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From the Publisher

ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C., and is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

Arizona Administrative REGISTER

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ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

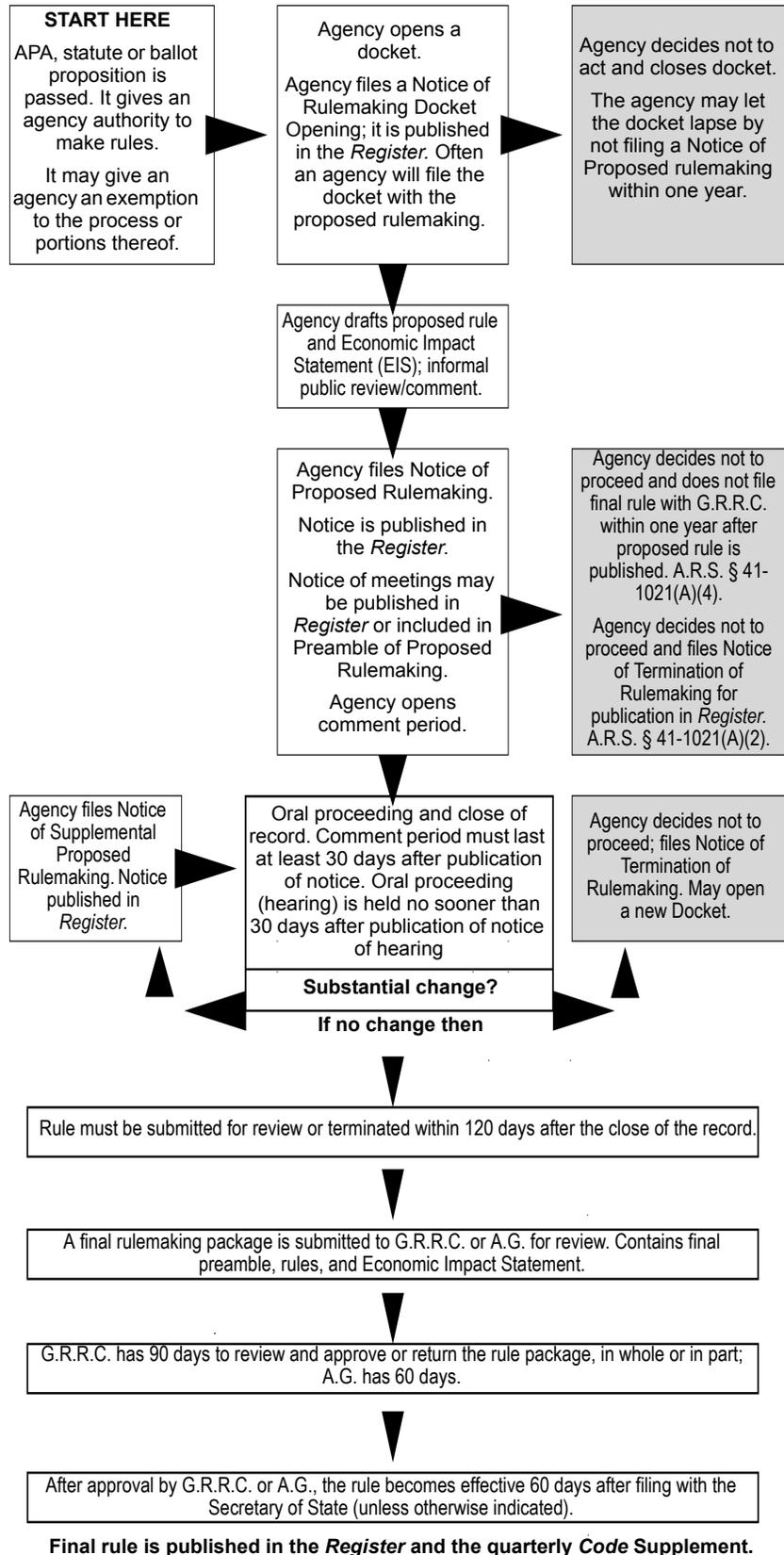
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

**NOTICE OF PROPOSED RULEMAKING
TITLE 6. ECONOMIC SECURITY
CHAPTER 1. DEPARTMENT OF ECONOMIC SECURITY**

[R17-156]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| R6-1-201 | Renumber |
| R6-1-201 | New Section |
| R6-1-201 | Amend |
| R6-1-202 | Renumber |
| R6-1-202 | Amend |
| R6-1-203 | Renumber |
| R6-1-203 | New Section |
| R6-1-203 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 41-1954(A)(3)
 Implementing statutes: A.R.S. §§ 5-575 and 42-1122
 - 3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**
 Notice of Rulemaking Docket Opening: 23 A.A.R. 2427, September 8, 2017 (*in this issue*)
 - 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Christian Eide
 Address: Department of Economic Security
 P.O. Box 6123, Mail Drop 1292
 Phoenix, AZ 85005
 or
 Department of Economic Security
 1789 W. Jefferson St., Mail Drop 1292
 Phoenix, AZ 85007
 Telephone: (602) 542-9199
 Fax: (602) 542-6000
 E-mail: ceide@azdes.gov
 - 5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**
 The rules in Article 2 were last amended effective December 22, 1993. This rulemaking is in response to a Five-year Review Report, approved by the Governor's Regulatory Review Council on February 4, 2014. This rulemaking will amend the rules related to the request for review for debt setoff. It will also amend the rules associated with the review process. Moreover, this rulemaking will update the references to A.R.S. §§ 5-575 and 42-1122.
 - 6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
 The Department did not review or rely on any study relevant to the rules.



