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# Arizona Administrative REGISTER

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## From the Publisher

### ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Office of the Secretary of State's website is the official published version for rulemaking activity in the state of Arizona. The *Register* is published weekly by issue number, every Friday by the Administrative Rules Division.

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

The *Register* contains notices of docket openings, proposed, final, emergency, expedited, exempt, and terminated rules as defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10. Other "notice only" filings are published in the *Register* which includes Informal Public Meetings on an Open Rulemaking Docket, Formal Rulemaking Advisory Committees, Public Information, Oral Proceedings, Public Hearings, Public Meetings, Agency Guidance Documents, Substantive Policy Statements, Proposed Delegation Agreements, Final Delegation Agreements, and Agency Ombudsman.

### ABOUT AMENDMENTS TO RULES

Rulemaking is defined in the APA. Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.

### ABOUT THE TABLE OF CONTENTS

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.

### ABOUT FILE NUMBERS

Notices filed in the Division are assigned a file number. This number is enclosed in brackets and located at the top right of the published documents in the *Register*. Original filed notices are available in pdf for free. For a copy, contact our Division with the file number.

### ABOUT THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* (A.A.C) contains codified text of rules. When published, the underling and striking of text in notices as published in the *Register* are removed. The codified rules have either been approved by the Governor's Regulatory Review Council or Attorney General as prescribed under the APA. The *Code* also contains rules exempt from the rulemaking process, and emergency rules. The authenticated pdf of *Code* Chapters posted on the Office of the Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

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**REGISTER**

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**SECRETARY OF STATE**  
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This publication is available online for  
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**ADMINISTRATIVE CODE**  
The *Arizona Administrative Code* is  
available online at [www.azsos.gov](http://www.azsos.gov).

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

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# How to Participate in Rulemaking

## Review Published Notices

Review notices published in the *Arizona Administrative Register*.

The Preamble at the beginning of a notice contains information about the rulemaking and provides agency justification and regulatory intent. Agency contact information is published in the Preamble for those interested in participating in the rulemaking process.

The Preamble 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.

## Agency Contact Lists

Many agencies maintain stakeholder lists to contact those interested in proposed changes to rules. Check an agency's website and its newsletters for information about notices, oral proceedings, 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. Refer to A.R.S. § 41-1033 for more information.

## Attend a Public Meeting

Attend a public meeting, known as an oral proceeding, being conducted by the agency on a Notice of Proposed Rulemaking.

A proceeding may be listed in the Preamble of a Notice of Proposed Rulemaking or an agency may inform the public of the meeting in a Notice of Oral Proceeding. Attend the meeting and be prepared to speak and comment.

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

Refer to information in the Preamble.

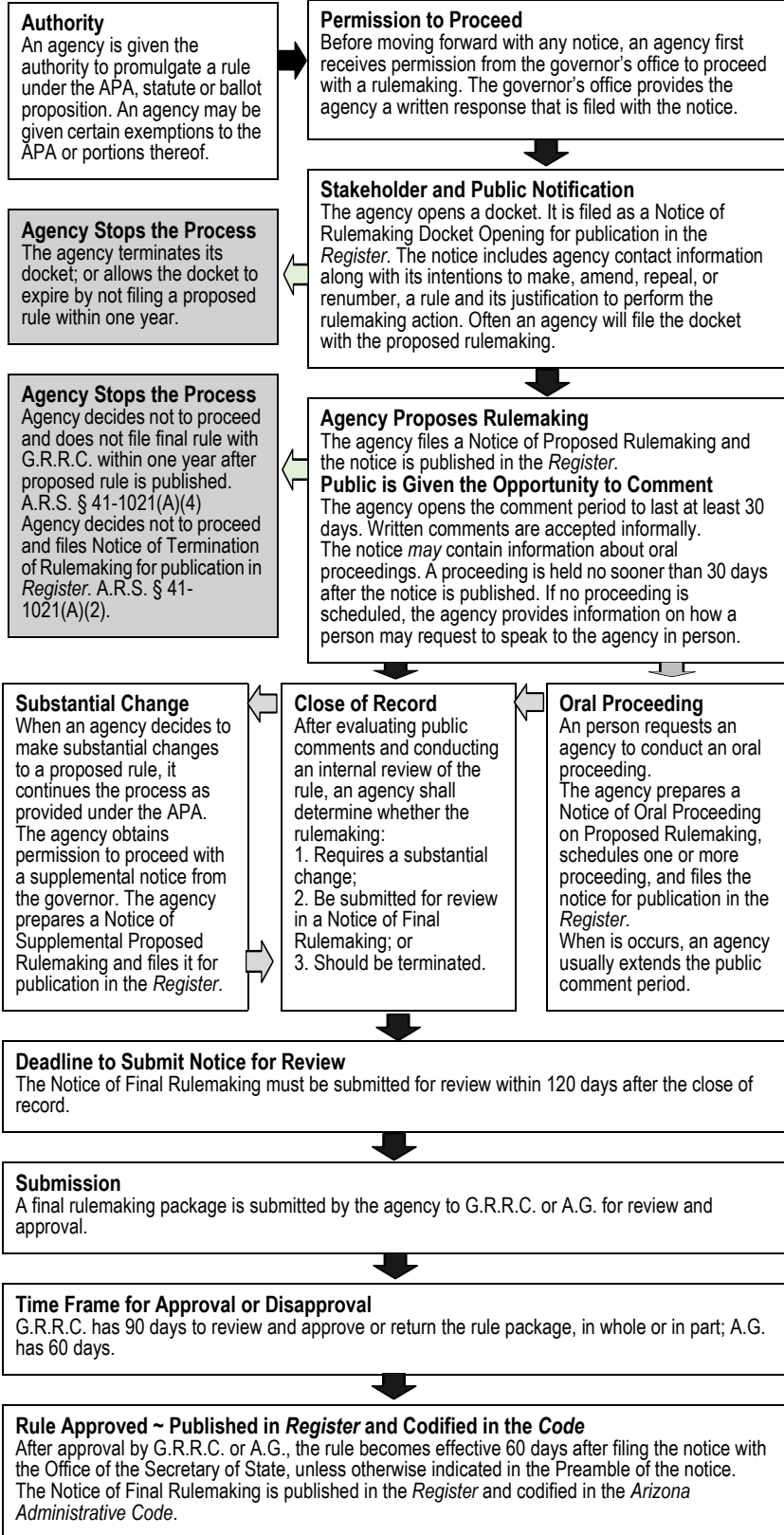
## Write the Agency

Put your comments in writing and send them 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, before the rules are filed with the Secretary of State.

## THE REGULAR RULEMAKING PROCESS

### START THE PROCESS HERE



## Definitions and Acronyms

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

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

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

**Arizona Administrative Register**  
**NOTICES OF PROPOSED RULEMAKING**

**Volume 32**

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**NOTICES OF PROPOSED RULEMAKING**

The APA requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under A.R.S. § 41-1021. A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue. If they are not filed at the same time, information on where the docket opening was published is listed in the preamble of the proposed rulemaking.

An agency must allow at least 30 days to elapse after the publication of the Notice of Pro-

posed Rulemaking in the *Register* before scheduling any oral proceedings. Written public comments shall be accepted for at least 30 days after the published notice. Refer to A.R.S. §§ 41-1013, 41-1022 and 41-1023.

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #11 for information on how to comment on this notice, the close of record to comment, and information related to oral proceedings.

**NOTICE OF PROPOSED RULEMAKING**

**TITLE 3. AGRICULTURE**

**CHAPTER 3. DEPARTMENT OF AGRICULTURE  
ENVIRONMENTAL SERVICES DIVISION**

[R25-298]

**PREAMBLE**

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**  
September 12, 2025
- |   |                                 |
|---|---------------------------------|
| <b>2. <u>Article, Part, or Section Affected (as applicable)</u></b> | <b><u>Rulemaking Action</u></b> |
| R3-3-402  | Amend                           |
- 3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
Authorizing statute: A.R.S. § 3-107(A)  
Implementing statute: A.R.S. § 3-363
- 4. Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:**  
Notice of Rulemaking Docket Opening: 32 A.A.R. 199, January 9, 2026 (*in this issue*); File Number: R25-301
- 5. The agency's contact person who can answer questions about the rulemaking:**

Name:	Jack Peterson
Title:	Associate Director
Physical Address:	Arizona Department of Agriculture 1110 W. Washington St., Suite 450 Phoenix, AZ 85007
Mailing Address:	Arizona Department of Agriculture 1802 W. Jackson St., #78 Phoenix, AZ 85007
Telephone:	(602) 542-3575
Email:	jpeterson@azda.gov
Website:	<a href="https://agriculture.az.gov/">https://agriculture.az.gov/</a>
Name:	Brian McGrew
Title:	Rules Writer, Acting
Physical Address:	Arizona Department of Agriculture 1110 W. Washington St., Suite 450

**Arizona Administrative Register**

**NOTICES OF PROPOSED RULEMAKING**

Phoenix, AZ 85007  
Mailing Address: Arizona Department of Agriculture  
1802 W. Jackson St., #78  
Phoenix, AZ 85007  
Telephone: (602) 542-3228  
Fax: (602) 542-1004  
Email: bmcgrew@azda.gov  
Website: <https://agriculture.az.gov/>

**6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

On September 12, 2025, the Department received approval from the Natural Resources Policy Advisor, in compliance with A.R.S. § 41-1039(A)(2) by reducing or ameliorating a regulatory burden on the public, while achieving the same regulatory objective; and (5) Complying with a regulatory requirement to participate in a federal pesticide use program. This rulemaking should be made to ensure compliance with current federal laws and regulations. The purpose of this rulemaking is to update Section R3-3-402 to comply with changes to federal regulations that eliminated the recordkeeping and reporting requirement for restricted use pesticides by a certified applicator.

**7. 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:**

No study was conducted.

**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:**

The rulemaking does not diminish any previous authority of a political subdivision of this state.

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

The Department's intent in proposing the amendments to R3-3-402 are to align with changes to federal regulations as required pursuant to A.R.S. § 3-363(6). The Department anticipates the rulemaking will have an overall benefit to consumers by reducing a regulatory burden on non-commercial pesticide applications. The rulemaking is not expected to result in additional costs for the regulated community. The Department has determined there is no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. The Department will not incur any additional costs associated with the rulemaking nor require any additional full-time employees as a result of the rulemaking. Therefore, the Department has determined that the benefits of the rulemaking outweigh any costs.

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

Name: Jack Peterson  
Title: Associate Director, Environmental Services Division  
Physical Address: Arizona Department of Agriculture  
1110 W. Washington St., Suite 450  
Phoenix, AZ 85007  
Mailing Address: Arizona Department of Agriculture  
1802 W. Jackson St., #78  
Phoenix, AZ 85007  
Telephone: (602) 542-3575  
Email: [jpeterson@azda.gov](mailto:jpeterson@azda.gov)  
Website: <https://agriculture.az.gov/>  
Name: Brian McGrew  
Title: Rules Writer, Acting  
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Phoenix, AZ 85007  
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Arizona Administrative Register

NOTICES OF PROPOSED RULEMAKING

Email: bmcgrew@azda.gov
Website: https://agriculture.az.gov/

11. 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:

Written comments about this proposed rulemaking will be accepted in person at the address provided under item #5, Monday through Friday from 8 a.m. to 5 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice.

An oral proceeding is scheduled on this proposed rulemaking.

Date: February 10, 2026
Time: 1:00 p.m. (MT)
Location: Arizona Department of Agriculture
1110 W. Washington St., Suite 450
Phoenix, AZ 85007

Google Meet joining info

Video call link: https://meet.google.com/jcm-djcm-pkw

Or dial: (US) +1 413-402-0173 PIN: 888 843 565#

More phone numbers: https://tel.meet/jcm-djcm-pkw?pin=4023417973848

The close of record and public comment period ends: February 10, 2026.

12. 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:

A.R.S. § 3-104(F) requires the Arizona Department of Agriculture Advisory Council assist the Director of the Department on all rulemaking activities. The council shall review, advise and make recommendations before they are adopted. During the December 16, 2025 Agency Advisory Council Meeting, council members approved the Department's recommendations to amend Section R3-3-402.

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:

Rule does 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:

The Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 136-136y (1996) is the federal law applicable to the subject of the rule. The proposed rule is not more stringent than federal law because under federal law (i.e., the pesticide label) termite baits may be used in the manner proposed in the rule. A copy of the federal law is available to view at https://www.govinfo.gov/content/pkg/USCODE-2023-title7/html/USCODE-2023-title7-chap6.htm

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

No analysis was conducted

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

Not applicable

14. The full text of the rules follows:

TITLE 3. AGRICULTURE

CHAPTER 3. DEPARTMENT OF AGRICULTURE
ENVIRONMENTAL SERVICES DIVISION

ARTICLE 4. RECORDKEEPING AND REPORTING

Section R3-3-402. Private and Golf Applicator Records; Restricted Use Pesticide

ARTICLE 4. RECORDKEEPING AND REPORTING

R3-3-402. Private and Golf Applicator Records; Restricted Use Pesticide

NOTICES OF PROPOSED RULEMAKING

- A. Following an application to an application site of a restricted use pesticide, a pesticide registered under Section 18 of FIFRA, or an experimental use permitted pesticide, a private Golf applicator shall complete an application record on a form approved by the Department, which includes the following:
1. Name of the private Golf applicator and the applicator’s certification number; as required,
2. Name and permit number of the seller;
3. Name of the pesticide applied and its EPA registration number;
4. Date and time of application;
5. Name of regulated grower;
6. Method of application;
7. Crop name or site Site and the number of acres treated with the pesticide;
8. Rate per acre of the active ingredient or formulation of the pesticide;
9. Total volume of pesticide used per acre; and
10. County, township, range, and section of the field site that received the application.
B. Following an application to a non-field of a restricted use pesticide, a pesticide registered under Section 18 of FIFRA, or an experimental use permitted pesticide, a private applicator or golf applicator shall complete an application record on a form approved by the Department, that includes the following:
1. The information requested under subsection (A)(1) through (A)(6);
2. Item treated;
3. Rate per item treated;
4. Total volume used in the application; and
5. Application site location by county, township, range and section, or by physical address.
C. A private applicator and golf applicator shall retain records required by this Section for at least two years from the date of the private application.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 46. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS
FINANCIAL INSTITUTIONS DIVISION - REAL ESTATE APPRAISAL

[R25-299]

PREAMBLE

- 1. Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on: December 17, 2025
2. Article, Part, or Section Affected (as applicable) Rulemaking Action
R4-46-201 Amend
3. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. §§ 6-123(2) and 32-3605(A)
Implementing statute: A.R.S. §§ 32-3605(B)(2) and 32-3610
4. Citations to all related notices published in the Register that pertain to the current record of the proposed rule:
Notice of Rulemaking Docket Opening: 32 A.A.R. 200, January 9, 2026 (in this issue); File Number: R25-302
5. The agency’s contact person who can answer questions about the rulemaking:
Name: Tammy Seto
Title: Assistant Director
Division: Financial Enterprises Division
Address: 100 N. 15th Ave., Suite 261
Phoenix, AZ 85007-2630
Telephone: (602) 771-2804
Email: tammy.seto@difi.az.gov
Website: https://difi.az.gov
6. An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:
The Federal Financial Institutions Examination Council (12 U.S.C. § 3301) has an Appraisal Subcommittee to oversee and monitor appraisal standards (12 U.S.C. §§ 3310 and 3332). The Appraisal Foundation (“Foundation”) is a non-profit organization autho-

NOTICES OF PROPOSED RULEMAKING

alized by Congress (12 U.S.C. § 3350(9)) that sets the minimum standards and qualifications for appraisers to ensure public trust in valuations. The Foundation includes two independent boards: the Appraisal Standards Board for standards, and the Appraiser Qualifications Board (“AQB”) for qualifications. The Foundation is also responsible for developing the Uniform Standards of Professional Appraisal Practice (“USPAP”) which are the generally accepted standards of practice for the appraisal profession.

