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Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Arizona Administrative Register
Volume 32
Issue 30
July 24, 2026

Contents

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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), and 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 Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.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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ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
The *Arizona Administrative Code* is available online at www.azsos.gov.

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

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Participate in Rulemaking

Review Published Notices

Those interested in participating in the rulemaking process should 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

Stakeholders can attend an 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

Authority

An agency is given the authority to promulgate a rule under the APA, statute passed by the Legislature, or ballot proposition, which is passed by the voters.

An agency may be given certain exemptions to the APA or portions thereof.

Information about the exemptions are provided in the Preamble of the rulemaking.

Permission to Proceed

Before moving forward with any notice, an agency first receives permission from the governor's office to proceed with a rulemaking.

The governor's office provides the agency a written response to proceed that is filed with the notice.

Stakeholder and Public Notification

The agency opens a docket. It is filed as a Notice of Rulemaking Docket Opening for publication in the *Register*.

The notice includes agency contact information along with its intentions to make, amend, repeal, or renumber, a rule and its justification to perform the rulemaking action. Often an agency will file the docket with the proposed rulemaking.

An agency may decide not to proceed and not file final rule with G.R.R.C. within one year after proposed rule is published. A.R.S. § 41-1021(A)(4)

Agency Proposes Rules, Public Reviews Proposal

The agency files a Notice of Proposed Rulemaking and the notice is published in the *Register*.

The public is given the opportunity to comment on the proposed rules. The agency opens the comment period to last at least 30 days. Written comments are accepted informally.

The notice *may* contain information about oral proceedings.

A proceeding is held no sooner than 30 days after the notice is published.

If no proceeding is scheduled, the agency provides information on how a person may request to speak to the agency in person at an oral proceeding.

Oral Proceeding

A person requests an agency to conduct an oral proceeding based on the information provided in its Notice of Proposed Rulemaking.

The agency prepares a Notice of Oral Proceeding on Proposed Rulemaking, schedules one or more proceeding, and files the notice for publication in the *Register*.

When is occurs, an agency extends the public comment period.

Close of Record

After evaluating public comments and conducting an internal review of the rule, an agency:

1. Determines whether the rulemaking requires a substantial change. When an agency decides to make substantial changes to a proposed rule, it continues the process as outlined under the APA. The agency obtains permission to proceed as stated under #2 of this timeline. The agency prepares a Notice of Supplemental Proposed Rulemaking with the changes and files it for publication in the *Register*. Comments are once again solicited and reviewed by the agency.
2. Prepares and submits for review a Notice of Final Rulemaking for review and approval by G.R.R.C. or Attorney General. The Notice of Final Rulemaking must be submitted for review within 120 days after the close of record; or
3. Terminates the rulemaking. The agency may decided to terminate its docket and files a notice for publication in the Register notifying stakeholders of the termination. Refer to A.R.S. § 41-1021(A)(2).

Time Frame for Approval or Disapproval of the Notice

G.R.R.C. has 90 days to review and approve or return the rule package, in whole or in part; A.G. has 60 days.

The Approved Rule is Published in *Register* and Codified in the *Code*

After approval by G.R.R.C. or A.G., the rule becomes effective 60 days after filing the notice with the Office of the Secretary of State, unless otherwise indicated in the Preamble of the notice.

The Notice of Final Rulemaking is published in the *Register* and codified in the *Arizona Administrative Code*.

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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NOTICES OF FINAL RULEMAKING

An agency shall submit a Notice of Final Rulemaking to the Governor's Regulatory Review Council (Council) or Attorney General for review within 120 days after the close of the record on a proposed rulemaking, and if applicable, supplemental proposed rulemaking, under A.R.S. § 41-1024.

The Notice of Final Rulemaking as published in this section has been filed with a certificate of approval from the Council or Attorney General.

An economic, small business and consumer impact statement is filed with this notice but not published in the *Register*.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICES OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

File Number: R26-121

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:
May 8, 2026

2. Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R4-23-407	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. § 32-1904(A)(1)
Implementing statute: A.R.S. § 32-1901(87)

4. The effective date of the rule:
July 7, 2026 (*immediately upon filing with the Office of the Secretary of State*)

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Under A.R.S. § 41-1032(A)(1), the Board respectfully requests an immediate effective date to preserve public health and safety and ensure alignment with federal law governing the transfer of prescription order information. When the federal law incorporated by reference in R4-23-407(E) became law in 2023, it was immediately apparent that almost no pharmacies had the functionality to comply. By mid-2024, some of the larger pharmacy chains attained limited capacity but it is only recently that most, but still not all, pharmacies are able to comply with federal law governing transfer of prescription order information. During the interval between 2023 and now, the Board decided to wait rather than impose a requirement with which most pharmacy permittees could not comply. Now that most pharmacy permittees have the necessary functionality, the Board is amending R4-23-407(E) and as suggested in the received comment, believes an immediate effective date is in the state's best interest. An immediate effective date is in the state's best interest to avoid unnecessary inconsistency between state and federal law, inconsistent practices across jurisdictions, and potential barriers to patient access to needed medications.