7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

There is minimal economic, small business or consumer impact. The Department benefits by the dollars collected from the debtors. The general public will benefit from this rulemaking because it will eliminate confusion by reflecting the A.R.S. §§ 5-575 and 42-1122 statutory change from the previous statutes, A.R.S. §§ 5-525 and 42-133 respectively. This rulemaking will also simplify the language to improve the request for review process, and make the rules more clear, concise, and understandable. Small businesses are not impacted by the rules.

9. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Christian Eide
Address: Department of Economic Security
P.O. Box 6123, Mail Drop 1292
Phoenix, AZ 85005
or
Department of Economic Security
1789 W. Jefferson St., Mail Drop 1292
Phoenix, AZ 85007
Telephone: (602) 542-9199
Fax: (602) 542-6000
E-mail: ceide@azdes.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department does not plan to conduct an oral proceeding on the proposed rules unless a written request for an oral proceeding is submitted to the person named in item 4 within 30 days after the date this notice is published. The Department will accept written public comments on the proposed rules for 30 days after the date this notice is published.

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

No other matters are prescribed.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rules do not require a permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

**TITLE 6. ECONOMIC SECURITY
CHAPTER 1. DEPARTMENT OF ECONOMIC SECURITY**

ARTICLE 2. DEBT SETOFF

Section

R6-1-201. Definitions

~~R6-1-201.~~R6-1-202. Request for Review of Debt Setoff

~~R6-1-202.~~R6-1-203. Departmental Review of Debt Setoff

ARTICLE 2. DEBT SETOFF

R6-1-201. Definitions

In this article, unless otherwise specified:

“Debtor” means a person indebted to the Department.

“Department” means the Department of Economic Security.

~~R6-1-201.~~R6-1-202. Request for Review of Debt Setoff



- A. A person indebted to the Department of Economic Security (“the Department”), Debtor who has had all or part of the debt set off pursuant to A.R.S. §§ ~~5-525 (C) 5-575~~ or ~~42-133(E) 42-1122~~ may request a review of the setoff.
- B. ~~The To be considered by the Department, the~~ request for review shall:
1. Be in writing;
 2. Be ~~filed with~~ received by the Department office ~~which that~~ set off the debt, at the address indicated on the notice of debt setoff (“~~the notice~~”); no later than 30 days after the ~~mailing~~ date of the notice of debt setoff;
 3. List any prior judicial or administrative proceedings regarding the debt;
 4. Set forth all reasons why the setoff is inaccurate or improper;
 5. Be signed by the ~~debtor Debtor~~ or the ~~debtor’s Debtor’s~~ authorized representative; and
 6. ~~Have Include~~ an attached, complete copy of the notice of debt setoff from which review is sought.
- C. As used in this Section, the date of the notice of debt setoff shall be the following dates, as applicable to the ~~debtor Debtor~~:
1. The date that the State Lottery Office gives the ~~debtor Debtor~~ a written statement of winnings indicating the amount of the setoff; or
 2. The date of the written notice generated by the Department, advising the ~~debtor Debtor~~ of the setoff.
- D. Notwithstanding subsection (B), the Department may consider a timely request for review which does not include all the documentation listed in subsection (B) if:
1. The ~~debtor Debtor~~ has good cause for failing to provide the information, and
 2. The lack of information does not substantially prejudice the Department’s ability to evaluate the request.

~~R6-1-202, R6-1-203, Departmental Review of Debt Setoff~~

- A. The Director of the Department of Economic Security shall appoint representatives who shall conduct the review in accordance with A.R.S. §§ ~~5-525 5-575~~ or ~~42-133 42-1122~~, as applicable, and in a manner ~~which that~~ will observe the substantial rights of the ~~debtor Debtor~~.
- B. ~~The Department shall limit the scope of its review to the identity of the debtor and the amount of the debt setoff when the validity of the debt was established by judicial review in a court of competent jurisdiction, agency hearing, or final administrative decision made in accordance with the law. If it is found that the debt was not established in accordance with one of the foregoing methods listed in this subsection, the setoff action shall be stayed and remanded to the appropriate Department authority for resolution.~~ Unless otherwise prohibited by law, the Department may correct clerical errors that have occurred in the administration of the debt setoff.
- C. In reviewing the debt setoff, the Department shall consider all relevant evidence, including, without limitation, evidence submitted by the ~~debtor Debtor~~ and the documents and records in the Department’s files.
- D. The Department shall dispose of a request for review by:
1. Dismissal, if the ~~debtor Debtor~~ fails to state with specificity in the request for review why the debt does not exist or why the amount of debt is incorrect;
 2. Withdrawal, if the ~~debtor Debtor~~ withdraws the request for review in writing at any time before the Department issues a decision; or
 3. Decision.
- E. Every review decision shall be in writing and shall be mailed to the last known address of the ~~debtor Debtor~~ or the ~~debtor’s Debtor’s~~ authorized representative.
- F. ~~The Department’s decision is final unless the debtor files a petition for judicial review with the Superior Court within 35 days of the date the decision is mailed to the debtor as provided in A.R.S. § 12-904. A debtor who files a petition for review shall mail a copy to the Department office which issued the decision.~~