A state-certified real estate appraiser must meet the minimum criteria for certification issued by the AQB (12 U.S.C. § 3345(a)). The Appraisal Subcommittee has the authority to issue a written finding that the State agency fails to recognize and enforce the standards, requirements, or procedures required by Federal law (12 USC § 3347(b)(1)).

The AQB adopted new educational requirements to the real estate appraiser criteria to be effective January 1, 2026. In its current rule, the Department adopts the outdated criteria established and updated as of January 1, 2022. The Department needs to incorporate by reference the 2026 criteria into R4-46-201(B) to remain compliant with AQB qualifications.

This proposed change is not prompted by a previous Five-Year Review Report.

**7. 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 Division did not review and does not propose to rely on any study relevant to 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:**

The rulemaking does not diminish a previous grant of authority granted to the Division.

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

Pursuant to A.R.S. § 41-1055(A)(1):

- The primary goal of this rulemaking is not to change any violative conduct. Instead, it is designed to notify applicants of the current standards required for registration, licensure and certification as an appraiser.

Pursuant to A.R.S. § 41-1055(A)(2):

- No additional costs are anticipated to be imposed on licensees.

Pursuant to A.R.S. § 41-1055(A)(3):

- The person listed in item 10 may be contacted to submit or request additional data on the economic impact statement.

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

Name: Tammy Seto  
Title: Assistant Director  
Division: Financial Enterprises Division  
Address: 100 N. 15th Ave., Suite 261  
Phoenix, AZ 85007-2630  
Telephone: (602) 771-2804  
Email: tammy.seto@difi.az.gov  
Website: https://difi.az.gov

**11. 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:**

No hearing is currently scheduled. Persons who wish to request an oral proceeding on this rulemaking should make a written request to the person listed in item 10. Requests must be received within 30 days of the publication of this Notice of Proposed Rulemaking. A.R.S. § 41-1023(C). If requested, the oral proceeding will be conducted at least 30 days after publication of a Notice of Oral Proceeding in the *Arizona Administrative Register*.

The Division will publish a Notice of Oral Proceeding in the *Register* notifying parties of the date and time of the proceeding. All oral proceedings are currently being conducted virtually.

In lieu of an oral proceeding, interested parties may submit public comments to: [public\\_comments@difi.az.gov](mailto:public_comments@difi.az.gov). Please use the term “Real Estate Appraisal 2026 Rulemaking” in the subject line of the email.

If no one requests an oral proceeding, the public comment period will close at 11:59 p.m. on the 30th day after the publication date of this Notice of Proposed Rulemaking. If anyone requests an oral proceeding, the public comment period will close at 11:59 p.m. on the date of the oral proceeding.

**Arizona Administrative Register**  
**NOTICES OF PROPOSED RULEMAKING**

**12. 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 prescribed by statute are applicable to the Division or to any specific rule or class of rules.

**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:**

An appraiser receives either a registration, license, certificate, or designation by the Department pursuant to A.R.S. §§ 32-3603 and 32-3614.02. No permit is issued.

**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:**

Chapter 34A of U.S.C. Title 12 (Appraisal Subcommittee of Federal Financial Institutions Examination Council) is generally applicable to the subject of the rule. Specific statutes within Chapter 34A address State certified or licensed appraisers (12 U.S.C. § 3345) and empower the Appraisal subcommittee to refuse to recognize a state's appraiser certifications or licenses (12 U.S.C. § 3347(c)).

The rule, by incorporation, adopts the AQB criteria. It is not more stringent than the federal law.

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

Not applicable

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

Section R4-46-201(B) incorporates the AQB's publication titled "The Real Property Appraiser Qualification Criteria and Interpretations of the Criteria." The current version is effective January 1, 2022. The Department wishes to incorporate the version that is effective January 1, 2026 because it contains new requirements for applicants and licensees not contained in the 2022 version.

**14. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 46. DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS  
FINANCIAL INSTITUTIONS DIVISION - REAL ESTATE APPRAISAL**

**ARTICLE 2. REGISTRATION, LICENSURE, AND CERTIFICATION AS AN APPRAISER**

Section

R4-46-201. Appraiser Qualification Criteria

**ARTICLE 2. REGISTRATION, LICENSURE, AND CERTIFICATION AS AN APPRAISER**

**R4-46-201. Appraiser Qualification Criteria**

- A.** Classifications. As specified in A.R.S. § 32-3612, Arizona recognizes five classifications of appraisers. These classifications are:
1. Registered trainee appraiser,
  2. State licensed real estate appraiser,
  3. State certified residential real estate appraiser,
  4. State certified general real estate appraiser, and
  5. Designated supervisory appraiser.
- B.** Qualification criteria. Except as provided elsewhere in this Article, an applicant for an original or renewal of a registration, licensure, certification, or designation shall meet the classification-specific qualification criteria established and updated ~~January 1, 2022~~, January 1, 2026, by the AQB, which is incorporated by reference. A copy of the incorporated materials is on file with the Department and may be obtained from the Department or the Appraisal Foundation. This rule does not incorporate any later date or edition of this material.
- C.** Regardless of whether a transaction is federally related:
1. A state licensed residential appraiser is limited to the scope of practice in A.R.S. § 32-3612(3), and
  2. A state certified residential appraiser is limited to the scope of practice in A.R.S. § 32-3612(2).
- D.** If an applicant for registration, licensure, or certification meets the qualification criteria prescribed in A.R.S. Title 32, Chapter 36 and this Article, including evidence that the applicant has applied for a valid fingerprint clearance card pursuant to A.R.S. § 32-3620(B) and has submitted the application and the biennial National Registry fees specified in Section R4-46-106, the registration, license, or certificate that entitles the applicant to practice within the appropriate scope specified in A.R.S. § 32-3612 for the term specified in A.R.S. § 32-3616 shall be issued.

**Arizona Administrative Register**  
**NOTICES OF RECODIFICATION**

**Volume 32**

**Issue 2**

**January 9, 2026**

**NOTICES OF RECODIFICATION**

In a Notice of Recodification, rules are moved from one *Code* chapter into another chapter. Traditionally this notice has been prepared when the authority of rulemaking has changed from one agency and moved to another agency, or two or more agencies have been combined into one.

An agency shall prepare and submit a Notice of Recodification to be published in the *Register* as specified in the APA, other statute, or session law. The Office may use this notice to recodify a

Chapter in order to maintain the integrity of the codification outline as specified in law. The law generally provides limited amendments to the rules, such as updating citation cross-references.

The notice contains a list of rules being moved by Section number to the new Section number in an existing or new agency’s chapter. This could include moving, appendices, exhibits, illustrations, and tables in a different chapter.

Refer to item #4 to contact the person who can answer questions about the notice.

**NOTICE OF RECODIFICATION**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 9. DEPARTMENT OF HEALTH SERVICES  
HUMAN REMAINS**

[R25-300]

**1. Agency name and division:**

Arizona Department of Health Services, Division of Licensing Services

**2. A list of the Titles, Chapters (if applicable), Articles, Parts (if applicable), and Sections being recodified along with their respective headings:**

**Old Title # and name**

4. Professions and Occupations

**Old Chapter # and name**

12. Board of Funeral Directors and Embalmers

**Old Subchapter # and name**

Not applicable

**Article, Part, or Section # and Heading**

**Article 1. General Provisions**

R4-12-101. Definitions  
R4-12-106. Time-frames for Board Approval  
Table 1. Time-frames (in days)  
R4-12-108. Fees  
R4-12-211. Renewal

**Article 2. Licensing Provisions**

R4-12-202. Application for an Intern, an Embalmer, or a Funeral Director License  
R4-12-210. Application for a Cremationist License  
R4-12-413. Continuing Education Hours Required  
R4-12-414. Waiver of Continuing Education  
R4-12-415. Continuing Education Determinations  
R4-12-416. Documentation of Continuing Education

**New Title # and Name**

9. Health Services

**New Chapter # and Name**

9. Human Remains

**New Subchapter # and Name**

B. Funeral Industry

**New Article, Part, or Section # and Heading**

**Article 1. General Provisions**

R9-9B-101. Definitions  
R9-9B-102. Time-frames for Approval  
Table 1.1. Time-frames (in days)  
R9-9B-103. Fees  
R9-9B-104. Renewal

**Article 2. Funeral Industry Professional Licensing**

R9-9B-201. Reserved  
R9-9B-202. Reserved  
R9-9B-203. Application for an Intern, an Embalmer or a Funeral Director License  
R9-9B-204. Application for a Cremationist License  
R9-9B-205. Continuing Education Hours Required  
R9-9B-206. Waiver of Continuing Education  
R9-9B-207. Continuing Education Determinations  
R9-9B-208. Documentation of Continuing Education

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R4-12-212.	Reinstatement	R9-9B-209.	Reinstatement
<b>Article 3.</b>	<b>Regulatory Provisions</b>	<b>Article 3.</b>	<b>Funeral Establishment Licensing</b>
R4-12-204.	Application for a Funeral Establishment License or Interim Funeral Establishment Permit	R9-9B-301.	Application for a Funeral Establishment License or Interim Funeral Establishment Permit
R4-12-205.	Application for a Prearranged Funeral Sales Endorsement	R9-9B-302.	Application for a Prearranged Funeral Sales Endorsement
		R9-9B-303.	Reserved
R4-12-301.	General funeral services requirements	R9-9B-304.	General Funeral Services Requirements
R4-12-302.	Deceptive practices prohibited	R9-9B-305.	Deceptive Practices Prohibited
R4-12-303.	Misrepresentation of legal or cemetery requirements	R9-9B-306.	Misrepresentation of Legal or Cemetery Requirements
R4-12-541.	Consumer disclosures	R9-9B-307.	Consumer Disclosures
R4-12-561.	Annual report format	R9-9B-308.	Annual Report Format
R4-12-312.	Equipment and sanitation requirements	R9-9B-309.	Equipment and Sanitation Requirements
		R9-9B-310.	Reserved
		R9-9B-311.	Reserved
R4-12-304.	Telephone price disclosures requirement	R9-9B-312.	Telephone Price Disclosures Requirement
R4-12-305.	Price lists requirement	R9-9B-313.	Price Lists Requirement
R4-12-306.	Merchandise price card requirement	R9-9B-314.	Merchandise Price Card Requirement
R4-12-307.	Funeral goods and services memorandum	R9-9B-315.	Funeral Goods and Services Memorandum
R4-12-311.	Minimum embalming requirements	R9-9B-316.	Minimum Embalming Requirements
R4-12-523.	Surety bond requirements	R9-9B-317.	Surety Bond Requirements
R4-12-545.	Deceptive, misleading or professionally negligent practices	R9-9B-318.	Deceptive, Misleading, or Professionally Negligent Practices
R4-12-546.	Description of casket	R9-9B-319.	Description of Casket
R4-12-548.	Possession of trust account passbook	R9-9B-320.	Possession of Trust Account Passbook
R4-12-551.	Certificate of entitlement	R9-9B-321.	Certificate of Entitlement
R4-12-552.	Certificate of performance	R9-9B-322.	Certificate of Performance
R4-12-554.	Statement of accrued taxes	R9-9B-323.	Statement of Accrued Taxes
R4-12-556.	Notice of trust account transfer	R9-9B-324.	Notice of Trust Account Transfer
R4-12-559.	Purchaser cancellation requests	R9-9B-325.	Purchaser Cancellation Requests
R4-12-565.	Records retention requirement	R9-9B-326.	Records Retention Requirement
<b>Article 4.</b>	<b>Continuing Education</b>	<b>Article 4.</b>	<b>Crematory Licensing</b>
R4-12-207.	Application for a Crematory License	R9-9B-401.	Application for a Crematory License
		R9-9B-402.	Reserved
		R9-9B-403.	Reserved
		R9-9B-404.	Reserved
		R9-9B-405.	Reserved
R4-12-612.	Crematory requirements	R9-9B-406.	Crematory Requirements
		R9-9B-407.	Reserved
		R9-9B-408.	Reserved
		R9-9B-409.	Reserved
		R9-9B-410.	Reserved
		R9-9B-411.	Reserved
R4-12-613.	Requirements for a funeral establishment that provides for cremation	R9-9B-412.	Requirements for a Funeral Establishment that Provides for Cremation
R4-12-631.	Records requirements for crematories and funeral establishments that provide for cremation	R9-9B-413.	Records Requirements for Crematories and Funeral Establishments that Provide for Cremation
R4-12-633.	Disposition of records	R9-9B-414.	Disposition of Records

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**3. A conversion table between the two numbering schemes:**

<b><u>Old Numbering Scheme</u></b>	<b><u>New Numbering Scheme</u></b>
<b>Article 1. General Provisions</b>	<b>Article 1. General Provisions</b>
R4-12-101	R9-9B-101
R4-12-106	R9-9B-102
Table 1	Table 1.1
R4-12-108	R9-9B-103
R4-12-211	R9-9B-104
<b>Article 2. Licensing Provisions</b>	<b>Article 2. Funeral Industry Professional Licensing</b>
<b>Article 4. Continuing Education</b>	
R4-12-202	R9-9B-203
R4-12-210	R9-9B-204
R4-12-413	R9-9B-205
R4-12-414	R9-9B-206
R4-12-415	R9-9B-207
R4-12-416	R9-9B-208
R4-12-212	R9-9B-209
<b>Article 3. Regulatory Provisions</b>	<b>Article 3. Funeral Establishment Licensing</b>
<b>Article 5. Prearranged Funeral Agreements</b>	
R4-12-204	R9-9B-301
R4-12-205	R9-9B-302
R4-12-301	R9-9B-304
R4-12-302	R9-9B-305
R4-12-303	R9-9B-306
R4-12-541	R9-9B-307
R4-12-561	R9-9B-308
R4-12-312	R9-9B-309
R4-12-304	R9-9B-312
R4-12-305	R9-9B-313
R4-12-306	R9-9B-314
R4-12-307	R9-9B-315
R4-12-311	R9-9B-316
R4-12-523	R9-9B-317
R4-12-545	R9-9B-318
R4-12-546	R9-9B-319
R4-12-548	R9-9B-320
R4-12-551	R9-9B-321
R4-12-552	R9-9B-322
R4-12-554	R9-9B-323
R4-12-556	R9-9B-324
R4-12-559	R9-9B-325
R4-12-565	R9-9B-326
<b>4 A.A.C. 12, Article 6. Crematory and Cremation Regulation</b>	<b>9 A.A.C. 9B, Article 4. Crematory Licensing</b>
R4-12-207	R9-9B-401
R4-12-612	R9-9B-406
R4-12-613	R9-9B-412
R4-12-631	R9-9B-413
R4-12-633	R9-9B-414