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 32 A.A.R. 764, Issue Date: March 27, 2026, Issue Number: 13, File Number: R26-37

Notice of Proposed Rulemaking: 32 A.A.R. 715, Issue Date: March 27, 2026, Issue Number: 13, File Number: R26-35

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Kamlesh Gandhi
Title:	Executive Director
Address:	1110 W. Washington St., Suite 260 Phoenix, AZ 85007
Telephone:	(602) 771-7272
Email:	kgandhi@azpharmacy.gov
Website:	www.azpharmacy.gov

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

The Board is amending R4-23-407(E) dealing with transfer of prescription order information to ensure the requirements are consistent with recently amended federal law, especially provisions dealing with the transfer of prescription order information for controlled substances, and to remove potential barriers for patients.

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

Not applicable

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

Not applicable

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

The Board determined the rulemaking will have minimal economic impact because it simply reiterates the requirements in federal law.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

R4-23-407(E)(5) was amended to address the issue raised by Walgreens Co., and described in item 12. Under A.R.S. § 41-1025, this amendment does not substantially change R4-23-407(E)(5) as proposed because it simply clarifies the rule is to be consistent with existing federal law.

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

A written comment was received from Jeenu Philip on behalf of Walgreens Co. The comment indicated the rule as proposed did not expressly address whether unfilled prescription orders for controlled substances may be transferred from one pharmacy to another as is allowed by the federal law incorporated by reference in R4-23-407(E). To align the rule with existing federal law and reduce potential operational confusion for pharmacists and pharmacy permittees, language addressing the issue was suggested. The comment suggested this is sufficiently important to warrant an immediate effective date.

13. 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:

Not applicable

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

The amended 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 rule is not more stringent than federal law because it incorporates by reference the federal law regarding transfer of prescription order information.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:
Not applicable

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:
R4-23-407(E)(5): 21 CFR, Chapter 2, Parts 1306 and 1311

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:
Not applicable

16. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

ARTICLE 4. PROFESSIONAL PRACTICES

Section
R4-23-407. Prescription Requirements

ARTICLE 4. PROFESSIONAL PRACTICES

R4-23-407. Prescription Requirements

A. Prescription orders. A pharmacist shall ensure that:
1. A prescription order the pharmacist uses to dispense a drug or device includes the following information:
   a. Date of issuance;
   b. Name and address of the patient for whom or the owner of the animal for which the drug or device is dispensed;
   c. Drug name, strength, and dosage form or device name;
   d. Name of the manufacturer or distributor of the drug or device if the prescription order is written generically or a substitution is made;
   e. Prescribing medical practitioner's directions for use;
   f. Date of dispensing;
   g. Quantity prescribed and if different, quantity dispensed;
   h. For a prescription order for a controlled substance, the medical practitioner's address and DEA number;
   i. For a written prescription order, the medical practitioner's signature;
   j. For an electronically transmitted prescription order, the medical practitioner's digital or electronic signature;
   k. For an oral prescription order, the medical practitioner's name and telephone number; and
   l. Name or initials of the dispensing pharmacist;
2. A prescription order is kept by the pharmacist or pharmacy permittee as a record of the dispensing of a drug or device for seven years from the date the drug or device is dispensed;
3. The dispensing of a drug or device complies with the packaging requirements of the official compendium and state and federal law; and
4. If the drug dispensed is a schedule II controlled substance that is an opioid, the drug is placed in a container that has a red cap and a warning label stating "CAUTION: OPIOID, Risk of Overdose and Addiction" or other similarly clear language indicating the possibility of overdose and addiction. Under delegation from the Board, the Executive Director may waive the red-cap requirement if implementing the requirement is not feasible because of the specific dosage form or packaging type.

