



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

June 5, 2020

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 2nd Regular Session, which I signed on June 5th, 2020:

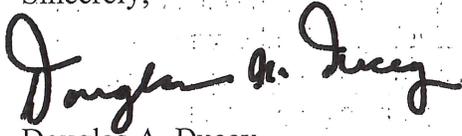
- S.B. 1012 executive session; school safety plans (Borrelli)
- S.B. 1021 department of revenue; electronic signatures (Ugenti-Rita)
- S.B. 1040 insurers; notices; methods of delivery (Livingston)
- S.B. 1041 travel insurance (Livingston)
- S.B. 1042 executive sessions; security plans (Borrelli)
- S.B. 1061 schools; parental rights; posting (Allen, S.)
- S.B. 1062 insurance transactions; discrimination; exceptions (Livingston)
- S.B. 1083 agriculture department; livestock loss board (Allen, S.)
- S.B. 1090 insurance adjusters; claims certificate (Livingston)
- S.B. 1091 insurance producer licensing; surrender; application (Livingston)
- S.B. 1096 property management records; residential rentals (Pace)
- S.B. 1099 tax deed land sales; proceeds (Mesnard)
- S.B. 1121 model city tax code; procedures (Leach)
- S.B. 1131 certified public accountants (Gray)
- S.B. 1210 assisted living; caregivers; training (Pace)
- S.B. 1236 adult adoption; stepchildren (Gowan)
- S.B. 1274 professional regulatory boards; composition (Ugenti-Rita)
- S.B. 1292 financial literacy; state treasurer; fund (Allen, S.)
- S.B. 1303 annexation of territory; requirements (Pratt)
- S.B. 1305 personal delivery devices (Livingston)
- S.B. 1354 public retirement systems; prefunding plan (Livingston)
- S.B. 1397 insurance; preexisting condition exclusions; prohibition (Mesnard)
- S.B. 1441 protection orders; modification; residence possession (Farnsworth, E.)
- S.B. 1445 suicide prevention training; school employees (Bowie)
- S.B. 1446 student identification cards; suicide prevention (Bowie)
- S.B. 1460 electric cooperatives; broadband service (Borrelli)
- S.B. 1492 Arizona teachers academy; program pathways (Boyer)

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S.B. 1504 fingerprinting; vital records; child care (Brophy-McGee)
S.B. 1510 public contracts; payment methods (Livingston)
S.B. 1528 family college savings program; treasurer (Leach)
S.B. 1555 support order; dishonored payment; lien (Farnsworth, E.)
S.B. 1557 annuity transactions; requirements (Livingston)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive style with a large initial "D".

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed
FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

CHAPTER 73
SENATE BILL 1210

AN ACT

AMENDING SECTION 36-446, ARIZONA REVISED STATUTES; AMENDING TITLE 36,
CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION
36-446.16; RELATING TO ASSISTED LIVING FACILITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 36-446, Arizona Revised Statutes, is amended to
3 read:

4 36-446. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Administrator" or "nursing care institution administrator"
7 means a person who is charged with the general administration of a nursing
8 care institution, whether or not that person has an ownership interest in
9 the institution and whether or not the person's functions and duties are
10 shared with others.

11 2. "Assisted living facility" has the same meaning prescribed in
12 section 36-401.

13 3. "Assisted living facility manager" means a person who has
14 responsibility for administering or managing an assisted living facility,
15 whether or not that person has an ownership interest in the institution
16 and whether or not the person's functions and duties are shared with
17 others.

18 4. "Assisted living facility training program" includes:

19 (a) Training that is required for assisted living facility manager
20 certification.

21 (b) Training that is required for assisted living facility
22 caregivers and that is EITHER:

23 (i) Consistent with the training, competency and test methodology
24 standards developed by the Arizona health care cost containment system
25 administration for in-home direct care workers.

26 (ii) AS PRESCRIBED IN SECTION 36-446.16.

27 5. "Board" means the board of examiners of nursing care institution
28 administrators and assisted living facility managers.

29 6. "Department" means the department of health services.

30 7. "Directed care services" has the same meaning prescribed in
31 section 36-401.

32 8. "Director" means the director of the department of health
33 services.