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**4. The name and address of agency personnel with whom a person may communicate regarding the recodification.**

Name: Megan Whitby  
Title: Deputy Assistant Director  
Division: Public Health Licensing Services  
Address: 150 N. 18th Ave., Suite 400  
Phoenix, AZ 85007  
Telephone: (602) 364-3052  
Fax: (602) 364-2079  
Email: Megan.Whitby@azdhs.gov  
or  
Name: Stacie Gravito  
Title: Office Chief  
Division: Office of Administrative Counsel and Rules  
Address: 150 N. 18th Ave., Suite 540  
Phoenix, AZ 85007  
Telephone: (602) 542-1020  
Fax: (602) 364-1150  
Email: ACR@azdhs.gov

**5. Authority to recodify these rules:**

Laws 2023, Ch. 95 and Laws 2023, Ch. 194

**6. Effective Date:**

January 1, 2026

**7. The text of the recodification begins on the next page.**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 9. DEPARTMENT OF HEALTH SERVICES  
HUMAN REMAINS**

**SUBCHAPTER B. RESERVED FUNERAL INDUSTRY**

**ARTICLE 1. GENERAL PROVISIONS**

Section

~~R4-12-101.~~~~R9-9B-101.~~Definitions  
~~R4-12-106.~~~~R9-9B-102.~~Time-frames for Board Approval  
Table ~~4.1.1.~~ Time-frames (in days)  
~~R4-12-108.~~~~R9-9B-103.~~Fees  
~~R4-12-211.~~~~R9-9B-104.~~Renewal

**ARTICLE 2. LICENSING PROVISIONS FUNERAL INDUSTRY PROFESSIONAL LICENSING**

Section

~~R9-9B-201.~~ Reserved  
~~R9-9B-202.~~ Reserved  
~~R4-12-202.~~~~R9-9B-203.~~Application for an Intern, an Embalmer, or a Funeral Director License  
~~R4-12-210.~~~~R9-9B-204.~~Application for a Cremationist License  
~~R4-12-413.~~~~R9-9B-205.~~Continuing Education Hours Required  
~~R4-12-414.~~~~R9-9B-206.~~Waiver of Continuing Education  
~~R4-12-415.~~~~R9-9B-207.~~Continuing Education Determinations  
~~R4-12-416.~~~~R9-9B-208.~~Documentation of Continuing Education  
~~R4-12-212.~~~~R9-9B-209.~~Reinstatement

**ARTICLE 3. REGULATORY PROVISIONS FUNERAL ESTABLISHMENT LICENSING**

Section

~~R4-12-204.~~~~R9-9B-301.~~Application for a Funeral Establishment License or Interim Funeral Establishment Permit  
~~R4-12-205.~~~~R9-9B-302.~~Application for a Prearranged Funeral Sales Endorsement  
~~R9-9B-303.~~ Reserved  
~~R4-12-301.~~~~R9-9B-304.~~General funeral services requirements Funeral Services Requirements  
~~R4-12-302.~~~~R9-9B-305.~~Deceptive practices prohibited Practices Prohibited  
~~R4-12-303.~~~~R9-9B-306.~~Misrepresentation of legal or cemetery requirements Legal or Cemetery Requirements  
~~R4-12-541.~~~~R9-9B-307.~~Consumer disclosures Disclosures  
~~R4-12-561.~~~~R9-9B-308.~~Annual report format Report Format

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~~R4-12-312-R9-9B-309~~, Equipment and sanitation requirements Sanitation Requirements  
~~R9-9B-310~~. Reserved  
~~R9-9B-311~~. Reserved  
~~R4-12-304-R9-9B-312~~, Telephone price disclosures requirement Price Disclosures Requirement  
~~R4-12-305-R9-9B-313~~, Price lists requirement Lists Requirement  
~~R4-12-306-R9-9B-314~~, Merchandise price card requirement Price Card Requirement  
~~R4-12-307-R9-9B-315~~, Funeral goods and services memorandum Goods and Services Memorandum  
~~R4-12-311-R9-9B-316~~, Minimum embalming requirements Embalming Requirements  
~~R4-12-523-R9-9B-317~~, Surety bond requirements Bond Requirements  
~~R4-12-545-R9-9B-318~~, Deceptive, misleading or professionally negligent practices Misleading, or Professionally Negligent Practices  
~~R4-12-546-R9-9B-319~~, Description of ~~easket~~ Casket  
~~R4-12-548-R9-9B-320~~, Possession of ~~trust account passbook~~ Trust Account Passbook  
~~R4-12-551-R9-9B-321~~, Certificate of ~~entitlement~~ Entitlement  
~~R4-12-552-R9-9B-322~~, Certificate of ~~performance~~ Performance  
~~R4-12-554-R9-9B-323~~, Statement of ~~accrued taxes~~ Accrued Taxes  
~~R4-12-556-R9-9B-324~~, Notice of ~~trust account transfer~~ Trust Account Transfer  
~~R4-12-559-R9-9B-325~~, Purchaser ~~cancellation requests~~ Cancellation Requests  
~~R4-12-565-R9-9B-326~~, Records ~~retention requirement~~ Retention Requirement

**ARTICLE 4. CREMATORY AND CREMATION REGULATION LICENSING**

Section

~~R4-12-207-R9-9B-401~~, Application for a Crematory License  
~~R9-9B-402~~. Reserved  
~~R9-9B-403~~. Reserved  
~~R9-9B-404~~. Reserved  
~~R9-9B-405~~. Reserved  
~~R4-12-612-R9-9B-406~~, Crematory requirements Requirements  
~~R9-9B-407~~. Reserved  
~~R9-9B-408~~. Reserved  
~~R9-9B-409~~. Reserved  
~~R9-9B-410~~. Reserved  
~~R9-9B-411~~. Reserved  
~~R4-12-613-R9-9B-412~~, Requirements for a ~~funeral establishment that provides for cremation~~ Funeral Establishment that Provides for Cremation  
~~R4-12-614-R9-9B-413~~, Records ~~requirements for crematories and funeral establishments that provide for cremation~~ Requirements for Crematories and Funeral Establishments that Provide for Cremation  
~~R4-12-615-R9-9B-414~~, Disposition of ~~records~~ Records

**ARTICLE 1. GENERAL PROVISIONS**

~~R4-12-101-R9-9B-101~~, **Definitions**

In addition to the definitions in A.R.S. § 32-1301, the following definitions apply in this Chapter-Subchapter:

1. "Applicant" means:
  - a. An individual requesting to take a state equivalent examination;
  - b. An individual requesting a reinstatement or an initial or renewal license or registration issued by the Board Department; or
  - c. One of the following if requesting an interim permit or an initial or renewal funeral establishment license, crematory license, or prearranged funeral sales establishment endorsement:
    - i. The individual, if a sole proprietorship;
    - ii. Any two of the corporation's officers, if a corporation;
    - iii. The managing partner, if a partnership or limited liability partnership; or
    - iv. The designated manger, or if no manger is designated, any two members of the limited liability company, if a limited liability company.
2. "Application packet" means the documents, forms, and additional information required by the Board Department for an initial or renewal application for a license, registration, endorsement, or reinstatement.
3. ~~"Board" means the same as in A.R.S. § 32-1301.~~
4. ~~3.~~ "Burial" means a disposition of human remains, other than direct cremation.
5. ~~4.~~ "Cash advance item" means any service or merchandise such as pallbearers, transportation, clergy, flowers, motorcycle escorts, hair dressers, barbers, nurses, obituary notices, or death certificates, which is paid for by a funeral establishment on behalf of a purchaser and charged to the purchaser at the same amount as originally purchased.
6. ~~5.~~ "Continuing education" means a workshop, seminar, lecture, conference, class, or instruction related to funeral practices.
7. ~~6.~~ "Credit hour" means 60 minutes of participation in continuing education.
8. ~~7.~~ "Day" means calendar day.
9. ~~8.~~ "Direct cremation" means cremation of human remains without a formal viewing, ceremony, or visitation of the human remains except for identification purposes.
10. ~~9.~~ "Disposition-transit permit" means the document that meets the requirements in A.R.S. § 36-326 and A.A.C. ~~R4-19-302~~ R9-19-302.

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- ~~41-10.~~“Endorsement” means a written authorization issued by the Board Department to a funeral establishment to offer or sell prearranged funeral agreements under ~~4 A.A.C. 12, Article 5~~ Article 4 of this Subchapter.
- ~~42-11.~~“Fraud,” “misleading,” or “false” means the actions described in A.R.S. § 44-1522.
- ~~43-12.~~“Funeral establishment that provides for cremation” means a funeral establishment defined in A.R.S. § 32-1301(25) that owns a crematory on or off the funeral establishments establishment’s premises or contracts with a crematory for cremation.
- ~~44-13.~~“Immediate burial” means a disposition of human remains, other than direct cremation, without a formal viewing, ceremony, or visitation except for identification purposes.
- ~~45-14.~~“Harmful” means to cause damage or impairment to an individual’s body.
- ~~46-15.~~“Manager” means an individual who manages according to A.R.S. § 32-1301.
- ~~47-16.~~“Party” has the meaning in A.R.S. § 41-1001.
- ~~48-17.~~“Permanent” means everlasting and existing perpetually.
- ~~49-18.~~“Previous owner” means a person who owned 10 percent or more of a funeral establishment before the current owner.
- ~~20-19.~~“Refrigerated” means the act of maintaining human remains at or below a temperature of 38 degrees Fahrenheit.
- ~~24-20.~~“Registrant” means an individual authorized by the Board Department to act as an embalmer’s assistant or a prearranged funeral salesperson.
- ~~22-21.~~“Unfinished wood box” means an unornamented receptacle or casket for human remains.
- ~~23-22.~~“Week” means seven consecutive days.

**~~R4-12-106-R9-9B-102.~~ Time-frames for Board Approval**

- A. The overall time-frame described in A.R.S. § 41-1072(2) for each type of approval granted by the Board Department is listed in Table ~~4 1.1~~. The applicant and the Executive Director of the Board Department may agree in writing to extend the overall time-frame. The substantive review time-frame may not be extended by more than 25 percent of the overall time-frame.
- B. The administrative completeness review time-frame described in A.R.S. § 41-1072(1) for each type of approval granted by the Board Department is listed in Table ~~4 1.1~~.
1. The administrative completeness review time-frame begins:
    - a. For approval to take a state equivalent examination, when the Board Department receives an application packet required in A.A.C. R4-12-201;
    - b. For approval or denial of a license, when the Board Department receives an application packet; or
    - c. For approval or denial of an endorsement, a registration, or a permit, when the Board Department receives an application packet.
  2. If the application packet is incomplete, the Board Department shall send to the applicant a written notice specifying the missing document or incomplete information. The administrative completeness review time-frame and the overall time-frame are suspended from the postmark date of the notice until the date the Board Department receives a complete application packet from the applicant.
  3. If the application packet is complete, the Board Department shall send a written notice of administrative completeness to the applicant.
  4. If the Board Department grants a license, registration, endorsement, or approval during the time provided to assess administrative completeness, the Board Department shall not issue a separate written notice of administrative completeness.
- C. The substantive review time-frame described in A.R.S. § 41-1072(3) is listed in Table ~~4 1.1~~ and begins on the postmark date of the notice of administrative completeness.
1. As part of the substantive review for a funeral establishment license, the Board Department shall conduct an inspection of the funeral establishment that may require more than one visit.
  2. During the substantive review time-frame, the Board Department may make one comprehensive written request for additional information or documentation. The time-frame for the Board Department to complete the substantive review is suspended from the postmark date of the comprehensive written request for additional information or documentation until the Board Department receives the additional information or documentation.
  3. The Board Department shall send a written notice of approval to an applicant who meets the qualifications in A.R.S. Title 32, Chapter ~~43 12~~ and this Chapter Subchapter.
  4. The Board Department shall send a written notice of denial to an applicant who fails to meet the qualifications in A.R.S. Title 32, Chapter ~~43 12~~ and this Chapter Subchapter.
- D. The Board Department shall consider an application withdrawn if within 360 days from the application submission date the applicant fails to:
1. Supply the missing information under subsection (B)(2) or (C)(2); or
  2. Pass a national board, state equivalent, or state laws and rules examination, as applicable.
- E. An applicant who does not wish an application withdrawn may request a denial in writing within 360 days from the application submission date.
- F. If a time-frame’s last day falls on a Saturday, Sunday, or official state holiday, the Board Department shall consider the next business day as the time-frame’s last day.

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**Table 4-1.1. Time-frames (in days)**

Type of Approval	Statutory Authority	Overall Time-frame	Administrative Completeness Time-frame	Substantive Review Time-frame
Approval to take a state equivalent examination <u>A.A.C. R4-12-201</u>	A.R.S. §§ 32-1309, 32-1327, 32-1329	50	20	30
Approval to take an Embalmer Assistant Practical Examination <u>A.A.C. R4-12-201</u>	A.R.S. §§ <del>32-1309, 32-1325.01</del>	50	20	30
Intern, embalmer, or funeral director license <del>R4-12-202</del> <u>R9-9B-203</u>	A.R.S. §§ 32-1309, 32-1322, 32-1323	110	20	90
Embalmer or funeral director license by an applicant who holds an out-of-state-license <del>R4-12-202(E)</del> <u>R9-9B-203</u>	A.R.S. §§ 32-1309, 32-1335	110	20	90
Multiple funeral director license <del>R4-12-202(F)</del> <u>R9-9B-203</u>	A.R.S. §§ 32-1309, <del>32-1335</del> <u>32-1324</u>	110	20	90
Embalmer's assistant registration <del>R4-12-203</del> <u>R9-9B-104</u>	A.R.S. §§ <del>32-1309, 32-1325.01</del>	110	20	90
Funeral establishment license <del>R4-12-204</del> <u>R9-9B-301</u>	A.R.S. §§ 32-1309, 32-1383	110	20	90
Prearranged funeral sales establishment endorsement <del>R4-12-205</del> <u>R9-9B-302</u>	A.R.S. §§ 32-1309, 32-1391.12	60	20	40
Prearranged funeral salesperson registration <del>R4-12-207</del> <u>A.A.C. R4-12-206</u>	A.R.S. §§ <del>32-1309, 32-1391.14</del>	110	20	90
Crematory license <del>R4-12-207</del> <u>R9-9B-401</u>	A.R.S. §§ 32-1309, 32-1395	110	20	90
Cremationist license <del>R4-12-210</del> <u>R9-9B-204</u>	A.R.S. §§ <del>32-1309, 32-1394.01</del>	110	20	90
License, registration, or endorsement renewal <del>R4-12-211</del> <u>R9-9B-104</u>	A.R.S. §§ <del>32-1331, 32-1338, 32-1386, 32-1391.12, 32-1391.14, 32-1394.02, 32-1396</del>	60	30	30

**~~R4-12-108, R9-9B-103, Fees~~**

- A. The ~~Board~~ Department shall charge the following nonrefundable fees for filing an annual trust report under A.R.S. § 32-1391.16:
1. For each funeral establishment that has a prearranged funeral trust account and files an annual trust report in the time and manner required in A.R.S. § 32-1391.16, \$150.00.
  2. For each funeral establishment that has a prearranged funeral trust account and files an annual trust report late or incomplete, \$200.00.
- B. The ~~Board~~ Department shall charge the following fees for the duplication or copying of public records under A.R.S. § 39-121.03:
1. Noncommercial and commercial copy, 25¢ per page;
  2. Copying requiring more than 15 minutes, \$5.00 for each 15-minutes in excess of 15 minutes;
  3. Directories for noncommercial use, 5¢ per name and address;
  4. Directories for noncommercial use printed on labels, 10¢ per name and address;
  5. Directories for commercial use, 25¢ per name and address;
  6. Directories for commercial use printed on labels, 30¢ per name and address;
  7. A directory in subsection (B)(3), (4), (5), or (6) issued on a diskette, \$5.00 and the applicable name and address fee;
- C. For the consumer information pamphlet, entitled Arizona Funerals Information, the ~~Board~~ Department shall charge a funeral establishment the ~~Board's~~ Department's actual cost of publishing, distributing, and mailing the pamphlet.
- D. The ~~Board~~ Department may waive any of the fees in subsection (B) for charitable organizations or governmental entities.