B. Prescription refills. A pharmacist shall ensure that the following information is recorded on the back of a prescription order when it is refilled:
1. Date refilled,
2. Quantity dispensed,
3. Name or approved abbreviation of the manufacturer or distributor if the prescription order is written generically or a substitution is made, and
4. The name or initials of the dispensing pharmacist.

C. Prescription order adaptation. Except for a prescription order for a controlled substance, a pharmacist, using professional judgment, may make the following adaptations to a prescription order if the pharmacist documents the adaptation in the patient's record:
1. Change the prescribed quantity if the prescribed quantity is not a package size commercially available from the manufacturer;
2. Change the prescribed dosage form or directions for use if the change achieves the intent of the prescribing medical practitioner;

3. Complete missing information on the prescription order if there is sufficient evidence to support the change; and
4. Extend the quantity of a maintenance drug for the limited quantity necessary to achieve medication refill synchronization for the patient.

D. A pharmacist may furnish a copy of a prescription order to the patient for whom it is prescribed or to the authorized representative of the patient if the copy is clearly marked "COPY FOR REFERENCE PURPOSES ONLY" or other similar statement. A copy of a prescription order is not a valid prescription order and a pharmacist shall not dispense a drug or device from the information on a copy.

E. Transfer of prescription order information between pharmacies including a pharmacy located in another jurisdiction. ~~For a transfer of prescription order information to be valid, a pharmacy permittee or pharmacist-in-charge shall ensure that:~~

1. ~~Both the original and the transferred prescription order are maintained for seven years after the last dispensing date;~~ A pharmacist may delegate to an intern or pharmacy technician the transfer of prescription order information for a non-controlled substance. A pharmacist shall not delegate transfer of prescription order information for a controlled substance.
2. ~~The original prescription order information for a Schedule III, IV, or V controlled substance is transferred only as specified in 21 CFR 1306.25;~~ A pharmacist shall initiate the transfer of prescription order information only when requested to do so by a patient or the patient's representative.
3. ~~The original prescription order information for a non-controlled substance drug is transferred without limitation only up to the number of originally authorized refills;~~ A pharmacy permittee shall ensure records of a transfer of prescription order information are maintained in a computer system consistent with R4-23-408.
4. ~~For a transfer within Arizona:~~ When prescription order information is transferred, both the transferring and receiving pharmacy shall maintain the prescription order information for seven years from the date on which the pharmacy last dispensed the prescription order. Both the transferring and receiving pharmacy shall ensure the maintained prescription order information includes:
   a. The prescription order transferred;
   b. Identification of both the transferring and receiving pharmacy;
   c. The date of transfer;
   d. Identification of the individual who made the transfer; and
   e. Status of the prescription order following transfer including canceling the prescription order at the transferring pharmacy.
   ~~a. The transfer of original prescription order information for a non-controlled substance drug meets the following conditions:~~
      ~~i. The transfer of information is communicated electronically, verbally, or by fax directly between:~~
         ~~(1) Two licensed pharmacists,~~
         ~~(2) A licensed pharmacist and a licensed intern, or~~
         ~~(3) Two licensed interns;~~
      ~~ii. The following information is recorded by the transferring pharmacist or intern:~~
         ~~(1) The word "void" is written on the face of the invalidated original prescription unless it is an electronic or oral transfer and the transferred prescription order information is invalidated in the transferring pharmacy's computer system; and~~
         ~~(2) The name and identification code, number, or address and telephone number of the pharmacy to which the prescription is transferred, the name of the receiving pharmacist or intern, the date of transfer, and the name of the transferring pharmacist or intern is written on the back of the prescription or entered into the transferring pharmacy's computer system; and~~
      ~~iii. The following information is recorded by the receiving pharmacist or intern on the transferred prescription order:~~
         ~~(1) The word "transfer;"~~
         ~~(2) Date of issuance of the original prescription order;~~
         ~~(3) Original number of refills authorized on the original prescription order;~~
         ~~(4) Date of original dispensing;~~
         ~~(5) Number of valid refills remaining and the date of the last refill;~~
         ~~(6) Name and identification code, number, or address, telephone number, and original prescription number of the pharmacy from which the prescription is transferred;~~
         ~~(7) Name of the transferring pharmacist or intern; and~~
         ~~(8) Name of the receiving pharmacist or intern;~~
   ~~b. The transfer of original prescription order information for a Schedule III, IV, or V controlled substance meets the following conditions:~~
      ~~i. The transfer of information is communicated directly between two licensed pharmacists or interns electronically or verbally;~~
      ~~ii. The following information is recorded by the transferring pharmacist or intern:~~
         ~~(1) The word "void" is written on the face of the invalidated original prescription order unless it is an electronic or oral transfer and the transferred prescription order information is invalidated in the transferring pharmacy's computer system; and~~
         ~~(2) The name, address, and DEA number of the pharmacy to which the prescription is transferred, the name of the receiving pharmacist, the date of transfer, and the name of the transferring pharmacist is written on the back of the prescription order or entered into the transferring pharmacy's computer system; and~~
      ~~iii. The following information is recorded by the receiving pharmacist on the transferred prescription order:~~
         ~~(1) The word "transfer;"~~
         ~~(2) Date of issuance of original prescription order;~~
         ~~(3) Original number of refills authorized on the original prescription order;~~