NOTICES OF FINAL RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with this Office.

The final published notice includes a preamble and

text of the rules as filed by the agency. Economic Impact Statements are not published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated the rules. Refer to Item #5 to contact the person charged with the rulemaking. The codified version of these rules will be published in the Arizona Administrative Code.

NOTICE OF FINAL RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY

[R17-155]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):
3. The effective date for the rule:
4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:
5. The agency's contact person who can answer questions about the rulemaking:

The Board is making its rules consistent with standard practice of assisted living facilities (ALF), rules of the Department of Health Services (See R9-10-816(A)(2)), which licenses ALFs, and an advisory opinion of the Board of Nursing (https://www.azbn.gov/media/1067/ao-orders-accepting-transcribing-reviewing-orders.pdf). As a convenience to residents, personnel of ALFs, after obtaining verbal direction from a resident's physician, call the prescription order into the resident's pharmacy of choice.

A.R.S. § 32-1968(A)(5) allows a pharmacist to dispense a drug on an oral prescription order that is promptly reduced to writing and filed by the pharmacist. A.R.S. § 32-1901(77)(b) indicates a prescription order is one transmitted to a pharmacist through word of mouth, telephone, or other means of communication directed by a medical practitioner.

The Board has determined that as currently written, R4-23-703, which provides that a pharmacy shall dispense, sell, or deliver a prescription or nonprescription drug to an ALF resident only after receiving a prescription order from the resident's medical prac-



tioner, is inconsistent with the standard practice of ALFs, rules of the Department of Health Services, and the advisory opinion of the Board of Nursing. This rulemaking will make the Board's rules consistent with the practices of other agencies.

An exemption from EO2016-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor's Office, by e-mail dated July 14, 2016.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board did not review or rely on a study in its evaluation of or justification for the rule in this rulemaking.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

The Board believes making its rules consistent with standard practice of other agencies, as authorized by the Board's statutes, will benefit residents of ALFs and the personnel who provide their care by enabling a pharmacist to fill many prescription orders on verbal direction from ALF personnel. The rulemaking will eliminate a regulatory burden caused by the Board's rules being inconsistent with the practices of other agencies.

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking:

The Board published a notice of supplemental proposed rulemaking. The changes requiring a supplemental proposed notice were:

- Amended R4-23-703(A) because it was determined allowing a pharmacy permit holder to use existing electronic procedures to determine whether an ALF is licensed by ADHS is sufficient and reduces the regulatory burden on pharmacy permit holders.
- In R4-23-703(B) - (D), changed the word "narcotic" to "controlled substance" to be consistent with the definitions at A.R.S. § 32-1900.
- Added subsection (C) to reduce the regulatory burden of ALFs assisting residents to have prescription orders for Schedule III, IV, and V controlled substances filled. Remaining subsections were relabeled accordingly.
- Deleted R4-23-703(B)(2)(a) and (C)(3)(a), as they appeared in the Notice of Proposed Rulemaking, because it was determined the subsections duplicated information already in A.R.S. § 32-1968(C) and R4-23-407. The remainder of the subsections was reformatted.
- In R4-23-703(C)(1)(b) and (D)(1)(b), clarified that an individual licensed by the Arizona Board of Nursing is required to act within the scope of practice of the individual's license.

After the rulemaking was placed on the Council's agenda for review and action, the Arizona Department of Health Services expressed some concern about the rulemaking. In response to that concern, the Board made non-substantive changes to subsections (C)(1)(c) and (D)(1)(c) to clarify that an assisted living facility manager or caregiver submitting a prescription order to a pharmacy permittee is required to act under authority of a licensed medical practitioner.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments:

The Board addressed comments received regarding the notice of proposed rulemaking in the supplemental notice. The only written comment regarding the supplemental proposed notice was from Lauren Berton on behalf of Omnicare, a CVS Health Company. The comment thanked the Board for amending the rule to be consistent with standard practice. No one attended the oral proceeding on April 17, 2017.

12. All agencies shall list any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rule requires no permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There are federal laws relating to selling and dispensing of drugs. However, none is specifically applicable to this rulemaking. No rule in the rulemaking is more stringent than federal law.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

None

14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

The rule was not previously made as an emergency rule.