**~~R4-12-211, R9-9B-104, Renewal~~**

- A. An applicant for a renewal of a license, registration, or endorsement shall file a renewal application so the ~~Board~~ Department receives it on or before the following dates:
1. July 1 for an intern, embalmer, funeral director, funeral establishment, cremationist, or crematory license;

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2. July 1 for an embalmer's assistant registration; or
  3. July 31 for a prearranged funeral sales establishment endorsement or prearranged funeral salesperson registration.
- B.** An applicant for a renewal license, registration, or endorsement shall submit to the Board Department:
1. A renewal form, provided by the Board Department, that is signed and dated by the applicant and contains the applicant's:
    - a. Name,
    - b. Social security number,
    - c. Residence and practice addresses, and
    - d. Telephone number; and
  2. The fee required by the Board Department under A.R.S. § 32-1309.
- C.** In addition to the requirements in subsection (B), an applicant renewing an intern, embalmer, or funeral director license or an embalmer's assistant registration shall submit to the Board Department a list of continuing education completed by the licensee or registrant or a continuing education waiver statement that meets the requirements in ~~Article 4 of this Chapter~~ R9-9B-205 through R9-9B-208.

**ARTICLE 2. LICENSING PROVISIONS FUNERAL INDUSTRY PROFESSIONAL LICENSING**

**R9-9B-201. Reserved**

**R9-9B-202. Reserved**

**~~R4-12-202-R9-9B-203.~~ Application for an Intern, an Embalmer, or a Funeral Director License**

- A.** An applicant for an intern, an embalmer, or a funeral director license shall submit an application packet to the Board Department that contains the information required in A.R.S. § 32-1323, and the following:
1. An application form provided by the Board Department, signed and dated by the applicant, and notarized that contains:
    - a. The applicant's name, mailing address, telephone number, and social security number;
    - b. The applicant's date and place of birth;
    - c. Any prior name or alias of the applicant;
    - d. The name and address of the high school from which the applicant graduated and the graduation date or date applicant received a general equivalency diploma;
    - e. The name and address of the mortuary school from which the applicant graduated and graduation date;
    - f. The name, address, and telephone number of the funeral establishment employing the applicant;
    - g. Whether the applicant has ever been convicted of or entered into a plea of no contest to a class 1 or 2 felony, including the information in subsection (A)(1)(h)(i) through (A)(1)(h)(vi);
    - h. Whether the applicant, within five years from the date of the application, has been convicted of or entered into a plea of no contest to a felony or to a misdemeanor that is reasonably related to the applicant's proposed area of licensure including the:
      - i. Charged felony or misdemeanor;
      - ii. Date of conviction;
      - iii. Court having jurisdiction over the felony or misdemeanor;
      - iv. Probation officer's name, address, and telephone number, if applicable;
      - v. A copy of the notice of expungement, if applicable; and
      - vi. A copy of the notice of restoration of civil rights, if applicable;
    - i. Whether the applicant, within five years from the date of the application, has committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence reasonably related to the applicant's proposed area of licensure;
    - j. Whether the applicant is currently incarcerated or on community supervision after a period of imprisonment in a local, state, or federal penal institution or on criminal probation;
    - k. Whether the applicant, within five years from the date of the application, has had an application for a license, registration, certificate, or endorsement denied or rejected by any state funeral licensing authority including the:
      - i. Reason for the denial or rejection,
      - ii. Date of the denial or rejection, and
      - iii. Name and address of the agency that denied or rejected the application;
    - l. Whether the applicant has, within five years from the date of the application, had a license, registration, certificate, or endorsement suspended or revoked by any state funeral licensing authority including the:
      - i. Reason for the suspension or revocation,
      - ii. Date of the suspension or revocation, and
      - iii. Name and address of the state licensing authority that suspended or revoked the license;
    - m. Whether the applicant has ever surrendered a license, registration, certificate, or endorsement to the Board Department or any state funeral licensing authority;
    - n. The dates the applicant served as an apprentice embalmer or intern, location of apprenticeship or internship, and the number of human bodies embalmed, if applicable;
    - o. A statement of whether the applicant has passed a national board examination or state equivalent examination, if applicable; and
    - p. A notarized statement by the applicant verifying the information on the application is true and correct;
  2. A copy of the applicant's high school or general equivalency diploma;
  3. A copy of the transcript from each mortuary college attended by the applicant and, if applicable, each diploma issued to the applicant; and
  4. The fee required by the Board Department.

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- B.** In addition to the requirements in subsection (A), an applicant for an intern license shall submit on the application form the name and license number of the embalmer who will supervise the applicant.
- C.** In addition to the requirements in subsection (A), an applicant for an embalmer license shall submit to the Board Department:
1. On the application form:
    - a. Whether the applicant has embalmed 25 or more human bodies;
    - b. Apprenticeship or internship information including:
      - i. Beginning and ending dates,
      - ii. The state in which the apprenticeship or internship was served,
      - iii. The applicant's state registration number and date of issuance, and
      - iv. The number of human bodies embalmed by the applicant during the apprenticeship or internship;
    - c. The following information:
      - i. The name of each state in which the applicant has been licensed or registered as an embalmer or funeral director,
      - ii. The date of issuance of each funeral director or embalmer license or registration, and
      - iii. The license or registration number in each state in which the applicant is or has been licensed or registered as an embalmer or funeral director;
    - d. The name of each mortuary at which the applicant practiced as an embalmer or funeral director for five years immediately before the application date, beginning and ending dates of the practice, and a description of the practice, if applicable; and
    - e. A notarized statement from a funeral director licensed or registered in any state that contains the funeral director's:
      - i. State in which licensed;
      - ii. License number and issuance date;
      - iii. Statement of length of time that the funeral director has known the applicant;
      - iv. Statement attesting to the applicant's good character, reputation, and professional ability; and
      - v. Recommendation for the Board's Department's approval of the applicant; and
  2. A report of apprenticeship or internship containing:
    - a. The applicant's name,
    - b. The name of the funeral establishment in which the apprenticeship or internship was served,
    - c. The name of the embalmer supervising the applicant,
    - d. The beginning and ending dates covered in the report,
    - e. The number of hours worked each month during the apprenticeship or internship,
    - f. The number of human bodies embalmed each month during the apprenticeship or internship, and
    - g. For each human body embalmed:
      - i. The name of the deceased,
      - ii. The date of death,
      - iii. A statement of whether an autopsy was performed, and
      - iv. The supervising embalmer's signature and license number.
- D.** In addition to the requirements in subsection (A), an applicant for a funeral director license shall submit to the Board Department a report containing:
1. The applicant's name;
  2. The name of the funeral establishment in which one year of funeral directing experience was obtained;
  3. The name of the responsible funeral director;
  4. The beginning and ending dates covered in the report; and
  5. For each burial, immediate burial, or direct cremation conducted by the applicant:
    - a. The name of the deceased;
    - b. The date of the burial, immediate burial, or direct cremation;
    - c. A statement of whether the applicant conducted a burial, immediate burial, or direct cremation; and
    - d. The supervising funeral director's signature and license number.
- E.** In addition to the requirements in subsection (A), an applicant for an embalmer or funeral director license who holds an out-of-state embalmer or funeral director license shall:
1. Submit on the application form, the name of each state in which the applicant is licensed or registered as an embalmer or funeral director; and
  2. Arrange for the out-of-state licensing authority to complete the following on the application form to be submitted with the application packet:
    - a. Certification of current licensure of the applicant;
    - b. Type of license, license number, and date license was issued;
    - c. A statement of whether the applicant qualified by examination or by being licensed by another state;
    - d. A statement of whether the licensing authority has ever suspended, revoked, or taken any other action against the applicant's license; and
    - e. Notarized signature and title of agency official.
- F.** An applicant for a multiple funeral director license shall submit an application form that is signed and dated by the applicant, and notarized that includes the information in subsections (A)(1)(a) through (A)(1)(c) and:
1. The name and address of the funeral establishment for which the applicant:
    - a. Currently acts as the responsible funeral director, and
    - b. Is applying to act as the responsible funeral director;
  2. The distance, stated in miles, between the current funeral establishment and the funeral establishment for which application is being made;

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3. For the funeral establishment for which application is being made and for 12 months immediately preceding the application, the number of:
  - a. Funerals and cremations conducted at the funeral establishment, and
  - b. Transportations of human remains arranged through the funeral establishment;
4. The fee required by the Board Department; and
5. Other information required by the Board Department.

**~~R4-12-210~~R9-9B-204 Application for a Cremationist License**

An applicant for a cremationist license shall submit an application packet to the Board Department that contains all of the following:

1. An application form provided by the Board Department, signed and dated by the applicant that contains:
  - a. The applicant's name, mailing address, telephone number, and social security number;
  - b. The applicant's date and place of birth;
  - c. Any prior name or alias of the applicant;
  - d. The name, address, and telephone number of the crematory or funeral establishment employing the applicant, if applicable;
  - e. Whether the applicant has ever been convicted of or entered into a plea of no contest to a class 1 or 2 felony, including the information in subsections (1)(f)(i) through (1)(f)(vi) for each felony;
  - f. Whether the applicant, within the five years before the date of the application, has been convicted of or entered into a plea of no contest to a felony or to a misdemeanor that is reasonably related to the applicant's proposed area of licensure and the:
    - i. Charged felony or misdemeanor;
    - ii. Date of conviction;
    - iii. Court that has jurisdiction over the felony or misdemeanor;
    - iv. Probation officer's name, address, and telephone number, if applicable;
    - v. A copy of the notice of expungement, if applicable; and
    - vi. A copy of the notice of restoration of civil rights, if applicable;
  - g. Whether the applicant, within five years from the date of the application, has committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence reasonably related to the applicant's proposed area of licensure;
  - h. Whether the applicant is currently incarcerated, on community supervision after a period of incarceration in a local, state, or federal penal institution, or on criminal probation;
  - i. Whether the applicant, within five years from the date of the application, has had an application for a license, registration, certificate, or endorsement denied or rejected by any state funeral licensing authority and the:
    - i. Reason for the denial or rejection,
    - ii. Date of the denial or rejection, and
    - iii. Name and address of the agency that denied or rejected the application;
  - j. Whether the applicant has, within five years from the date of the application, had a license, registration, certificate, or endorsement suspended or revoked by any state funeral licensing authority and the:
    - i. Reason for the suspension or revocation,
    - ii. Date of the suspension or revocation, and
    - iii. Name and address of the state licensing authority that suspended or revoked the license;
  - k. Whether the applicant has ever surrendered a license, registration, certificate, or endorsement to the Board Department or any other state funeral licensing authority; and
  - l. A notarized statement by the applicant verifying that the information on the application is true and correct.
2. A copy of a certificate of completion of a crematory certification program issued by:
  - a. The manufacturer of a retort, or
  - b. An accredited organization that provides instruction for crematory operation;
3. A completed and legible fingerprint card; and
4. The fee required by the Board Department under A.R.S. § 32-1309.

**~~R4-12-413~~R9-9B-205 Continuing Education Hours Required**

- A. Unless a funeral director or embalmer obtains a waiver under ~~R4-12-414~~ R9-9B-206, the funeral director or embalmer shall complete 12 credit hours or more of continuing education every calendar year as follows:
  1. At least three credit hours in mortuary sciences;
  2. At least three credit hours in ethical considerations in business practices and state and federal laws; and
  3. At least six other credit hours intended to enhance professional development or competence.
- B. Unless an embalmer's assistant obtains a waiver under ~~R4-12-414~~ R9-9B-206, the embalmer's assistant shall complete six credit hours or more of continuing education every calendar year as follows:
  1. At least three credit hours in mortuary sciences, and
  2. At least three credit hours covering compliance with state and federal laws.
- C. A licensee who has been licensed for less than 12 months during a calendar year shall complete one credit hour of continuing education for each month of licensure.
- D. A registrant who has been registered for less than 12 months during a calendar year shall complete one credit hour of continuing education for every two months of registration.

**~~R4-12-414~~R9-9B-206 Waiver of Continuing Education**

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- A. The ~~Board~~ Department shall waive the continuing education requirements in ~~R4-12-413~~ R9-9B-205 for a funeral director or an embalmer whose license or registration has been placed on inactive status or who was serving in the United States Armed Forces in time of war.
- B. The ~~Board~~ Department may waive the continuing education requirements in ~~R4-12-413~~ R9-9B-205 upon request and for good cause, which includes:
  - 1. For an embalmer's assistant, that the embalmer's assistant:
    - a. Was serving in the United States Armed Forces in time of war, or
    - b. Has not practiced as an embalmer's assistant during the year in which continuing education is required;
  - 2. That the funeral director, embalmer, or embalmer's assistant was prevented from completing continuing education due to extreme hardship, a disability, or a mental or physical illness; or
  - 3. That the funeral director, embalmer, or embalmer's assistant was prevented from completing continuing education because of absence from the United States.
- C. A funeral director, embalmer, or embalmer's assistant who is unable to complete the continuing education required in ~~R4-12-413~~ R9-9B-205 may submit, before a renewal application is due or with a renewal application, a written request to the ~~Board~~ Department for a waiver from the continuing education required in ~~R4-12-413~~ R9-9B-205 that contains:
  - 1. The name, address, and telephone number of the licensee or registrant,
  - 2. An explanation of why the licensee was unable to meet the ~~Board's~~ Department's continuing education requirements that includes one of the reasons in subsection (A) or (B);
  - 3. Any documents that support the explanation; and
  - 4. The signature of the licensee or registrant.
- D. The ~~Board~~ Department shall send written notice of approval or denial of the request for waiver within seven days of receipt of the request.

**~~R4-12-415-R9-9B-207~~, Continuing Education Determinations**

- A. To obtain a ~~Board~~ determination that continuing education satisfies the requirements of A.R.S. § 32-1338 and ~~R4-12-413~~ R9-9B-205, a licensee or registrant shall submit a written request to the ~~Board~~ Department before submission of a renewal application.
- B. A request under subsection (A) shall contain:
  - 1. A brief summary of the continuing education;
  - 2. The date and place where the continuing education was provided;
  - 3. The number of credit hours of the continuing education;
  - 4. The name of the individual providing the continuing education, if available; and
  - 5. The name of the organization providing the continuing education, if applicable.
- C. In making the continuing education determination, the ~~Board~~ Department shall consider whether the continuing education:
  - 1. Is designed to provide current developments, skills, and procedures related to funeral practices;
  - 2. Is developed and provided by an individual with knowledge and experience in the subject area; and
  - 3. Contributes directly to the professional competence of the licensee or registrant.