~~(4) Date of original dispensing;~~
~~(5) Number of valid refills remaining and the date of the last refill;~~
~~(6) Name, address, DEA number, and original prescription number of the pharmacy from which the prescription is transferred;~~
~~(7) Name of the transferring pharmacist; and~~
~~(8) Name of the receiving pharmacist;~~

5. ~~For a transfer from out-of-state:~~ A pharmacist may transfer prescription order information for a Schedule II, III, IV, or V controlled substance before or after the prescription order is initially filled. Only the remaining number of refills originally prescribed may be transferred. The receiving pharmacy shall ensure the total number of refills dispensed does not exceed the total number of refills originally prescribed.
6. A pharmacist who transfers prescription order information for any controlled substance shall comply with all of subsection (E) and the following federal law as in effect on August 28, 2023, which is incorporated by this reference and includes no later amendments or editions. The incorporated information is available at the Board's office and https://www.ecfr.gov/on/2023-08-28/title-21/chapter-II/.
   a. ~~The transfer of original prescription order information for a non-controlled substance drug meets the conditions in subsections (E)(4)(a)(i) and (E)(4)(a)(iii);~~ Schedule II controlled substances. 21 CFR, Chapter II, Parts 1306 and 1311; and
   b. ~~The transfer of original prescription order information for a Schedule III, IV, or V controlled substance meets the conditions in subsections (E)(4)(b)(i) and (E)(4)(b)(iii); and~~ Schedule III, IV, and V controlled substances. 21 CFR, Chapter II, Part 1306, §§ 1306.08, 1306.23, and 1306.25.
6.7. ~~For an electronic transfer, the electronic transfer of original prescription order information meets the following conditions:~~ A pharmacist, intern, or pharmacy technician may transfer prescription order information for a non-controlled substance before or after the prescription order is initially filled. Only the remaining number of refills originally prescribed may be transferred. The receiving pharmacy shall ensure the total number of refills dispensed does not exceed the total number of refills originally prescribed.
   ~~a. The electronic transfer is between pharmacies owned by the same company using a common or shared database;~~
   ~~b. The electronic transfer of original prescription order information for a non-controlled substance drug is performed by a pharmacist or intern, pharmacy technician trainee, or pharmacy technician under the supervision of a pharmacist;~~
   ~~c. The electronic transfer of original prescription order information for a controlled substance is performed between two licensed pharmacists;~~
   ~~d. The electronic transfer of original prescription order information for a non-controlled substance drug meets the following conditions:~~
      ~~i. The transferring pharmacy's computer system:~~
         ~~(1) Invalidates the transferred original prescription order information;~~
         ~~(2) Records the identification code, number, or address of the pharmacy to which the prescription order information is transferred;~~
         ~~(3) Records the name or identification code of the receiving pharmacist, intern, pharmacy technician trainee, or pharmacy technician; and~~
         ~~(4) Records the date of transfer; and~~
      ~~ii. The receiving pharmacy's computer system;~~
         ~~(1) Records that a prescription transfer occurred;~~
         ~~(2) Records the date of issuance of the original prescription order;~~
         ~~(3) Records the original number of refills authorized on the original prescription order;~~
         ~~(4) Records the date of original dispensing;~~
         ~~(5) Records the number of valid refills remaining and the date of the last refill;~~
         ~~(6) Records the identification code, number, or address and original prescription number of the pharmacy from which the prescription is transferred;~~
         ~~(7) Records the name or identification code of the receiving pharmacist or intern, pharmacy technician trainee, or pharmacy technician; and~~
         ~~(8) Records the date of transfer;~~
   ~~e. The electronic transfer of original prescription order information for a controlled substance meets the following conditions:~~
      ~~i. The transferring pharmacy's computer system:~~
         ~~(1) Invalidates the transferred original prescription order information;~~
         ~~(2) Records the identification code, number, or address, and DEA number of the pharmacy to which the prescription order information is transferred;~~
         ~~(3) Records the name or identification code of the receiving pharmacist;~~
         ~~(4) Records the date of transfer; and~~
         ~~(5) Records the name or identification code of the transferring pharmacist; and~~
      ~~ii. The electronic prescription order information received by the computer system of the receiving pharmacy includes the information required in subsection (E)(4)(b)(iii); and~~
   ~~f. In addition to electronic documentation of a transferred prescription order in the computer system, an original prescription order containing the requirements of this Section is filed in compliance with A.R.S. § 32-1964.~~
8. Method of transfer.
   a. A pharmacist who transfers prescription order information for a controlled substance shall ensure the information is transferred in a manner consistent with the federal law incorporated by reference in subsection (E)(6);