15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 23. BOARD OF PHARMACY

ARTICLE 7. NON-PHARMACY LICENSED OUTLETS - GENERAL PROVISIONS

Section R4-23-703. Assisted Living Facilities

ARTICLE 7. NON-PHARMACY LICENSED OUTLETS - GENERAL PROVISIONS

R4-23-703. Assisted Living Facilities

- A. Assisted living facilities are licensed by the state Department of Health Services. Before dispensing, selling, or delivering a prescription or nonprescription drug to an assisted living facility resident, a pharmacy permittee shall verify the assisted living facility has a current and active license issued by the Arizona Department of Health Services.
B. A pharmacy permittee shall ensure that, except as provided under subsection (C):
1. Only dispense, sell, or deliver a prescription or nonprescription drug to an assisted living facility resident only after receiving a valid prescription order for the controlled substance prescription drug from the resident's medical practitioner; and
2. Label; The controlled substance prescription drug is labeled in accordance with A.R.S. §§ 32-1963.01, 32-1968, and 36-2525; all drugs dispensed, sold, or delivered to an assisted living facility resident; and includes the beyond-use date on the label.
3. Obtain a copy of the current Arizona Department of Health Services license issued to an assisted living facility before dispensing drugs to that facility's resident; and
4. Maintain, for inspection by a Board compliance officer, a file containing the license copy required in subsection (B)(3).
C. A pharmacy permittee may dispense, sell, or deliver to an assisted living facility resident a Schedule III, IV, or V controlled substance prescription if the pharmacy permittee:
1. Receives a written or oral prescription order for the Schedule III, IV, or V controlled substance from:
a. The resident's medical practitioner,
b. An individual licensed by the Arizona Board of Nursing who is acting within the scope of practice of the individual's license, or
c. The manager or a caregiver of the assisted living facility if the resident's medical practitioner has a written agreement with the assisted living facility designating a representative of the assisted living facility as an agent of the medical practitioner and a licensed medical practitioner provided the prescription order;
2. Complies with subsection (D)(2); and
3. Labels the Schedule III, IV, or V controlled substance as specified under subsection (B)(2).
D. A pharmacy permittee may dispense, sell, or deliver to an assisted living facility resident a non-controlled substance prescription or non-prescription drug if the pharmacy permittee:
1. Receives a written or oral prescription order for the non-controlled substance prescription or non-prescription drug from:
a. The resident's medical practitioner,
b. An individual licensed by the Arizona Board of Nursing who is acting within the scope of practice of the individual's license, or
c. An assisted living facility manager or caregiver acting under the authority of a licensed medical practitioner;
2. Determines the written or oral prescription order:
a. Meets the requirements of R4-23-407, and
b. Includes the name and title of the individual transmitting the prescription order; and
3. Labels the non-narcotic prescription or non-prescription drug in accordance with A.R.S. §§ 32-1963.01 and 32-1968 and includes the beyond-use date on the label.
E. In addition to the labeling requirements of A.R.S. §§ 32-1963.01, 32-1968, and 36-2525, the label on a prescription medication for an assisted living facility resident shall include the name, strength, and quantity of the drug and a beyond-use date.
F. If the label on an assisted living facility resident's drug container becomes damaged or soiled, a pharmacist employed by the pharmacy permittee that dispensed the drug container, through the exercise of professional judgment, may relabel the drug container. Only a pharmacist is permitted to label a drug container or alter the label of a drug container.
G. A pharmacist may help assisted living facility personnel to develop written policies and procedures for the procurement, administration, storage, control, recordkeeping, and disposal of regarding procuring, administering, storing, controlling, keeping records, and disposing of drugs in the facility and provide other information concerning drugs that assisted living facilities should have for safe and effective supervision of drug self-administration.
H. A pharmacy permittee shall not place an emergency drug supply unit as defined described in R4-23-701.02 or an automated dispensing system as defined described in R4-23-701.04 in an assisted living facility.
I. A pharmacist shall not repack a drug previously dispensed to a resident of the an assisted living facility resident by another pharmacy, and drugs previously dispensed by the provider pharmacy, shall not be repackaged.



NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

**NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ECONOMIC SECURITY**

[R17-157]

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 1, Department of Economic Security
Article and its heading: 2, Debt Setoff
Section numbers: R6-1-201, R6-1-202 and R6-1-203 (*Sections may be added, deleted, or modified as necessary.*)

2. **The subject matter of the proposed rule:**
 This rulemaking is in response to a Five-year Review Report approved by the Governor’s Regulatory Review Council on February 4, 2014.
 The rules in Title 6, Chapter 1 are rules of general applicability to all Department of Economic Security (Department) programs. Article 2 implements A.R.S. §§ 5-575 and 42-1122, which allow the Department to offset debts owed to the Department from a debtor’s lottery winnings and state tax refund.
 The proposed rulemaking will make the Department’s requirements debt setoff more clear, concise, and understandable. Proposed amendments to Article 2 update statutory citations, update the rules to conform to current statutory provisions and procedures, and streamline the debt setoff review process.