**~~R4-12-416-R9-9B-208~~, Documentation of Continuing Education**

A licensee or registrant shall submit a written document of completed continuing education with a renewal application that includes:

- 1. The name of the licensee or registrant;
- 2. The title of each continuing education;
- 3. A brief summary of the content of each continuing education;
- 4. The date of completion of each continuing education;
- 5. The number of credit hours of each continuing education; and
- 6. A statement, signed and dated by the licensee or registrant, verifying that the information in the document is true and correct.

**~~R4-12-212-R9-9B-209~~, Reinstatement**

- A. An applicant requesting reinstatement under A.R.S. §§ ~~§ 32-1331, 32-1391.12(C), or 32-1391.14(C)~~ 32-1334 shall submit to the ~~Board~~ Department:
  - 1. An application form that contains the applicant's:
    - a. Name,
    - b. Social security number,
    - c. Residence and practice addresses,
    - d. Telephone number, and
    - e. Signature, and
  - 2. The renewal and reinstatement fees required by the ~~Board~~ Department under A.R.S. § 32-1309.
- B. In addition to the requirements in subsection (A), an applicant requesting reinstatement of a prearranged funeral sales endorsement shall submit to the ~~Board~~ Department the information required in A.R.S. § 32-1391.12(C).
- C. The ~~Board~~ Department shall send written notice of approval or denial of reinstatement within seven days of receiving the fees and application for reinstatement.

**ARTICLE 3. REGULATORY PROVISIONS FUNERAL ESTABLISHMENT LICENSING**

**~~R4-12-204-R9-9B-301~~, Application for a Funeral Establishment License or Interim Funeral Establishment Permit**

- A. An applicant for a funeral establishment license shall submit an application packet to the ~~Board~~ Department that contains the fee required by the ~~Board~~ Department, information required in A.R.S. § 32-1383, and an application form that contains:
  - 1. The funeral establishment's current and previous name, if any;

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2. The address of the physical location and telephone number of the funeral establishment;
  3. The responsible funeral director's name and license number;
  4. The name of the funeral establishment's current and previous owner;
  5. Whether the funeral establishment is a proprietorship, a corporation, a partnership, a limited liability company, or a subsidiary of a corporation, a partnership, or a limited liability company;
  6. If the previous owner was a corporation, the name of the corporation;
  7. The name and address of each person owning 10 percent or more of the establishment or corporation common stock;
  8. If a corporation, partnership, or limited liability company:
    - a. The state and date of incorporation or formation;
    - b. The name and address of the Arizona statutory agent or agent appointed to receive process; and
    - c. The name, address, and title of each officer, director, general partner, or member;
  9. Whether the applicant has ever been convicted of or entered into a plea of no contest to a class 1 or 2 felony, including the information in subsections (A)(10)(a) through (A)(10)(f);
  10. Whether the applicant, within five years from the date of the application, has been convicted of or entered into a plea of no contest to a felony or to a misdemeanor that is reasonably related to the applicant's proposed area of licensure including the:
    - a. Charged felony or misdemeanor;
    - b. Date of conviction;
    - c. Court having jurisdiction over the felony or misdemeanor;
    - d. Probation officer's name, address, and telephone number, if applicable;
    - e. A copy of the notice of expungement, if applicable; and
    - f. A copy of the notice of restoration of civil rights, if applicable;
  11. Whether the applicant, within five years from the date of the application, has committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence reasonably related to the applicant's proposed area of licensure;
  12. Whether the applicant is currently incarcerated or on community supervision after a period of imprisonment in a local, state, or federal penal institution or on criminal probation;
  13. Whether the applicant, within five years from the date of the application, has had an application for a license, registration, certificate, or endorsement denied or rejected by any state funeral licensing authority including the:
    - a. Reason for the denial or rejection,
    - b. Date of the denial or rejection, and
    - c. Name and address of the agency that denied or rejected the application;
  14. Whether the applicant has, within five years from the date of the application, had a license, registration, certificate, or endorsement suspended or revoked by any state funeral licensing authority including the:
    - a. Reason for the suspension or revocation,
    - b. Date of the suspension or revocation, and
    - c. Name and address of the state licensing authority that suspended or revoked the license;
  15. Whether the applicant has ever surrendered a license, registration, certificate, or endorsement to the Board Department or any state funeral licensing authority;
  16. A statement, signed by the responsible funeral director and notarized, affirming licensure in Arizona and confirming responsibility for the funeral establishment's compliance with Arizona state laws and rules; and
  17. The applicant's signature.
- B.** An applicant for an interim funeral establishment permit shall submit an application packet to the Board Department that contains the information required in A.R.S. § 32-1388 and an application form that contains:
1. The funeral establishment's current and previous name, if any;
  2. The address of the physical location and telephone number of the funeral establishment;
  3. The name of the funeral establishment's current and previous owner;
  4. The responsible funeral director's name and license number;
  5. Whether the funeral establishment is a proprietorship, a corporation, a partnership, a limited liability company, or a subsidiary of a corporation, a partnership, or a limited liability company;
  6. If the previous owner was a corporation, the name of the corporation;
  7. The name and address of each person owning 10 percent or more of the establishment or corporation common stock;
  8. If a corporation, partnership, or limited liability company:
    - a. The state and date of incorporation or formation;
    - b. The name and address of the Arizona statutory agent or agent appointed to receive process; and
    - c. The name, address, and title of each officer, director, general partner, or member;
  9. The name of the previous licensed owner;
  10. A statement, signed by the responsible funeral director and notarized, affirming licensure in Arizona and confirming responsibility for the funeral establishment's compliance with Arizona state laws and rules; and
  11. The applicant's signature.

**~~R4-12-205, R9-9B-302, Application for a Prearranged Funeral Sales Endorsement~~**

An owner and the owner's responsible funeral director applying for a prearranged funeral sales endorsement for a funeral establishment shall submit an application packet to the Board Department that contains the fee required by the Board Department, information required in A.R.S. § 32-1391.12, and an application form that contains:

1. The funeral establishment's name, mailing address, and telephone number;

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2. The funeral establishment’s designated funeral director’s, manager’s, corporate officers’, owner’s, trustee’s, or any controlling person’s:
  - a. Current name and any prior name or alias;
  - b. Current address, telephone number, and social security number;
  - c. Date and place of birth; and
  - d. Former addresses, including dates of residence, for seven years immediately preceding the date of the application;
3. The total amount of trust funds, including accrued interest, for 12 months immediately preceding the application date;
4. The total number of currently existing prearranged funeral agreements entered into before January 1, 1985;
5. The total number of prearranged funeral agreements sold by the funeral establishment for the calendar year immediately preceding the date of the application;
6. Whether the designated funeral director, a manager, a corporate officer, a trustee, or an owner, within seven years preceding the date of application, in any state or federal jurisdiction, has:
  - a. Been convicted of or entered into a plea of no contest to a felony or to a misdemeanor involving dishonesty, fraud, deception, misrepresentation, embezzlement, or breach of fiduciary duty; or
  - b. Been issued a judgment or consent order for consumer fraud, securities violation, or civil racketeering;
7. The name, address, alias, and telephone number of each individual named in subsection (6) and the following:
  - a. The charged felony or misdemeanor;
  - b. Date of conviction or judgment;
  - c. Court having jurisdiction over the felony or misdemeanor;
  - d. Probation officer’s name, address, and telephone number, if applicable; and
  - e. A copy of the notice of expungement, if applicable; and
  - f. A copy of the notice of restoration of civil rights, if applicable; and
8. A notarized statement signed by the owner and designated funeral director verifying the information on the application is true and correct.

**R9-9B-303. Reserved**

**R4-12-301-R9-9B-304. General funeral services requirements Funeral Services Requirements**

- A. Any funeral director, embalmer, funeral establishment or other person licensed by the ~~Board~~ Department shall comply with the following general funeral service requirements:
1. Licensees shall deal with funeral services consumers in an honest and truthful manner, and shall be responsive and sensitive to particular requirements or needs concerning funeral arrangements. Licensees shall not engage in any conduct ~~which that~~ causes or results in disrespect for the deceased person, disruption of the funeral services or any injury to the decedent’s family, contrary to the prevailing standards and practices of the profession in this state.
  2. Licensees shall perform their respective responsibilities concerning the care, handling, transportation and disposition of human remains and concerning all transactions with funeral services consumers in a careful and competent manner in accordance with the prevailing standards and practices of the profession in this state.
  3. Licensees shall comply with all laws and regulations pertaining to their activities in the care, handling, transportation and disposition of human remains including, without limitation, the provisions of the Funeral Directors Act (A.R.S. § 32-1301 et seq.), the Prearranged Funeral Plan Act (A.R.S. § 44-1721 et seq.), and these rules. Licensees shall comply with all health laws and regulations ~~which that~~ pertain to the embalming and preparation of human remains. The following health laws and rules should be reviewed and followed to the extent applicable:

Subject	Law or Rule
Vital statistics	A.R.S. § 36-301 et seq. <u>and 9 A.A.C. 19, Article 3</u>
Health menaces	A.R.S. § 36-601 et seq.
Disposition of bodies	A.R.S. § <del>36-801</del> <u>36-803</u> et seq.
Communicable diseases ( <del>Arizona Department of Health Services rules</del> )	A.A.C. <del>R9-6-110 et seq.</del> <u>A.R.S. § 36-621 and A.A.C. R9-6-102</u>
<del>Vital statistics (Arizona Department of Health Services rules)</del>	<del>A.A.C. R9-19-301 et seq.</del>

4. Licensees should also make reasonable efforts to cooperate with the customs of all religions and creeds according to the desires of the decedent or his family.
5. Licensees shall not make statements nor engage in activities ~~which that~~ foreseeably could result in needless infliction of emotional distress on members of the decedent’s family or result in exposing the remains to unnecessary indignity, including without limitation:
  - a. Making statements to members of the family designed to offend their sensibilities during grief, including unsolicited comments concerning graphic details of the embalming, or of the condition, decomposition or decay of the remains, except ~~that~~

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- ~~those~~ statements ~~which that~~ are necessary under the circumstances to adequately inform the family concerning the advisability of viewing the remains or having an open-casket funeral ceremony are not prohibited by this subsection;:
- b. Permitting the remains to be exposed or displayed to members of the family or the public in a manner not consistent with public health; ~~or~~
  - c. Permitting the remains to be exposed or displayed to members of the family or the public in a manner designed to offend their sensibilities during grief, including exposing or displaying the remains:
    - i. During the embalming or preparation process;
    - ii. Without clothing or suitable covering of the trunk and limbs of the remains;
    - iii. For any promotional or commercial purpose; ~~or~~
    - iv. For photographs, videotape, or other reproductive process without clothing or suitable covering or during the embalming or preparation process. This subsection does not apply where public officials in the discharge of their duties view or examine the remains.
6. Licensees shall not disclose or divulge any privacy, secrecy, confidence or secret of the domestic or private life of any deceased or the family thereof or of any home or circle learned as a result of professional employment, unless such disclosure is required by law, or is necessary to conduct the legitimate business of the funeral establishment in accordance with law. Licensees shall not discuss facts concerning the cause of death, expenditures for the funeral, the source of funds, or other matters of a personal nature except with the members of the family or their authorized representatives. Such information may be released to the ~~Board~~ Department during an investigation or inspection if a release or other permission is obtained or received from a family member or if pursuant to a subpoena or other court or administrative directive.
7. Licensees shall not pay or cause to be paid to any person, including without limitation a nurse, attendant, doctor, ambulance personnel, hospital personnel, health care facility personnel, clergy, or law enforcement officers, money or other valuable consideration to secure business from or through such person.
- B.** Failure to substantially comply with the provisions of this Section shall be deemed to be evidence of gross negligence, repeated or continuing negligence, or other professional incompetence.

~~R4-12-302, R9-9B-305, Deceptive practices prohibited~~ **Practices Prohibited**

- A.** In selling or offering to sell funeral goods or funeral services to funeral services consumers, it is a deceptive act or practice for a funeral establishment, funeral director, embalmer, or agents or employees of a funeral establishment:
1. To advertise for or solicit business through the use of deceptive, misleading, or inaccurate statements or other information;:
  2. To display or represent funeral merchandise or services in a deceptive or misleading manner. Failure to display to or show funeral services consumers inexpensive caskets and containers regularly offered for sale and stocked by the funeral establishment is deemed to be a misleading display practice. Display of inexpensive caskets or containers, or photos or facsimiles thereof, under less favorable conditions or circumstances, including poor lighting, merchandise damage or defacement, or conditions inhibiting the consumer's free choice of merchandise is also deemed to be a misleading display practice;:
  3. To embalm a deceased human body unless:
    - a. State or local law or regulation requires embalming in the particular circumstances regardless of any funeral choice ~~which~~ the family might make; ~~or~~
    - b. Prior approval for embalming (expressly so described) has been obtained from a family member or other authorized person; or
    - c. The funeral establishment is unable to contact a family member or other authorized person after exercising due diligence, has no reason to believe the family does not want embalming performed, and obtains subsequent approval for embalming already performed (expressly so described). In seeking approval, the funeral establishment shall disclose that a fee will be charged if the family selects a funeral ~~which that~~ requires embalming, such as a funeral with viewing, and that no fee will be charged if the family selects a service ~~which that~~ does not require embalming, such as direct cremation or immediate burial;:
  4. To fail to promptly release upon request, deceased human remains to a family member, representative of the family, or other person authorized by the family to take possession of the remains;:
  5. To make any false, misleading, or unsubstantiated statements or claims, or in any manner imply that natural decomposition or decay of human remains can be prevented by embalming, or certain caskets, vaults, or other burial containers, or to otherwise make any false, misleading, or unsubstantiated statements or claims of watertightness or airtightness of caskets, vaults, or other burial containers;:
  6. To reuse a casket or container previously purchased by or delivered to another decedent's family and intended for or used in connection with the burial, cremation, or other final disposition of the previous decedent. This provision does not apply to the rental of caskets, containers, casket shells, or other devices used in connection with the funeral services if the funeral services consumer is informed of the rental arrangement;:
  7. To bill or otherwise charge a purchaser for merchandise or services not actually provided by or arranged through the funeral establishment;:
  8. To represent that the price charged for a cash advance item is the same as the cost to the funeral establishment for the item when such is not the case, or to fail to disclose to purchasers that the price being charged for a cash advance item is not the same as the cost to the funeral establishment for the item when such is the case;:
  9. To make disparaging statements concerning the quality, utility, suitability or durability of inexpensive caskets or containers without basis in fact;:
  10. To make false or misleading statements concerning or otherwise engage in deceptive, misleading or fraudulent practices in connection with the advertising, solicitation, or sale of prearranged funeral plans;:

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11. To make any misrepresentations or omissions of material fact concerning funeral services, prices, or the merchandise and services included in a stated price;
  12. To represent or insinuate that a direct cremation, immediate burial, inexpensive funeral arrangements, or inexpensive casket, container, or unfinished wood box would be disrespectful or inconsiderate to the decedent or family members, or friends, neighbors, or associates of the decedent or family; or
  13. To disrupt the funeral arrangement process or funeral service, intimidate, harass, or coerce a family member, with the intent to prevent such family member from exercising existing contractual or legal rights.
- B. Failure to substantially comply with the provisions of this Section shall be deemed to be evidence of gross negligence, repeated or continuous negligence, or other professional incompetence.

