 YEAR ON OR BEFORE THE LICENSEE'S BIRTHDAY by paying the prescribed renewal
14 fee and supplying the board with information it deems necessary, including
15 proof of having completed, ~~twenty~~ BEFORE THE RENEWAL DATE, FORTY hours of
16 category I continuing medical education approved by the American academy of
17 physician assistants, the American medical association, the American
18 osteopathic association or any other accrediting organization acceptable to
19 the board ~~within the previous renewal year of July 1 through June 30. Each~~
20 ~~year~~ The board, ~~to~~ SHALL verify continuing medical education compliance, ~~AND~~
21 shall randomly audit at least ten ~~per cent~~ PERCENT of physician assistants
22 WHO ARE RENEWING THEIR LICENSE WITHIN THE CALENDAR YEAR AND who do not hold a
23 current national certification from a national certification organization for
24 physician assistants that is approved by the board.

25 B. Except as provided in section 32-4301, ~~if a holder of a regular~~
26 ~~license WHO fails to renew the license on or before July 1 of each year that~~
27 ~~person shall pay the prescribed penalty fee for a late renewal~~ WITHIN THIRTY
28 DAYS AFTER THE LICENSEE'S BIRTHDAY SHALL PAY A PENALTY FEE AS SET FORTH IN
29 RULE FOR LATE RENEWAL.

30 C. Except as provided in section 32-4301, if a holder of a regular
31 license fails to renew the license ~~on or before October 1 of each year~~ WITHIN
32 NINETY DAYS AFTER THE LICENSEE'S BIRTHDAY, the license AUTOMATICALLY expires.
33 It is unlawful for a person to perform health care tasks of a physician
34 assistant after the license expires.

35 D. A person whose license expires may reapply for licensure pursuant
36 to this chapter.

37 E. If a licensee does not meet the requirements of subsection A of
38 this section because of that person's illness, religious missionary activity
39 or residence in a foreign country or any other extenuating circumstance, the
40 board may grant an extension of the deadline if it receives a written request
41 to do so from the licensee that details the reasons for this request.

42 Sec. 4. Effective date

43 Section 32-2523, Arizona Revised Statutes, as amended by this act, is
44 effective from and after December 31, 2015.

APPROVED BY THE GOVERNOR MARCH 30, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2015.

Passed the House March 19, 2015,

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 February 14, 2015,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

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~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 24, 20 15

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

24th day of March, 20 15

at 4:27 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 30th day of

March

at 12:55 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 31st day of March, 20 15

at 10:00 o'clock A M.

[Signature]
Secretary of State

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