3. **A citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 23 A.A.R. 2421, September 8, 2017 (*in this issue*)

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Christian J. Eide
 Address: Department of Economic Security
 P.O. Box 6123, Mail Drop 1292
 Phoenix, AZ 85005
 or
 Department of Economic Security
 1789 W. Jefferson St., Mail Drop 1292
 Phoenix, AZ 85007
 Telephone: (602) 542-9199
 Fax: (602) 542-6000
 E-mail: ceide@azdes.gov

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4. The Department has not scheduled any oral proceedings at this time.

6. **A timetable for agency decisions or other action on the proceeding, if known:**
 None

NOTICE OF AGENCY GUIDANCE DOCUMENTS

The Administrative Procedure Act requires the publication of guidance documents and substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)).

Substantive policy statements and guidance documents are written expressions which inform the general public of an agency's current approach to rule or regulation practice.

Substantive policy statements and agency guidance documents do not include internal procedural documents which may only affect the internal procedures of the agency and do not impose additional requirements or penalties on regulated parties in accordance with A.R.S. Title 41.

NOTICE OF AGENCY GUIDANCE DOCUMENT DEPARTMENT OF HEALTH SERVICES

[M17-254]

- 1. Title of the guidance document and the guidance document number by which the document is referenced:**
GD-097-PHS-EMS: Triage, Treatment and Transport Guidelines
- 2. Date of the publication of the guidance document and the effective date of the guidance document if different from the publication date:**
Publication dates: July 12, 2017 for page 47 of the document and August 18, 2017 for the balance
Effective date: July 1, 2017
- 3. Summary of the contents of the guidance document:**
The guidance document provides the Arizona Department of Health Services' recommendations for triage, treatment, and transport of patients in the pre-hospital setting.
- 4. A statement as to whether the guidance document is a new document or a revision:**
This is a revised guidance document based on the triage and treatment guidelines approved on May 18, 2017, by the medical direction commission, established under A.R.S. § 36-2203.01, that include the:
 - Revision of the guidelines to correspond with the format used by the National Association of State EMS Officers, merging adult and pediatric guidelines
 - Updating of the guidelines to reflect current, evidence-based, treatment/management recommendations
 - Addition of guidelines related to several types of injuries, environmental conditions, or medical conditions
 - Removal of guidelines for ground and air ambulance modes of transport
- 5. The agency contact person who can answer questions about the guidance document:**
Name: Terry Mullins, Bureau Chief
Address: Arizona Department of Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
Telephone: (602) 364-3150
Fax: (602) 364-3568
E-mail: Terry.Mullins@azdhs.gov
or
Name: Robert Lane, Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: Robert.Lane@azdhs.gov
- 6. Information about where a person may obtain a copy of the guidance document and the costs for obtaining the guidance document:**
A copy of the guidance document is available, free of charge, from the Arizona Department of Health Services, Office of Administrative Counsel and Rules at the following web address: <http://www.azdhs.gov/director/administrative-counsel-rules/rules/index.php#guidance-emsts>. A copy of the guidance document may also be obtained from the Arizona Department of Health Services, Bureau of Emergency Medical Services and Trauma System, 150 N. 18th Avenue, Suite 540, Phoenix, AZ 85007, for 25 cents per page. Payment is accepted in cash or money order made payable to the Arizona Department of Health Services.



NOTICES OF AGENCY OMBUDSMAN

The Administrative Procedure Act requires the publication of Notices of Agency Ombudsman. Agencies shall publish annually in the Register the name or names of those employees who are designated by the agency to assist members of the public or regulated community in seeking information or assistance from the agency. (A.R.S. § 41-1006)

NOTICE OF AGENCY OMBUDSMAN
DEPARTMENT OF REAL ESTATE

[M17-255]

- 1. The agency name: Department of Real Estate
2. The ombudsman's name: (Primary Contact) Dan Gardner
3. The ombudsman's title: Constituent Services Manager
4. The ombudsman's office address including zip codes: Department of Real Estate, 2910 N. 44th St., Suite 100, Phoenix, AZ 85018
5. The ombudsman's telephone number and fax number, if available: Telephone: (602) 771-7784

NOTICE OF AGENCY OMBUDSMAN
DEPARTMENT OF REAL ESTATE

[M17-256]

- 1. The agency name: Department of Real Estate
2. The ombudsman's name: (Secondary Contact) Louis Dettorre
3. The ombudsman's title: Deputy Commissioner
4. The ombudsman's office address including zip codes: Department of Real Estate, 2910 N. 44th St., Suite 100, Phoenix, AZ 85018
5. The ombudsman's telephone number and fax number, if available: Telephone: (602) 771-7769



GOVERNOR EXECUTIVE ORDERS

The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the Register shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2017-02

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

[M17-23]

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2017, as a notice to the public regarding state agencies' rulemaking activities.