**~~R4-12-303-R9-9B-306~~ Misrepresentation of legal or cemetery requirements Legal or Cemetery Requirements**

- A. In selling or offering to sell funeral goods or funeral services to funeral services consumers, it is a deceptive act or practice for a funeral establishment, funeral director, embalmer, or agents or employees of a funeral establishment to:
1. Represent that state or local law requires that a deceased person be embalmed when such is not the case, or fail to disclose that embalming is not required by law except where burial or cremation will not occur within 24 hours or where the body is not refrigerated immediately after death;
  2. Represent that state or local law requires a casket for direct cremation, or represent that a casket (other than an unfinished wood box) is required for direct cremations;
  3. Represent that state or local laws or regulations, or particular cemeteries require burial vaults, grave boxes, or grave liners when such is not the case, or fail to disclose to persons arranging funerals that state law does not require the purchase of an outside receptacle; or
  4. Represent that federal, state, or local laws, or particular cemeteries or crematories require the purchase of any funeral goods or funeral services when such is not the case.
- B. Failure to substantially comply with the provisions of this Section shall be deemed to be evidence of gross negligence, repeated or continuous negligence, or other professional incompetence.

**~~R4-12-541-R9-9B-307~~ Consumer disclosures Disclosures**

- A. The consumer notice required by A.R.S. § ~~32-1391.08(A) and (C)~~ 32-1391.09(A) and (C) shall be conspicuously printed on either the first or signature page of the prearranged funeral agreement.
- B. At the time the purchaser signs the agreement the funeral establishment shall provide a copy of the prearranged funeral agreement for retention by the purchaser.
- C. At the time of the inquiry or solicitation the funeral establishment shall provide a copy of its current price list for retention by the person who inquires about or is personally solicited regarding a prearranged funeral agreement.
- D. Pursuant to A.R.S. § 32-1373, each contract for prearranged funeral services also shall contain one of the following notices, as appropriate, conspicuously printed near the top of the first page:
1. THIS FUNERAL CONTRACT IS FUNDED BY INSURANCE.
  2. THIS FUNERAL CONTRACT IS FUNDED BY A PREARRANGED FUNERAL TRUST ACCOUNT.

**~~R4-12-561-R9-9B-308~~ Annual report format Report Format**

- A. The annual report concerning prearranged funeral sales and trust account activities filed by funeral establishments pursuant to A.R.S. § 32-1391.15 shall contain the information indicated by the annual report format in Appendix E (~~following R9-9B-565~~) of 4 A.A.C. 12, Article 5. If a funeral establishment does not offer or sell prearranged funerals on or after January 1, 1985, it shall annually provide to the Board Department the information required by Appendix E of 4 A.A.C. 12, Article 5, concerning:
1. Each prearranged funeral trust account established before ~~the effective date of this Article~~ January 1, 1985, and in existence during any portion of the preceding calendar year; and;
  2. Trust account deposits, withdrawals and service fees during the preceding calendar year.
- B. If a funeral establishment offers or sells prearranged funeral agreements on or after January 1, 1985, it shall annually provide to the Board Department the information required by Appendix E of 4 A.A.C. 12, Article 5, concerning:
1. Each prearranged funeral trust account established before ~~the effective date of this Article~~ January 1, 1985, and in existence during any portion of the preceding calendar year;
  2. Each prearranged funeral agreement sold after January 1, 1985, and in existence during any portion of the preceding calendar year; and;
  3. Trust account deposits, withdrawals, and service fees during the preceding calendar year.

**~~R4-12-312-R9-9B-309~~ Equipment and sanitation requirements Sanitation Requirements**

- A. The Board Department recommends that the following instruments, equipment, and supplies be maintained in the preparation room of a funeral establishment:
1. 1 set metal or rubber drain tubes (large, medium, small);
  2. 1 set metal injection tubes (large, medium, small);
  3. 1 grooved director or equal;
  4. 1 aneurysm needle;
  5. 1 large trocar;
  6. 1 small trocar;
  7. 1 scalpel;
  8. 1 pair scissors;
  9. 6 hemostats;

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10. 2 forceps;
  11. 1 hypodermic syringe;
  12. hypodermic needles (assorted);
  13. aspirator;
  14. suture needles;
  15. suture thread;
  16. disinfectant;
  17. 1 set of cream or liquid cosmetics;
  18. 1 powder brush;
  19. 1 application brush;
  20. wax for restorative work;
  21. soap;
  22. cotton;
  23. head rest;
  24. hardening compound;
  25. arterial embalming fluid;
  26. cavity embalming fluid;
  27. embalming machine or percolator gravity injector and bulb syringe if latter used; and
  28. sheets or covers for remains.
- B.** All funeral establishments shall be kept and maintained in a clean and sanitary condition, and all embalming tables, hoppers, sinks, receptacles, instruments, and other appliances used in embalming human remains shall be thoroughly cleansed and disinfected with a 1% solution of chlorinated soda, or other suitable and effective disinfectant immediately after the embalming of each remains.
- C.** Every preparation room shall be equipped with a sanitary embalming table, and such table should be provided with running water.
- D.** Every preparation room should be provided with proper and convenient receptacles for refuse, bandages, cotton, and other waste materials and supplies, and all such waste materials shall be properly disposed of.
- E.** At no time shall the operation of the establishment constitute or create a health nuisance or hazard.

**R9-9B-310. Reserved**

**R9-9B-311. Reserved**

**R4-12-304, R9-9B-312. Telephone price disclosures requirement Price Disclosures Requirement**

- A.** Each funeral establishment shall tell persons who contact the establishment by telephone and ask about terms, conditions, or prices of funeral goods or funeral services offered that price information is available over the telephone. The funeral establishment shall provide accurate information from the funeral price list required by ~~R4-12-305~~ R9-9B-313 that reasonably answers the question and any other information ~~which that~~ which that reasonably answers the question about the retail prices of funeral goods or funeral services readily available for sale to the caller.
- B.** If the caller requests a funeral price list, the funeral establishment shall mail its funeral price list required by ~~R4-12-305~~ R9-9B-313 to the caller. If a funeral establishment mails a funeral price list to a caller, it may charge a reasonable postage and handling fee not to exceed two dollars. The establishment shall mail the price list to the caller within five days after receipt of the handling charge, or if the establishment does not require a handling charge, within seven days after the caller's price list request.

**R4-12-305, R9-9B-313. Price lists requirement Lists Requirement**

- A.** Each funeral establishment, funeral director, or embalmer shall provide a casket price list, an outside receptacle price list, and a general price list in the form and in the manner required by Federal Trade Commission rules 16 CFR 453.2(b)(2), (3) and (4) issued pursuant to the Federal Trade Commission Act as amended and in effect on June 1, 1984. The items required by the Federal rules shall be included before additional items.
- B.** A copy of Federal Trade Commission rule 16 CFR 453.2(b) is ~~on file with the Secretary of State and is~~ incorporated by reference.

**R4-12-306, R9-9B-314. Merchandise price card requirement Price Card Requirement**

Each funeral establishment shall place a price card on each casket, container, and outside receptacle the establishment makes available for sale to funeral services consumers. Each price card shall be placed on or attached to each item of merchandise in a conspicuous manner ~~which that~~ which that permits a potential purchaser to see the information on the price card when standing near the casket or other item of merchandise. Each price card shall conspicuously disclose the separate retail price of the merchandise item available for sale. Price cards on caskets or outside receptacles shall also disclose the construction or type, manufacturer or assembler, and model number or popular name of the casket or outside receptacle. Price cards on containers shall also disclose the construction or type and manufacturer or assembler of the container. Photographs or accurate pictures of merchandise items may be used if conspicuously displayed with the price card information required by this Section.

**R4-12-307, R9-9B-315. Funeral goods and services memorandum Goods and Services Memorandum**

- A.** Each funeral establishment, funeral director, or embalmer shall give an itemized written or printed memorandum of funeral goods and services ("statement") for retention to each potential purchaser of funeral goods or services at the conclusion of the discussion of any funeral arrangements and before the establishment enters into a contract with a purchaser of funeral goods or services. The itemized statement shall list at least the following information:
1. The name and address of the funeral establishment;
  2. A caption entitled "Statement of Funeral Goods and Services Selected"; and

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3. The funeral goods and services selected by that person and the prices to be paid for each item, specifically itemized cash advance items, the total cost of the goods and services selected and other information contained in or indicated by the "Statement of Funeral Goods and Services Selected" format in ~~Appendices B or C (following R4-12-565) to these rules~~ Appendix B of 4 A.A.C. 12, Article 5.
- B. The information required by this Section may be included on any contract, statement, or other document ~~which that~~ the funeral establishment would otherwise provide at the conclusion of discussion of arrangements. The itemized disclosures required by this Section shall be made in a clear and conspicuous manner. The establishment shall indicate immediately adjacent to the appropriate items under the "funeral arrangements" and "automotive equipment" categories the funeral services, facilities, and automotive equipment items selected by the purchaser. A funeral establishment may include additional itemized disclosures on the statement concerning goods and services selected. If certain charges required to be itemized on the statement are not known or reasonably ascertainable at the time the contract is signed, a good faith estimate of the charges shall be given on the statement, and the establishment shall provide a written description of the actual charges to the purchaser within fifteen (15) days after the information becomes available to the establishment.
- C. If an establishment uses the "statement of funeral goods and services selected" as a final bill, the following disclosures must be added to the statement, ~~as shown in Appendix C to these rules:~~  
"If you elected a funeral ~~which that~~ requires embalming, such as a funeral with a viewing, you may have to pay for the embalming. You do not have to pay for embalming you did not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming, we will explain why in writing."  
If an establishment does not use the "statement of funeral goods and services selected" as a final bill, the disclosures concerning embalming required by this subsection must be added to the final bill, contract, or other written evidence of the agreement or obligation given to the purchaser, and the establishment may use the "statement of funeral goods and services selected" format as shown in Appendix B of 4 A.A.C. 12, Article 5. The establishment shall disclose in writing to the purchaser on the statement any legal, cemetery, or crematory requirement ~~which that~~ mandates that the consumer purchase a specific funeral good or service. The establishment also shall disclose on the statement the "Notice to Purchaser" concerning casket and container legal requirements required by A.R.S. § 32-1373(B).

**~~R4-12-311, R9-9B-316, Minimum embalming requirements~~ Embalming Requirements**

- A. Embalmers and apprentice embalmers shall comply with the following minimum embalming procedures when embalming human remains:
  1. All persons participating in the embalming procedure shall be either a licensed embalmer or a registered apprentice embalmer. Apprentice embalmers shall be under the direct supervision of a licensed embalmer during the embalming. "Direct supervision," as used in this subsection, means that the licensed embalmer shall at all times be immediately available on the funeral establishment premises to supervise the apprentice embalmer, except that if the apprentice embalmer has embalmed at least ten adult human remains and has been registered with the ~~Board~~ Department for a minimum of six months, the supervision requirement is deemed to have been met if the apprentice has immediate access to and is performing according to the directions of a licensed embalmer.
  2. Regulations of the ~~Arizona Department of Health Services~~ and of county health departments pertaining to sewage, sanitation and public health requirements shall be observed.
  3. All persons engaged in the embalming process shall wear a clean smock or gown and wear impervious rubber gloves.
  4. All clothing shall be removed from the remains and a visual inspection of the condition of the remains shall be conducted.
  5. To the extent feasible under the circumstances, the entire remains, including all extremities (legs, arms, feet, hands and head), shall be washed with an antiseptic or detergent solution.
  6. To the extent feasible under the circumstances, the arterial injection technique shall be used in the embalming process. If the arterial circulation of any portion of the remains is materially incomplete or impaired due to advanced decomposition or autopsy, then the embalming may be done by hypodermically injecting those areas.
  7. Embalming solution shall be injected into the entire remains, including extremities (legs, arms, feet, hands and head), and shall be injected in such dilutions and pressures as warranted by the condition of the remains in accordance with prevailing professional practice.
  8. The abdominal and thoracic cavities of the remains shall be injected with a concentrated cavity chemical after liquids and materials have been substantially removed through a trocar. The cavity chemical shall be injected into and thoroughly distributed in such cavities in accordance with prevailing professional practice.
  9. If the body is to be viewed at a funeral service, cosmetic procedures should be employed in accordance with the wishes of the family and prevailing professional practice.
  10. Within 24 hours after the embalming procedure, an embalming case report shall be prepared describing the elapsed time since death, condition of the remains before and after embalming, and embalming procedures used.
  11. After embalming procedures have been completed, the remains shall be covered and diligent effort shall be made to maintain the privacy of the remains.
- B. The care and preparation for burial or other disposition of human remains shall be strictly private, and no one shall be allowed in the embalming room while a dead human body is being embalmed, except licensees or other authorized employees of the establishment, instructors of the science of embalming and their students, public officials in the discharge of their duties, or other persons having the legal right to be present.
- C. Each funeral establishment and responsible funeral director shall adopt and implement adequate procedures concerning the supervision of embalming personnel to assure compliance with this rule.

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D. Failure to substantially comply with the minimum embalming standards contained in this rule shall be deemed to be evidence of gross negligence, repeated or continuing negligence, or other professional incompetence.

**~~R4-12-523-R9-9B-317~~, **Surety bond requirements** ~~Bond Requirements~~**

A. A funeral establishment applying for a prearranged funeral sales endorsement shall provide the ~~Board~~ Department with the number of prearranged funeral agreements sold during the immediately preceding calendar year and provide the applicable surety bond as follows:

1. \$15,000 if the establishment sold fewer than 100 prearranged funeral agreements during the immediately preceding calendar year;
  2. \$30,000 if the establishment sold 100 or more, but fewer than 250 prearranged funeral agreements during the immediately preceding calendar year; or
  3. \$50,000 if the establishment sold 250 or more prearranged funeral agreements during the immediately preceding calendar year.
- The amount of the surety bond shall be increased by \$5,000 for each salesperson currently registered by the ~~Board~~ Department for the establishment.

B. The corporate surety bond provided to the ~~Board~~ Department shall contain the language specified by Appendix D (~~following R4-12-565~~) of 4 A.A.C. 12, Article 5.