b. A pharmacist, intern, or pharmacy technician who transfers prescription order information for a non-controlled substance may use any lawful method of transfer that maintains the integrity, confidentiality, and traceability of the prescription order information; and
c. If prescription order information is transferred electronically, the computer system:
i. Of the transferring pharmacy shall cancel the prescription order upon transfer; and
ii. Of the receiving pharmacy shall record receipt of the transferred prescription order information.
9. The transferring and receiving pharmacy are independently responsible for complying with subsection (E).
10. Both the transferring and receiving pharmacy shall maintain records regarding the transfer of prescription order information according to A.R.S. § 32-1964 and make the records available to the Board on request.

F. Transmission of a prescription order from a medical practitioner to a pharmacy by fax.
1. A medical practitioner or medical practitioner's agent may transmit a prescription order for a Schedule III, IV, or V controlled substance, prescription-only drug, or nonprescription drug to a pharmacy by fax under the following conditions:
a. The prescription order is faxed only to the pharmacy of the patient's choice;
b. The faxed prescription order:
i. Contains all the information required for a prescription order in A.R.S. §§ 32-1968 and 36-2525; and
ii. Is only faxed from the medical practitioner's practice location, except that a nurse in a hospital, long-term care facility, or inpatient hospice may send a fax of a prescription order for a patient of the facility; and
c. The faxed prescription order shall contain the following additional information:
i. The date the prescription order is faxed;
ii. The fax number of the prescribing medical practitioner or the facility from which the prescription order is faxed, and the telephone number of the facility; and
iii. The name of the person who transmits the fax, if other than the medical practitioner.
2. A medical practitioner or medical practitioner's agent may fax a prescription order for a Schedule II controlled substance for information purposes only, unless the faxed prescription order meets the requirements of A.R.S. § 36-2525(F) and (G).
3. A pharmacy may receive a faxed prescription order for a Schedule II controlled substance for information purposes only, except a faxed prescription order for a Schedule II controlled substance that meets the requirements of A.R.S. § 36-2525(F) and (G) may serve as the original written prescription order.
4. To meet the seven-year record retention requirement of A.R.S. § 32-1964, a pharmacy shall receive a faxed prescription order on plain paper or may make a photocopy of the faxed prescription order.
5. A medical practitioner or the medical practitioner's agent may fax refill authorizations to a pharmacy if the faxed authorization includes the medical practitioner's telephone and fax numbers, the medical practitioner's signature or medical practitioner's agent's name, and date of authorization.

G. Electronic transmission of a prescription order from a medical practitioner to a pharmacy.
1. Unless otherwise prohibited by law, a medical practitioner or medical practitioner's agent may transmit a prescription order by electronic means, directly or through an intermediary, including an E-prescribing network, to the dispensing pharmacy as specified in A.R.S. § 32-1968.
2. For electronic transmission of a Schedule II, III, IV, or V controlled substance prescription order, the medical practitioner and pharmacy shall ensure the transmission complies with any security or other requirements of federal law.
3. The medical practitioner and pharmacy shall ensure all electronic transmissions comply with all the security requirements of state or federal law related to the privacy of protected health information.
4. In addition to the information required to be included on a prescription order as specified in A.R.S. § 32-1968, a medical practitioner shall ensure an electronically transmitted prescription order includes:
a. The date of transmission; and
b. If the individual transmitting the prescription is not the medical practitioner, the name of the medical practitioner's authorized agent who transmits the prescription order.
5. A pharmacy receiving an electronically transmitted prescription order shall maintain the prescription order as specified in A.R.S. § 32-1964 or R4-23-408(H)(2).
6. A medical practitioner or medical practitioner's agent shall transmit an electronic prescription order only to the pharmacy of the patient's choice.