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, job creators and entrepreneurs are especially hurt by red tape and regulations;

WHEREAS, all government agencies of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

WHEREAS, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

WHEREAS, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

- 1. A State agency subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace, or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a court of the federal government against an agency for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To comply with a state statutory requirement.
g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
j. To eliminate rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. All directors of state agencies subject to this Order shall engage their respective regulated or stakeholder communities to solicit comment on which rules the regulated community believes to be overly burdensome and not necessary to protect consumers, public health, or public safety. Each agency shall submit a report regarding the aforementioned information to the Governor's Office no later than September 1, 2017.
4. For the purposes of this Order, the term "State agencies," includes without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those State agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
5. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, "person," "rule," and "rulemaking" have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.



6. This Executive Order expires on December 31, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this Eleventh day of January in the Year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE



GOVERNOR PROCLAMATIONS

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

FLAG DAY

[M17-257]

WHEREAS, Americans will observe Flag Day on June 14, 2017, a traditional time to honor the Nation’s symbol of freedom and democracy; and

WHEREAS, in 2017 we also will commemorate another significant milestone in the history of the United States: the 125th anniversary of the Pledge of Allegiance; and

WHEREAS, the historic oath was written in 1892 by Francis Bellamy for the National Public School Celebration of Columbus Day. As a member of the editorial staff of The Youth’s Companion magazine in Boston, Francis Bellamy chaired a national campaign to arouse civic consciousness in school children as the country prepared to observe the 400th anniversary of America’s discovery by Christopher Columbus; and

WHEREAS, the simple yet eloquent words of the Pledge of Allegiance capture both the character of the American people and the principles upon which our Nation was founded. One of the most widely recited verses in American literature, the Pledge of Allegiance offers us an opportunity to reaffirm our belief in the very foundation of government and in the cherished goals toward which we continually strive; and

WHEREAS, we Americans are a diverse people but are united by what we believe. We believe that all men are created equal; we believe in freedom; and we believe in equal opportunity and justice for all. We rededicate ourselves to these eternal truths every time we pledge allegiance to the Flag of the United States; and

WHEREAS, if we are to protect our precious freedoms, we must ensure that our children and their children understand the ideals embodied in the Pledge of Allegiance. We must instill in future generations a love of liberty and a respect for democracy. We must teach young people about the significance of responsible citizenship, community service, volunteerism, and the impact the historic oath has had on the social and cultural fabric of America.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 14, 2017 as

FLAG DAY

and call upon the people of Arizona to observe this day by displaying the U.S. Flag, by reciting the Pledge of Allegiance in public ceremonies, and by participating in other activities as may be organized by local governments and civic organizations in communities across America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this first day of May in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

GREAT OUTDOORS MONTH

[M17-258]

WHEREAS, Arizona is blessed with outstanding opportunities for safe and healthy fun in the Great Outdoors enjoying our natural splendors in the company of family and in the company of old and new friends; and

WHEREAS, our kids today spend an average of 10 hours a day in front of a screen and outdoor activity is touted by many leading health organizations as a remedy to the adverse effects caused by our increasing inactivity; and

WHEREAS, diverse Great Outdoors Month events including National Trails Day, National Get Outdoors Day, the Great Outdoors Month, National Day of Service, the Great American Campout, Kids to Parks Day and more help connect citizens of all ages to healthy fun outdoors; and

WHEREAS, other events during Great Outdoors Month such as National Fishing and Boating Week, National Marina Day and Get Into Your Sanctuary Days provide all of us, especially our children, with exciting opportunities for recreation on the great waters of our state; and



WHEREAS, the economic impact of outdoor recreation is both large and growing nationally, exceeding \$650 billion in annual expenditures, and in our state, where it is estimated at \$17.1 billion and supports some 166,000 jobs; and

WHEREAS, Arizona State Parks and Trails, celebrating its 60th anniversary, offers 35 state parks as well as Arizona's 22 national park units, 6 national forests and more reflect every facet of our state's rich natural and cultural history; and

WHEREAS, many of our important cultural and historic events and traditions are linked to places in our state which are parts of national, state and local park systems; and

WHEREAS, enjoyment of our Great Outdoors allows us to celebrate the commitment of our state to conserve and protect our air, our water, our wildlife and our lands and contribute to conservation efforts through various licenses, taxes and fees; and

WHEREAS, Great Outdoors Month allows us to celebrate the partnership of federal, state and local agencies, the recreation and tourism industries and recreationists which make outdoor recreation opportunities available, and adds new and needed features such as improved trails through the Recreational Trails Program and the Land and Water Conservation Fund.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 2017 as

GREAT OUTDOORS MONTH

and I further urge all citizens and visitors from other states and other countries to explore and enjoy, protect and conserve Arizona's Great Outdoors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-fifth day of April in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

IMMIGRANT HERITAGE MONTH

[M17-259]

WHEREAS, America is a nation founded and built by immigrants; and

WHEREAS, generations of immigrants from every corner of the world have built our country's economy and created the unique character of our nation; and

WHEREAS, immigrants continue to grow businesses, innovate and strengthen our economy, and create American jobs in Arizona; and

WHEREAS, immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and

WHEREAS, immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity and campaigning to create a fairer and more just society for all Americans.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 2017 as