**~~R4-12-545-R9-9B-318~~, **Deceptive, misleading or professionally negligent practices** ~~Misleading, or Professionally Negligent Practices~~**

In selling or offering to sell prearranged funerals, or in handling the trust funds or accounts of a prearranged funeral consumer, it is a deceptive, misleading, or professionally negligent practice for anyone licensed under A.R.S. Title 32, Chapter 12, ~~A.R.S.~~ or his agent:

1. To misstate or omit to state any material fact upon which a prearranged funeral consumer detrimentally relies concerning the transaction or the prearranged funeral;
2. To represent or imply that the prices of funeral goods and services to be provided pursuant to a fixed price prearranged funeral agreement are guaranteed, frozen, or otherwise an absolute economic certainty;
3. To guarantee or promise that the funeral establishment will be in business at any indefinite time in the future;
4. To fail to disclose to the purchaser or beneficiary, within ten business days after a request, the most currently available information concerning the purchaser's principal payments, all earned interest on the principal, and total service fees charged concerning that purchase;
5. To intentionally mislead or deceive by entering into a contract with a prearranged funeral purchaser, while any blank in the contract, other than for the account number, has not been completed; or
6. To enter into a prearranged funeral agreement to provide funeral goods and services not regularly sold by the funeral establishment at the time of execution of the agreement.

**~~R4-12-546-R9-9B-319~~, **Description of casket** ~~Casket~~**

A prearranged funeral agreement shall be deemed misleading unless it describes the following information concerning any casket to be provided under the agreement:

1. Specific construction and type;
2. Interior fabric;
3. Manufacturer and model number or popular name;
4. Special features, if any; and
5. Casket retail price.

**~~R4-12-548-R9-9B-320~~, **Possession of trust account passbook** ~~Trust Account Passbook~~**

With respect to individual trust accounts, the funeral establishment shall offer a prearranged funeral purchaser the option of either obtaining a copy of the financial institution passbook, certificate of deposit, or other similar documentation of the prearranged funeral trust account for his personal possession, or authorizing the funeral establishment to maintain such documentation on behalf of the purchaser. This Section does not apply to common trust accounts.

**~~R4-12-551-R9-9B-321~~, **Certificate of entitlement** ~~Entitlement~~**

The certificate of entitlement which a funeral establishment delivers to the financial institution servicing a prearranged funeral trust account or accounts shall contain the following information:

1. Name of the funeral establishment;
2. Name and location of financial institution;
3. Prearranged funeral trust account number(s);
4. The amount of trust funds to be withdrawn as the annual service fee; and
5. Certification by the funeral establishment that it is contractually entitled to an annual service fee for the preceding calendar year pursuant to the terms of the prearranged funeral agreement(s).

The certificate shall be signed and dated by the owner or responsible funeral director of the establishment and sworn to before a notary public. On receipt of an appropriately completed certificate of entitlement, the financial institution shall release a portion of the trust funds equal to the annual service fee to the funeral establishment. The portion of trust funds released to the establishment shall not exceed 10 percent of the interest which has accrued on the trust funds during the preceding calendar year.

**~~R4-12-552-R9-9B-322~~, **Certificate of performance** ~~Performance~~**

A. The certificate of performance which a funeral establishment delivers to the financial institution servicing a prearranged funeral trust account after the death of the beneficiary of a prearranged funeral agreement shall contain the following information:

1. Name of the funeral establishment;
2. Name and location of financial institution and trust account number;

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3. Name of deceased beneficiary;
  4. Certification of the total charges for the funeral goods and services provided in the funeral arrangements; and
  5. Certification that it provided the funeral goods and services pursuant to the prearranged funeral agreement.
- B.** If the certificate of performance concerns a fixed price prearranged funeral agreement, it shall also contain ~~the following additional information:~~
- ~~1. Certification~~ certification that the establishment agreed in the prearranged funeral agreement to fix the prices of the funeral goods and services provided under the agreement at the price levels in effect at the time of the execution of the agreement by the purchaser.
- C.** The certificate shall be signed and dated by the owner or responsible funeral director of the establishment and sworn to before a notary public. The certified death certificate of the deceased beneficiary shall accompany the certificate of performance when it is delivered to the financial institution. On receipt of the certified death certificate and appropriately completed certificate of performance, the financial institution shall release a portion of the trust funds equal to the establishment's charges for funeral goods and services for the beneficiary's funeral arrangements. If the certificate of performance concerns a fixed price prearranged funeral agreement, the financial institution may release an additional portion of the trust funds to the establishment equal to that portion of the total accrued interest on principal payments deposited in the trust account during the term of the prearranged funeral agreement which the purchaser agreed to convey to the establishment.

**~~R4-12-554-R9-9B-323~~ Statement of ~~accrued taxes~~ Accrued Taxes**

The statement of accrued taxes which a funeral establishment delivers to the financial institution servicing a prearranged funeral trust account or accounts shall contain the following information:

1. Name of the funeral establishment;
2. Name and location of financial institution;
3. Prearranged funeral trust account number(s); and
4. Statement identifying the person by whom taxes are due and payable concerning income earned from funds deposited in the trust account(s). The statement shall describe the taxing authority to which the taxes are due, the amount of taxes due and payable concerning each trust account and the fiscal period the taxes concern. The statement shall be signed and dated by the owner or responsible funeral director and one other employee of the establishment. On receipt of an appropriately completed statement of accrued taxes, the financial institution shall release a portion of the trust funds equal to the accrued taxes, payable to the taxing authority, to the funeral establishment.

**~~R4-12-556-R9-9B-324~~ Notice of ~~trust account transfer~~ Trust Account Transfer**

- A.** If a funeral establishment directs a financial institution to transfer a common prearranged funeral trust account pursuant to A.R.S. § 32-1391.04(C), it shall provide written notice by first class mail to the last known address of each participant not less than ten business days before transfer of the account. The notice shall advise each participant that the account is being transferred and give the name and location of the new financial institution and trust account number. The notice also shall contain a conspicuous statement that the establishment will provide specific information concerning the trust account status upon request.
- B.** If a funeral establishment is sold, or its name or location is changed or the prearranged funeral trust account is in any way transferred to another entity, the funeral establishment shall notify the Board Department of the disposition of the trust account within ten business days after the change in the status of the trust account. The funeral establishment also shall provide written notice by certified mail to the last known address of each participant in the prearranged funeral trust account within thirty business days after the change in the status of the trust account. The notice shall advise each participant of the change of status of the trust account and shall contain a conspicuous statement that the establishment, or its successor in interest, will provide specific information concerning the trust account status upon request.

**~~R4-12-559-R9-9B-325~~ Purchaser ~~cancellation requests~~ Cancellation Requests**

The written request from a purchaser of a prearranged funeral agreement or designated person to terminate the agreement and refund the trust funds shall contain the following information:

1. Name of funeral establishment;
2. Full name of the prearranged funeral purchaser or designated person making the request; and
3. Statement of purchaser or designated or legally responsible person requesting refund of the trust funds.

The cancellation request shall be signed by the purchaser, designated or legally responsible person. Within five days following receipt of a properly signed cancellation request, the financial institution shall release the trust funds, payable to the person making the cancellation request, to the establishment for refund to the requesting person.

**~~R4-12-565-R9-9B-326~~ Records ~~retention requirement~~ Retention Requirement**

Each funeral establishment shall retain and make available for inspection by Board Department representatives true and accurate copies of the following records during the term of the prearranged funeral agreement and for three years following the death of the beneficiary or the termination of the agreement:

1. The prearranged funeral agreement;
2. Each notice of the transfer of the trust account to another financial institution, together with a record of the names and last known addresses of the purchasers and the dates on which the notice was mailed;
3. The certificate of performance from the funeral establishment stating that it provided the requested funeral goods and services which is delivered to a financial institution;
4. Each certificate from the funeral establishment concerning entitlement to service fees concerning the trust account;
5. Each statement of accrued taxes from the funeral establishment concerning the trust account;
6. Each cancellation or termination request from a purchaser; and

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7. Detailed financial institution statements and accounting records concerning the trust account.

**ARTICLE 4. CREMATORY AND CREMATION REGULATION LICENSING**

**R4-12-207, R9-9B-401. Application for a Crematory License**

An applicant for a crematory license shall submit an application packet to the Board Department that contains the fee required by the Board Department, information required in A.R.S. § 32-1395, and the following:

1. An application form that contains:
  - a. The name of the crematory;
  - b. The address of the physical location and telephone number of the crematory;
  - c. Whether the crematory is a proprietorship, a corporation, a partnership, a limited liability company, or a subsidiary of a corporation, a partnership, or a limited liability company;
  - d. The name and license number of the responsible funeral director or cremationist;
  - e. The name and address of each person owning 10 percent or more of the establishment or corporation common stock;
  - f. A statement, signed by the responsible funeral director or cremationist and notarized, affirming licensure in Arizona and confirming responsibility for the crematory's compliance with Arizona state laws and rules;
  - g. If a corporation, partnership, or limited liability company:
    - i. The state and date of incorporation or formation;
    - ii. The name and address of the Arizona statutory agent or agent appointed to receive process; and
    - iii. The name, address, and title of each officer, director, general partner, or member;
  - h. Whether the applicant has ever been convicted of or entered into a plea of no contest to a class 1 or 2 felony, including the information in subsection (1)(i)(i) through (1)(i)(vi);
  - i. Whether the applicant, within five years from the date of the application, has been convicted of or entered into a plea of no contest to a felony or to a misdemeanor that is reasonably related to the applicant's proposed area of licensure including the:
    - i. Charged felony or misdemeanor;
    - ii. Date of conviction;
    - iii. Court having jurisdiction over the felony or misdemeanor;
    - iv. Probation officer's name, address, and telephone number, if applicable;
    - v. A copy of the notice of expungement, if applicable; and
    - vi. A copy of the notice of restoration of civil rights, if applicable;
  - j. Whether the applicant, within five years from the date of the application, has committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence reasonably related to the applicant's proposed area of licensure;
  - k. Whether the applicant is currently incarcerated or on community supervision after a period of imprisonment in a local, state, or federal penal institution or on criminal probation;
  - l. Whether the applicant, within five years from the date of the application, has had an application for a license, registration, certificate, or endorsement denied or rejected by any state funeral licensing authority including the:
    - i. Reason for the denial or rejection,
    - ii. Date of the denial or rejection, and
    - iii. Name and address of the agency that denied or rejected the application;
  - m. Whether the applicant has, within five years from the date of the application, had a license, registration, certificate, or endorsement suspended or revoked by any state funeral licensing authority including the:
    - i. Reason for the suspension or revocation,
    - ii. Date of the suspension or revocation, and
    - iii. Name and address of the state licensing authority that suspended or revoked the license;
  - n. Whether the applicant has ever surrendered a license, registration, certificate, or endorsement to the Board Department or any state funeral licensing authority; and
  - o. The applicant's signature; and
2. A copy of a funeral establishment license or crematory authority certificate issued by the Arizona Department of Real Estate to a cemetery that operates a crematory.

**R9-9B-402. Reserved**

**R9-9B-403. Reserved**

**R9-9B-404. Reserved**

**R9-9B-405. Reserved**

**R4-12-612, R9-9B-406. Crematory requirements Requirements**

In addition to the requirements in A.R.S. § 32-1394, the responsible cremationist of a crematory shall ensure:

1. The crematory is maintained free from dirt and debris,
2. Equipment and supplies maintained in the crematory do not impede passage through the crematory, and

**Arizona Administrative Register**  
**NOTICES OF RECODIFICATION**

3. Human remains that are not embalmed are held in a refrigerated holding facility at the crematory or sent to a funeral establishment or another crematory for refrigeration.

**R9-9B-407. Reserved**

**R9-9B-408. Reserved**

**R9-9B-409. Reserved**

**R9-9B-410. Reserved**

**R9-9B-411. Reserved**

**R4-12-613-R9-9B-412. Requirements for a funeral establishment that provides for cremation ~~Funeral Establishment that Provides for Cremation~~**

- A. A funeral establishment that owns a crematory on or off the funeral establishment's premises shall designate a responsible cremationist.
- B. The responsible funeral director of a funeral establishment that provides for cremation shall ensure that:
  1. The cost of cremation is included on its general price list required by A.R.S. § 32-1371;
  2. A price card for cremation is placed as required by A.R.S. § 32-1372;
  3. If the funeral establishment contracts with a licensed crematory to perform the cremation, the information required in A.R.S. § 32-1373(A) and (B) is provided to the purchaser of the cremation;
  4. A consumer who chooses cremation is informed that human remains may be cremated in a cremation container capable of being entirely consumed or reduced to fine residue during the cremation process, such as a casket, unfinished wood box, or fiberboard container; and
  5. Caskets or containers constructed of metal or of a substance that may emit harmful fumes when subjected to the cremation process are not sold or used for cremation.

**R4-12-631-R9-9B-413. Records requirements for crematories and funeral establishments that provide for cremation ~~Requirements for Crematories and Funeral Establishments that Provide for Cremation~~**

- A. The responsible cremationist of a crematory or funeral establishment that provides for cremation shall ensure for each cremation performed that the following records are established and maintained for five years from the date of the cremation:
  1. The name of the decedent and date of death;
  2. The authorization document required by A.R.S. § 32-1365.01, if applicable, or a record of the oral or written consent of the authorizing agent that meets the requirements in A.R.S. § 32-1365.02; and
  3. A copy of the completed disposition-transit permit that meets the requirements in A.R.S. § 36-326 and A.A.C. R9-19-302.
- B. The responsible cremationist of a crematory or funeral establishment that provides for cremation shall establish and maintain a written permanent chronological log of cremations that includes the identification number and identification information required in A.R.S. § 32-1399(1) and the following for each cremation performed:
  1. The day, month, and year the human remains were received at the crematory or funeral establishment that provides for cremation;
  2. Name of the decedent;
  3. The name of the responsible cremationist;
  4. The type of receptacle in which the human remains were received at the crematory, such as a wooden casket or a cardboard, fiberboard, or wooden container;
  5. A check list showing receipt of the following:
    - a. The authorization document required in ~~R4-12-631(A)(2)~~ subsection (A)(2); and
    - b. The disposition-transit permit;
  6. The time, day, month, and year of the cremation;
  7. The printed name and signature of the cremationist who performed the cremation; and
  8. The following information regarding the cremated remains:
    - a. The time, day, month, and year the cremated remains were disposed of according to the authority set forth in A.R.S. § 32-1365.01 or 32-1365.02;
    - b. The name of the crematory, funeral establishment, or authorizing agent authorized according to A.R.S. § 32-1365.01 or 32-1365.02 to dispose of cremated remains; and
    - c. The place and manner of disposal according to A.R.S. § 32-1399(7).
- C. If the uncremated human remains are returned to a funeral establishment, the responsible cremationist shall ensure that the time, day, month, and year the human remains were picked up and the name of the individual who picked up the human remains are recorded on the written chronological log required in subsection (B).
- D. If a funeral establishment returns human remains that have been sent back according to subsection (C), the responsible cremationist shall ensure that a new entry that meets the requirements of subsection (B) is made.

**R4-12-633-R9-9B-414. Disposition of records ~~Records~~**

- A. If the crematory of a funeral establishment that provides for cremation or a crematory changes ownership, the responsible funeral director or responsible cremationist shall ensure the records described in ~~R4-12-631~~ R9-9B-413 are provided to the new responsible funeral director of the funeral establishment or responsible cremationist of the crematory.

**NOTICES OF RECODIFICATION**

- B.** If a funeral establishment that provides for cremation or a crematory ceases operations, within 20 days from the date of cessation, the responsible funeral director of the funeral establishment that provides for cremation or responsible cremationist of a crematory shall ensure that the records required in ~~R4-12-634 R9-9B-413~~ are:
1. Provided to the ~~Board~~ Department office in person or by certified delivery mail, or
  2. Provided to another funeral establishment or crematory and the location of the records is provided to the ~~Board~~ Department.