34 9. "Nursing care institution":

35 (a) Means an institution or other place, however named, whether for
36 profit or not, including facilities operated by ~~the~~ THIS state or a
37 subdivision of ~~the~~ THIS state, that is advertised, offered, maintained or
38 operated for the express or implied purpose of providing care to persons
39 who need nursing services on a continuing basis but who do not require
40 hospital care or care under the daily direction of a physician.

41 (b) Does not include:

42 (i) An institution for the care and treatment of the sick that is
43 operated only for those who rely solely on treatment by prayer or
44 spiritual means in accordance with the tenets of a recognized religious
45 denomination.

1 (ii) Nursing care services that are an integral part of a hospital
2 licensed pursuant to this chapter.

3 10. "Unprofessional conduct" includes:

4 (a) Dishonesty, fraud, incompetency or gross negligence in
5 performing administrative duties.

6 (b) Gross immorality or proselytizing religious views on patients
7 without their consent.

8 (c) Other abuses of official responsibilities, which may include
9 intimidating or neglecting patients.

10 Sec. 2. Title 36, chapter 4, article 6, Arizona Revised Statutes,
11 is amended by adding section 36-446.16, to read:

12 36-446.16. Assisted living facility caregivers; training
13 requirements; board standards; definition

14 A. EXCEPT AS PROVIDED IN SECTION 36-446.15, AN INDIVIDUAL SHALL
15 SUCCESSFULLY COMPLETE EITHER OF THE FOLLOWING REQUIREMENTS FOR
16 CERTIFICATION AS AN ASSISTED LIVING FACILITY CAREGIVER:

17 1. BOTH OF THE FOLLOWING:

18 (a) SIXTY-TWO HOURS OF ON-THE-JOB TRAINING UNDER THE DIRECT
19 SUPERVISION OF ANY OF THE FOLLOWING HEALTH PROFESSIONALS:

20 (i) A PHYSICIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13
21 OR 17.

22 (ii) A REGISTERED NURSE PRACTITIONER, REGISTERED NURSE OR LICENSED
23 PRACTICAL NURSE WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 15.

24 (iii) A PHARMACIST WHO IS LICENSED PURSUANT TO TITLE 32,
25 CHAPTER 18.

26 (iv) A PHYSICIAN ASSISTANT WHO IS LICENSED PURSUANT TO TITLE 32,
27 CHAPTER 25.

28 (v) A CERTIFIED ASSISTED LIVING FACILITY MANAGER WITH AT LEAST FIVE
29 YEARS OF EXPERIENCE. ONLY THIRTY-ONE OF THE SIXTY-TWO HOURS OF ON-THE-JOB
30 TRAINING MAY BE UNDER THE DIRECT SUPERVISION OF A CERTIFIED ASSISTED
31 LIVING FACILITY MANAGER.

32 (b) PASS THE BOARD-REQUIRED EXAMINATION WITH A SCORE OF AT LEAST
33 SEVENTY-FIVE PERCENT.

34 2. THE BOARD'S REQUIRED CURRICULUM AND EXAMINATION FOR ASSISTED
35 LIVING FACILITY CAREGIVER CERTIFICATION.

36 B. THE BOARD SHALL PRESCRIBE STANDARDS BY RULE FOR THE ON-THE-JOB
37 TRAINING PRESCRIBED IN SUBSECTION A, PARAGRAPH 1, SUBDIVISION (a) OF THIS
38 SECTION.

39 C. FOR THE PURPOSES OF THIS SECTION, "DIRECT SUPERVISION" MEANS THE
40 ON-SITE, IN-VIEW OBSERVATION AND GUIDANCE OF A CAREGIVER WHO IS IN
41 TRAINING BY THE SUPERVISING HEALTH PROFESSIONAL.

APPROVED BY THE GOVERNOR JUNE 5, 2020.

FILED IN THE OFFICE OF THE SECRETARY-OF STATE JUNE 5, 2020.

Passed the House May 19, 2020,

by the following vote: 57 Ayes,

3 Nays, 0 Not Voting

R. R. Boyce
Speaker of the House
Pro Tempore

Jim Drake
Chief Clerk of the House

Passed the Senate February 13, 2020,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Karen Fann
President of the Senate

Susan Alvarez
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

26th day of May, 2020,

at 12:20 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 5th day of

June, 2020,

at 11:58 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 5th day of June, 2020,

at 2:32 o'clock P. M.

[Signature]
Secretary of State

S.B. 1210