IMMIGRANT HERITAGE MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of June in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

MEN'S HEALTH WEEK

[M17-260]

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women, with Native American and African-American men having the lowest life expectancy; and

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing rates of mortality from disease; and



WHEREAS, the Men's Health Network worked with Congress to develop a national men's health awareness period as a special campaign to help educate men, boys, and their families about the importance of positive health attitudes and preventative health practices; and

WHEREAS, Men's Health Month web site has been established at www.MensHealthMonth.org and features resources, proclamations, and information about awareness events and activities, including Wear Blue for Men's Health; and

WHEREAS, Men's Health Week includes a focus on a broad range of men's health issues, including heart disease, diabetes, mental health, prostate, testicular and colon cancer.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 12 – 18, 2017, as

MEN'S HEALTH WEEK

and encourage citizens to pursue preventative health practices and early detection efforts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this first day of June in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

NATIONAL CANCER SURVIVORS DAY

[M17-261]

WHEREAS, a "cancer survivor" is defined as anyone living with a history of cancer – from the moment of diagnosis through the remainder of life, and there are more than 15.5 million cancer survivors in America; and

WHEREAS, Ruben Mesa, M.D., Deputy Director of the Mayo Clinic Cancer Center in Phoenix, and Co-Chair of the Arizona Cancer Coalition states, "We have learned that a focus on cancer survivorship is an important way of caring for and supporting patients and their families along the spectrum of their cancer journey. It is important on this day to celebrate cancer survivors, honor their care givers and recognize the importance of discovery science in increasing cancer survivorship"; and

WHEREAS, since over 1.6 million new cancer cases will be diagnosed in the United States this year, increased access to quality cancer care, screening, and prevention – especially among minorities and the medically underserved – must be a top priority in our community; and

WHEREAS, the great state of Arizona has an active, productive cancer survivor population; and

WHEREAS, Arizona is home to world-class cancer treatment facilities, including National Cancer Institute-designated Mayo Clinic Arizona with its new proton beam program, who welcome cancer patients from around the state and world to help them successfully battle this disease; and

WHEREAS, hundreds of communities worldwide will be celebrating life on Sunday, June 4; and

WHEREAS, on behalf of the people of Arizona, I salute all cancer survivors and those who support them.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 4, 2017, as

NATIONAL CANCER SURVIVORS DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this second day of June in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

N-GLYCANASE DEFICIENCY AWARENESS DAY

[M17-262]

WHEREAS, N-Glycanase Deficiency (NGLY) is a rare genetic disorder, which is caused by mutations in the NGLY1 gene, characterized by movement disorder, developmental delay, history of elevated liver function, and a lack of tears; and



WHEREAS, NGLY1 affects an estimated 200 families in the United States, and this health condition was first identified and discovered in June 2012; and

WHEREAS, early diagnosis of NGLY1 is important to ensure timely management of clinical complications, genetic counseling and when available, treatment and therapeutic remedies; and

WHEREAS, individuals and families affected by NGLY1 often experience physical, mental, emotional, and financial hardship; and

WHEREAS, we commend the efforts of NGLY1.org and other health organizations to increase public awareness and recognition of this condition, with the hope that the combination of community support and technology will accelerate understanding and treatment of this serious disorder.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 1, 2017, as

N-GLYCANASE DEFICIENCY AWARENESS DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this first day of June in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

POST-TRAUMATIC STRESS INJURY AWARENESS MONTH

and

POST-TRAUMATIC STRESS INJURY AWARENESS DAY

[M17-263]

WHEREAS, the brave men and women of the United States Armed Forces and first responders – who proudly serve the United States and risk their lives to protect our freedom – deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being; and

WHEREAS, combat operational stress has historically been viewed as a mental illness caused by pre-existing flaw of character and/or ability; and the term “Post-Traumatic Stress Disorder (PTSD)” carries a stigma that perpetuates this misconception; and

WHEREAS, post-traumatic stress injury (PTSI) can occur after experiencing a severely traumatic event to include, but not be exclusive to: sexual assault, child abuse, high-impact collisions and crashes, natural disasters, acts of terrorism and military combat; and

WHEREAS, referring to the complications from post-traumatic stress as a disorder perpetuates the stigma of and bias against mental illness, and this stigma discourages those suffering from post-traumatic stress from seeking proper and timely medical treatment; and

WHEREAS, making PTSI less stigmatizing and more honorable can favorably influence those affected and encourage them to seek timely treatment without fear of retribution or shame, thus helping to diminish suicide rates; and

WHEREAS, all citizens suffering from PTSI should retain the right to their dignity and deserve our consideration, those who have received these wounds in action against an enemy of the United States further deserve our tribute and acknowledgement.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 2017 as

POST-TRAUMATIC STRESS INJURY AWARENESS MONTH

and June 27, 2017 as

POST-TRAUMATIC STRESS INJURY AWARENESS DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of April in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE



WOUND CARE AWARENESS WEEK

[M17-264]