**Arizona Administrative Register**  
**NOTICES OF RULEMAKING DOCKET OPENING**

**Volume 32**

**Issue 2**

**January 9, 2026**

**NOTICES OF RULEMAKING DOCKET OPENING**

The APA requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under [A.R.S. § 41-1021](#).

A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue.

If a Notice of Proposed Rulemaking is not published in this *Register* that corresponds with a published docket in this week's issue, it simply

means the agency has not filed the notice for consideration and public review.

An agency has one year from the publishing of this notice to propose a rule; after one year the docket expires.

Questions about the notice can be answered by the person listed in item #5.

Refer to item #6 for information on how to comment on this notice.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF AGRICULTURE  
ENVIRONMENTAL SERVICES DIVISION**

[R25-301]

**1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**

September 12, 2025

**2. Title and its heading:**

3, Agriculture

**Chapter and its heading:**

3, Department of Agriculture - Environmental Services Division

**Article and its heading:**

4, Recordkeeping and Reporting

**Section number:**

R3-3-402

**3. The subject matter of the proposed rule:**

This rulemaking is intended to ensure compliance with current federal laws and regulations. The purpose of this rulemaking is to update Section R3-3-402 to comply with changes to federal regulations as published in the Federal Register Vol. 90, No. 90, Monday, May 12, 2025. The changes that were published eliminated the recordkeeping and reporting requirement for restricted use pesticides by a certified applicator under 7 CFR Part 110.

**4. A citation to all published notices relating to the current proceeding:**

Notice of Proposed Rulemaking: 32 A.A.R. 171, January 9, 2026 (*in this issue*); File Number: R25-298

**5. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Jack Peterson  
Title: Associate Director, Environmental Services Division  
Physical Address: Arizona Department of Agriculture  
1110 W. Washington St., Suite 450  
Phoenix, AZ 85007  
Mailing Address: Arizona Department of Agriculture  
1802 W. Jackson St., #78  
Phoenix, AZ 85007  
Telephone: (602) 542-3575  
Email: [jpeterson@azda.gov](mailto:jpeterson@azda.gov)  
Website: <https://agriculture.az.gov/>

NOTICES OF RULEMAKING DOCKET OPENING

Name: Brian McGrew  
Title: Rules Writer, Acting  
Physical Address: Arizona Department of Agriculture  
1110 W. Washington St., Suite 450  
Phoenix, AZ 85007  
Mailing Address: Arizona Department of Agriculture  
1802 W. Jackson St., #78  
Phoenix, AZ 85007  
Telephone: (602) 542-3228  
Fax: (602) 542-1004  
Email: bmcgrew@azda.gov  
Website: https://agriculture.az.gov/

**6. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Monday through Friday from 8 a.m. to 5 p.m., except for state holidays. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice.

An oral proceeding is scheduled on this proposed rulemaking.

Date: February 10, 2026  
Time: 1:00 p.m. (MT)  
Location: Arizona Department of Agriculture  
1110 W. Washington St., Suite 450  
Phoenix, AZ 85007

Google Meet joining info  
Video call link: <https://meet.google.com/jcm-djcm-pkw>  
Or dial: (US) +1 413-402-0173 PIN: 888 843 565#  
More phone numbers: <https://tel.meet/jcm-djcm-pkw?pin=4023417973848>

**7. A timetable for agency decisions or other action on the current proceeding, if known:**

Unknown

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS  
FINANCIAL INSTITUTIONS DIVISION - REAL ESTATE APPRAISAL

[R25-302]

**1. Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**

December 17, 2025

**2. Title and its heading:**

4, Professions and Occupations

**Chapter and its heading:**

46, Department of Insurance and Financial Institutions - Financial Institutions Division - Real Estate Appraisal

**Article and its heading:**

2, Registration, Licensure, and Certification as an Appraiser

**Section number:**

R4-46-201

*Sections may be added, amended, repealed, or renumbered as necessary.*

**3. The subject matter of the proposed rule:**

The subject matter of the proposed rule is the qualification criteria for real estate appraisers. The Appraiser Qualifications Board (“AQB”) has adopted new educational requirements to the real estate appraiser criteria to be effective January 1, 2026. In its current rule, the Department adopts the outdated criteria established and updated as of January 1, 2022. The Department needs to incorporate by reference the 2026 criteria into R4-46-201(B) to remain compliant with AQB qualifications.

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**NOTICES OF RULEMAKING DOCKET OPENING**

This proposed change is not prompted by a previous Five-Year Review Report.

**4. A citation to all published notices relating to the current proceeding:**

Notice of Proposed Rulemaking: 32 A.A.R. 174, January 9, 2026 (*in this issue*); File Number: R25-299

**5. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Tammy Seto  
Title: Assistant Director  
Division: Financial Enterprises Division  
Address: 100 N. 15th Ave., Suite 261  
Phoenix, AZ 85007-2630  
Telephone: (602) 771-2804  
Email: [tammy.seto@difi.az.gov](mailto:tammy.seto@difi.az.gov)  
Website: <https://difi.az.gov>

**6. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be determined.

**7. A timetable for agency decisions or other action on the current proceeding, if known:**

To be determined.

**NOTICES OF AGENCY OMBUDSMAN**

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The Administrative Procedure Act requires the publication of Notices of Agency Ombudsman under A.R.S. §§ [41-1006\(A\)](#) and [41-1013\(B\)\(13\)](#).

An ombudsman is an agency's point of contact who assists members of the public or regulated community seeking information or guidance from the agency.

**NOTICE OF AGENCY OMBUDSMAN**  
**STATE BOARD OF DENTAL EXAMINERS**

[M25-101]

- 1. The agency name:**  
State Board of Dental Examiners
- 2. The ombudsman's contact information:**  
Name: Ryan Edmonson  
Title: Executive Director  
Address: Arizona State Board of Dental Examiners  
1740 W. Adams St., Suite 2470  
Phoenix, AZ 85007  
Telephone: (602) 242-1492  
Email: [info@dentalboard.az.gov](mailto:info@dentalboard.az.gov)

**NOTICE OF AGENCY OMBUDSMAN**  
**STATE BOARD OF DENTAL EXAMINERS**

[M25-102]

- 1. The agency name:**  
State Board of Dental Examiners
- 2. The ombudsman's contact information:**  
Name: Kristina Gomez  
Title: Deputy Director  
Address: Arizona State Board of Dental Examiners  
1740 W. Adams St., Suite 2470  
Phoenix, AZ 85007  
Telephone: (602) 242-1492  
Email: [info@dentalboard.az.gov](mailto:info@dentalboard.az.gov)

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**NOTICES OF PUBLIC INFORMATION**

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Agencies use Notices of Public Information to notify stakeholders about other information that pertains to rulemaking notices under [A.R.S. § 41-1013\(B\)\(14\)](#). When required by law, agencies also use this notice to notify the public about information not related to rulemaking.

The most common use for this notice is to correct errors printed in a rulemaking notice or extend a public comment period.

The Administrative Rules Division of the Office does not provide a standard template for Notices of Public Information because the content of this type of notice varies.

An agency shall follow the Office’s formatting standards when preparing this type of notice and use a numbered list of questions and answers. Additionally, an agency receipt shall be filed with a Notice of Public Information.

**NOTICE OF PUBLIC INFORMATION**

**A.R.S. § 41-1013(B)(14)**

**STATE BOARD OF DENTAL EXAMINERS**

[M25-103]

**1. Agency Name:**

Arizona State Board of Dental Examiners

**2. Agency Contact information:**

Name: Ryan Edmonson  
Title: Executive Director  
Division: Arizona State Board of Dental Examiners  
Address: 1740 W. Adams St., Suite 2470  
Phoenix, AZ, 85007  
Telephone: (602) 542-4493  
Fax: (602) 242-1445  
Email: ryan.edmonson@dentalboard.az.gov  
Website: <https://dentalboard.az.gov/>

**3. Public information related to this notice:**

The Board is repealing Substantive Policy Statement 1, Board-approved Assistant Training Courses, which was effective December 5, 2025. The information in this policy is no longer necessary to provide clarity to the Board’s rules or statutes.

2026 REGISTER INDEXES

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

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**

**PROPOSED SUMMARY**

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

**FINAL SUMMARY**

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

**EXPEDITED RULEMAKING**

**PROPOSED EXPEDITED**

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

**SUPPLEMENTAL EXPEDITED**

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**

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

**EXEMPT RULEMAKING**

**EXEMPT**

XN = Exempt new Section  
XM = Exempt amended Section  
XR = Exempt repealed Section  
X# = Exempt renumbered Section

**EXEMPT PROPOSED**

PXN = Proposed Exempt new Section  
PXM = Proposed Exempt amended Section  
PXR = Proposed Exempt repealed Section  
PX# = Proposed Exempt renumbered Section

**EXEMPT SUPPLEMENTAL PROPOSED**

SPXN = Supplemental Proposed Exempt new Section  
SPXR = Supplemental Proposed Exempt repealed Section  
SPXM = Supplemental Proposed Exempt amended Section  
SPX# = Supplemental Proposed Exempt renumbered Section

**FINAL EXEMPT RULEMAKING**

FXN = Final Exempt new Section  
FXM = Final Exempt amended Section  
FXR = Final Exempt repealed Section  
FX# = Final Exempt renumbered Section

**EMERGENCY RULEMAKING**

EN = Emergency new Section  
EM = Emergency amended Section  
ER = Emergency repealed Section  
E# = Emergency renumbered Section  
EEXP = Emergency expired

**RECODIFICATION OF RULES**

RC = Recodified

**REJECTION OF RULES**

RJ = Rejected by the Attorney General

**TERMINATION OF RULES**

TN = Terminated proposed new Sections  
TM = Terminated proposed amended Section  
TR = Terminated proposed repealed Section  
T# = Terminated proposed renumbered Section

**RULE EXPIRATIONS**

EXP = Rules have expired  
*See also “emergency expired” under emergency rulemaking*

**CORRECTIONS**

C = Corrections to Published Rules

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**RULEMAKING ACTIVITY INDEX**

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and volume page number. Use the page guide to determine the *Register* issue number and publish date to review the rule. Subchapter, Article, Part, and Section headings are not indexed.

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**OTHER NOTICES AND PUBLIC RECORDS INDEX**

Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

**THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 1 OF VOLUME 32.**

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**Arizona Administrative Register**  
**RULES EFFECTIVE DATES CALENDAR**

**Volume 32**

**Issue 2**

**January 9, 2026**

**RULES EFFECTIVE DATES CALENDAR**

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states 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 notice’s Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/4	2/3	4/4	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/5	2/4	4/5	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/9	2/8	4/9	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/10	2/9	4/10	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/13	2/12	4/13	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/14	2/13	4/14	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/15	2/14	4/15	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/16	2/15	4/16	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/17	2/16	4/17	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/18	2/17	4/18	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/19	2/18	4/19	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/20	2/19	4/20	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/21	2/20	4/21	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/22	2/21	4/22	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/23	2/22	4/23	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/25	2/24	4/25	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/26	2/25	4/26	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/27	2/26	4/27	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/28	2/27	4/28	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/29	2/28	4/29	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/30			3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/31			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	4/1			3/31	5/30			5/31	7/30		

**Arizona Administrative Register**  
**RULES EFFECTIVE DATES CALENDAR**

July		August		September		October		November		December	
Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	Date Filed	Effective Date	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

**Arizona Administrative Register**  
**REGISTER PUBLISHING DEADLINES**

**REGISTER PUBLISHING DEADLINES**

The Secretary of State’s Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates (*first column*) and issue dates (*second column*) are provided. Governor Regulatory Review 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*.

Deadline Date Friday, 5:00 p.m. <i>(*earlier date due to holiday)</i>	<i>Register</i> Publication Date	Oral Proceeding may be scheduled on or after
November 14, 2025	December 5, 2025	January 5, 2026
November 21, 2025	December 12, 2025	January 12, 2026
November 28, 2025	December 19, 2025	*January 20, 2026
December 5, 2025	December 26, 2025	January 26, 2026
December 12, 2026	January 2, 2026	February 2, 2026
December 19, 2025	January 9, 2026	February 9, 2026
December 26, 2025	January 16, 2026	*February 17, 2026
January 2, 2026	January 23, 2026	February 23, 2026
January 9, 2026	January 30, 2026	March 2, 2026
January 16, 2026	February 6, 2026	March 9, 2026
January 23, 2026	February 13, 2026	March 16, 2026
January 30, 2026	February 20, 2026	March 23, 2026
February 6, 2026	February 27, 2026	March 30, 2026
February 13, 2026	March 6, 2026	April 6, 2026
February 20, 2026	March 13, 2026	April 13, 2026
February 27, 2026	March 20, 2026	April 20, 2026
March 6, 2026	March 27, 2026	April 27, 2026

**GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES**

**Volume 32**

**Issue 2**

**January 9, 2026**

**GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES**

MEETING DATES ARE SUBJECT TO CHANGE

These deadlines apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor’s Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. [41-1013\(B\)\(15\)](#).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review 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 305, Phoenix, AZ 85007.

For more information, call (602) 542-2058 or visit <https://grrc.az.gov>.

[M25-79]

<b>DEADLINE FOR PLACEMENT ON AGENDA*</b>	<b>FINAL MATERIALS SUBMITTED TO COUNCIL</b>	<b>DATE OF COUNCIL STUDY SESSION</b>	<b>DATE OF COUNCIL MEETING</b>
<i>Tuesday</i> December 23, 2025	<i>Wednesday</i> January 21, 2026	<i>Tuesday</i> January 27, 2026	<i>Tuesday</i> February 3, 2026
<i>Tuesday</i> January 20, 2026	<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> February 24, 2026	<i>Tuesday</i> March 3, 2026
<i>Tuesday</i> February 17, 2026	<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> March 31, 2026	<i>Tuesday</i> April 7, 2026
<i>Tuesday</i> March 24, 2026	<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> April 28, 2026	<i>Tuesday</i> May 5, 2026
<i>Tuesday</i> April 21, 2026	<i>Tuesday</i> May 19, 2026	<i>Wednesday</i> May 27, 2026	<i>Tuesday</i> June 2, 2026
<i>Tuesday</i> May 19, 2026	<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> June 30, 2026	<i>Tuesday</i> July 7, 2026
<i>Tuesday</i> June 23, 2026	<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> July 28, 2026	<i>Tuesday</i> August 4, 2026
<i>Tuesday</i> July 21, 2026	<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> August 25, 2026	<i>Tuesday</i> September 1, 2026
<i>Tuesday</i> August 18, 2026	<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> September 29, 2026	<i>Tuesday</i> October 6, 2026
<i>Tuesday</i> September 22, 2026	<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> October 27, 2026	<i>Tuesday</i> November 3, 2026
<i>Tuesday</i> October 20, 2026	<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> November 24, 2026	<i>Tuesday</i> December 1, 2026
<i>Tuesday</i> November 17, 2026	<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> December 29, 2026	<i>Tuesday</i> January 5, 2027
<i>Tuesday</i> December 22, 2026	<i>Tuesday</i> January 19, 2027	<i>Tuesday</i> January 26, 2027	<i>Tuesday</i> February 2, 2027

\* 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.