

House Engrossed

FILED

**MICHELE REAGAN
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 136

HOUSE BILL 2205

AN ACT

AMENDING SECTIONS 36-101 AND 36-103.01, ARIZONA REVISED STATUTES; REPEALING SECTIONS 36-109 AND 36-142, ARIZONA REVISED STATUTES; AMENDING SECTIONS 36-271 AND 36-272, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3019.02, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT OF HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-101, Arizona Revised Statutes, is amended to
3 read:

4 36-101. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Agency" includes one or more of the governmental units
7 consolidated into the department of health services by this chapter.

8 ~~2. "Council" means the advisory health council.~~

9 ~~3.~~ 2. "Department" means the department of health services.

10 ~~4.~~ 3. "Director" means the director of the department of health
11 services.

12 ~~5.~~ 4. "State plan" means any of the several state plans
13 administered by the department which THAT meet the federal requirements
14 necessary for federal funding.

15 Sec. 2. Section 36-103.01, Arizona Revised Statutes, is amended to
16 read:

17 36-103.01. Governmental units succeeded; statutory references
18 to succeeded governmental units

19 A. The department succeeds to the authority, powers, duties and
20 responsibilities of the following:

- 21 1. State department of health.
- 22 2. Arizona health planning authority.
- 23 3. Crippled children's services.
- 24 4. Arizona state hospital.
- 25 5. Anatomy board.

26 B. In the Arizona Revised Statutes, references to the agencies and
27 departments listed in subsection A OF THIS SECTION shall be deemed to be
28 references to the department of health services or its appropriate
29 organizational units.

30 C. In the Arizona Revised Statutes, references to the state board
31 of health, when utilized USED in the context of and in connection with
32 ~~promulgation~~ THE ADOPTION of rules and regulations, THE appellate or
33 original review of administrative decisions, or THE approval of decisions
34 by department officers, shall be references to the director of the
35 department of health services. In all other places, references to the
36 state board of health shall be references to the ~~Arizona advisory health~~
37 ~~council~~ DEPARTMENT OF HEALTH SERVICES.

38 D. In this title, and in the Arizona Revised Statutes, references
39 to the commissioner of health shall be references to the director of the
40 department of health services.

41 Sec. 3. Repeal

42 Sections 36-109 and 36-142, Arizona Revised Statutes, are repealed.

43 Sec. 4. Section 36-271, Arizona Revised Statutes, is amended to
44 read:

45 36-271. Definitions

46 In this article, unless the context otherwise requires:

- 1 ~~1. "Commission" means the Arizona biomedical research commission.~~
2 ~~2. 1. "Department" means the department of health services.~~
3 ~~3. 2. "Disease" means a condition or disorder that causes the~~
4 human body to deviate from its normal or healthy state and that has no
5 known general cure or adequate medically accepted treatment.
6 ~~4. 3. "Medically accepted treatment" means a methodology or~~
7 protocol recognized by the American medical association, the American
8 college of surgeons or the national cancer institute or taught by an
9 approved school of medicine as defined in section 32-1401 as a treatment
10 that results in the restoration of the human body to a normal or healthy
11 state.

12 Sec. 5. Section 36-272, Arizona Revised Statutes, is amended to
13 read:

14 36-272. Biomedical research

15 ~~A. The biomedical research commission is established in the~~
16 department consisting of the following members who are appointed by the
17 governor pursuant to section 38-211:

18 ~~1. Three members representing the medical community who are~~
19 experienced in disease related research, no more than one of whom may be
20 employed by or otherwise associated with any state agency, state
21 university or political subdivision of this state.

22 ~~2. Three members representing the scientific research community, no~~
23 more than two of whom may be employed by or otherwise associated with any
24 state agency, state university or political subdivision of this state.

25 ~~3. Three members representing the general public.~~

26 ~~B. The commission shall advise the department regarding ways to~~
27 SHALL advance research in this state relating to:

28 ~~1. The causes, epidemiology and diagnosis of diseases.~~

29 ~~2. The formulation of cures for diseases.~~

30 ~~3. The development of medically accepted treatment and prevention~~
31 of diseases, including the discovery and development of new drugs.

32 ~~C. Notwithstanding any other provision of law, the terms of members~~
33 are three years beginning on May 1.

34 ~~D. Commission members are eligible to receive compensation in the~~
35 amount of two hundred dollars per day for every day of actual service in
36 the business of the commission and are eligible for reimbursement of
37 expenses necessarily and properly incurred in attending commission
38 meetings.

39 ~~E. The commission shall meet at least quarterly at the call of the~~
40 chairperson. The commission shall also meet at the call of either three
41 commission members or two commission members and the commission's
42 executive director. The commission shall elect a chairperson and
43 cochairperson from among its membership annually at its first quarterly
44 meeting.

45 Sec. 6. Repeal

46 Section 41-3019.02, Arizona Revised Statutes, is repealed.

~~APPROVED BY THE GOVERNOR APRIL 4, 2017.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2017.~~

Passed the House February 13, 20 17

Passed the Senate March 28, 20 17

by the following vote: 32 Ayes,

by the following vote: 18 Ayes,

27 Nays, 1 Not Voting

12 Nays, 0 Not Voting

[Signature]
Speaker of the House
 Pro Tempore

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

29th day of March, 20 17

at 2:33 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 4th day of

April, 2017

at 10:36 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 4 day of April, 20 17

at 4:47 o'clock P. M.

[Signature]
Secretary of State

H.B. 2205