WHEREAS, it is estimated that 6.7 million people currently live with chronic wounds and that number is expected to grow at more than two percent annually for the next decade. The rising incidence is fueled by an aging population and increasing rates of diseases and conditions such as diabetes, obesity and the late effects of radiation therapy; and

WHEREAS, untreated chronic wounds can lead to diminished quality of life and possible amputation of the affected limb. The chronic wound epidemic represents a cost of more than \$50 billion to the healthcare system; and

WHEREAS, more than 29.1 million people (9.3% of population) have diabetes in the United States (US) and almost two million of those people will develop a diabetic foot ulcer or other non-healing wound. Advanced wound care aims to prevent amputations and heal patients in a faster and more cost-effective way; and

WHEREAS, wound care physicians and health care providers take great pride in caring for their patients, and seeing their patients succeed; and

WHEREAS, awareness and education about chronic wounds will benefit current and future chronic wound patients. The goal of Wound Care Awareness Week is to inform patients, their families, community physicians and the general public about the importance of advanced wound care and its ability to save lives and limbs.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 1 – 7, 2017, as

WOUND CARE AWARENESS WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this first day of June in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE

YARNELL 19 REMEMBRANCE DAY

[M17-265]

WHEREAS, firefighters and first responders across Arizona risk their lives every day to protect communities and keep citizens out of harm’s way; and

WHEREAS, on June 30, 2013, Arizona lost 19 Granite Mountain Hotshots battling the Yarnell Hill Fire – the deadliest blaze in state history; and

WHEREAS, the service and sacrifice of these brave men remind us that, for our firefighters on the front lines, no day on the job is routine, and by placing the safety and well-being of others above their own, they are true heroes; and

WHEREAS, Arizonans are eternally indebted to our “Yarnell 19,” and will forever honor them and their families in prayer and gratitude; and

WHEREAS, on this solemn four-year anniversary of the Yarnell Hill Fire, the hearts of Arizonans are with the Yarnell 19 – Andrew Ashcraft, Robert Caldwell, Travis Carter, Dustin James DeFord, Chris Mackenzie, Eric Shane Marsh, Grant Quinn McKee, Sean Michael Misner, Scott Daniel Norris, Wade Scott Parker, John Joseph Percin, Jr., Anthony Michael Rose, Jesse James Steed, Joe Thurston, Travis Turbyfill, William Howard “Billy” Warneke, Clayton Thomas Whitted, Kevin Woyjeck and Garret Zuppiger – as well as with their loved ones, the Yarnell community and all who serve and sacrifice for our safety.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 30, 2017 as

YARNELL 19 REMEMBRANCE DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this first day of May in the year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:
Michele Reagan
SECRETARY OF STATE



REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
 PM = Proposed amended Section
 PR = Proposed repealed Section
 P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
 SPM = Supplemental proposed amended Section
 SPR = Supplemental proposed repealed Section
 SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
 FM = Final amended Section
 FR = Final repealed Section
 F# = Final renumbered Section

SUMMARY RULEMAKING

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 PSMM = Proposed Summary amended Section
 PSMR = Proposed Summary repealed Section
 PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

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 FSMM = Final Summary amended Section
 FSMR = Final Summary repealed Section
 FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

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 PEM = Proposed Expedited amended Section
 PER = Proposed Expedited repealed Section
 PE# = Proposed Expedited renumbered Section

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SPEN = Supplemental Proposed Expedited new Section
 SPEM = Supplemental Proposed Expedited amended Section
 SPER = Supplemental Proposed Expedited repealed Section
 SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

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 FEM = Final Expedited amended Section
 FER = Final Expedited repealed Section
 FE# = Final Expedited renumbered Section

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 PX# = Proposed Exempt renumbered Section

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 SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

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 FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

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	FXM-1119	R13-5-402.	PM-1478	R4-29-308.	RC-1976	
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	FXM-1119	R13-5-702.	PM-1478	R4-29-310.	RC-1976	
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	PX#-151;	R13-5-704.	PM-1478	R4-29-312.	RC-1976	
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RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

Table with 12 columns: January, February, March, April, May, June. Each month has sub-columns for Date Filed and Effective Date. Rows list dates from 1/1 to 1/31 and corresponding effective dates.



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, and Oral Proceeding may be scheduled on or after. Rows list dates from March 3, 2017 to September 22, 2017.



GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and Register deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit www.grrc.state.az.us.

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES FOR 2017

[M16-300]

Table with 4 columns: DEADLINE FOR PLACEMENT ON AGENDA, FINAL MATERIALS SUBMITTED TO COUNCIL, DATE OF COUNCIL STUDY SESSION, DATE OF COUNCIL MEETING. Rows list dates from November 2016 to January 2018.

*Materials must be submitted by 5 P.M. on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF ACTION TAKEN AT THE AUGUST 15, 2017 SPECIAL MEETING

[M17-266]

RULES:

BOARD OF PHARMACY (R-17-0502)

Title 4, Chapter 23, Article 7, Non-Pharmacy Licenses Outlets – General Provisions

Amend: R4-23-703

COUNCIL ACTION: APPROVED