H. Exceptions under A.R.S. § 36-2525 regarding electronic prescribing requirements:
1. Medical practitioner exceptions. A medical practitioner who is authorized to prescribe a controlled substance may furnish a written prescription order is accordance with R4-23-407 rather than an electronically transmitted prescription order if the prescription order is written:
a. In this state to be filled in a jurisdiction outside this state;
b. For a medication that requires compounding two or more ingredients;
c. For a medication that is not in the E-prescribing database;
d. For an individual who is detained by or in custody of an Arizona or federal law enforcement agency; or
e. Under A.R.S. § 36-2525(N) or (O); and
2. Pharmacist exceptions. A pharmacist may dispense a controlled substance from a written rather than electronically transmitted prescription order if the prescription order:
a. Is written by a medical practitioner who is not licensed in this state but rather, is licensed in a jurisdiction outside this state. The pharmacist is not required to verify whether the medical practitioner is licensed;
b. Is written for a medication that requires compounding two or more ingredients;
c. Is written for a medication that is not in the E-prescribing database;

d. Is written for an individual who is detained by or in custody of an Arizona or federal law enforcement agency; or
e. Is received under A.R.S. § 36-2525(D).

NOTICES OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

File Number: R26-122

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:
May 8, 2026

2. Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R4-23-205	Amend
R4-23-410	Amend
R4-23-670	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. § 32-1904(A)(1), (A)(10), (B)(4)(b), and (B)(17)
Implementing statute: A.R.S. §§ 32-1901, 32-1939, 32-1961, and 32-1971

4. The effective date of the rule:
September 5, 2026

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):
Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):
Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:
Notice of Rulemaking Docket Opening: 31 A.A.R. 2637, Issue date: August 8, 2025, Issue Number: 32, File Number: R25-180

Notice of Proposed Rulemaking: 31 A.A.R. 2619, Issue date: August 8, 2025, Issue Number: 32, File Number: R25-178

Notice of Supplemental Proposed Rulemaking: 31 A.A.R. 4565, Issue date: December 19, 2025, Issue Number: 51, File Number: R25-280

6. The agency's contact person who can answer questions about the rulemaking:

Name:	Kamlesh Gandhi
Title:	Executive Director
Address:	1110 W. Washington St., Suite 260 Phoenix, AZ 85007
Telephone:	(602) 771-2727
Email:	kgandhi@azpharmacy.gov
Website:	www.azpharmacy.gov

7. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:
The Board is amending rules to ensure consistency with current industry standards, address operational concerns, and

respond to stakeholder feedback.

R4-23-205 is amended consistent with the Board's authority to charge for conducting an inspection (See A.R.S. § 32-1904(A) and (B)) and to charge for services such as licensee and permittee lists (See A.R.S. §§ 32-1904 and 32-1939). The Board currently assesses these charges but determined putting the charges in rule will provide transparency and notice to regulated entities and ensure consistent administration of cost recovery.

R4-23-410 and R4-23-670 are amended to align the state's compounding standards with the updated U.S. Pharmacopeia (USP), Chapters 795, 797, 900, and 825 and federal requirements. Both of these Sections were last updated 20 years ago. Since that time, the USP has revised standards governing nonsterile compounding, sterile compounding, radiopharmaceutical compounding, and the handling of hazardous drugs. Amending R4-23-410 and R4-23-670 is necessary to ensure Arizona pharmacies operate under current national standards, promote patient safety, and protect pharmacy personnel who handle hazardous drugs and to provide clear and consistent regulatory requirements for compounding pharmacies. There is a risk that if Arizona fails to adopt the most current compounding practice standards, businesses may restrict shipping medications out of Arizona.

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

Not applicable

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

Not applicable

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

Putting hourly inspection fees and charges for lists of licensees/permittees into R4-23-205 formalizes existing practices and allows the Board to recoup these costs. The fees and charges will impose minimal costs on affected entities but enhance transparency and administrative consistency. The fees established in this rulemaking for a requested inspection and an inspection related to issuing a certificate of free sales are specifically authorized by statute (See A.R.S. § 1904(A)(10) and (B)(17)).

This rulemaking will have a direct economic impact on permitted pharmacies that handle hazardous drugs, as defined by the United States Pharmacopeia (USP) General Chapter 800. Compliance with USP 800 requires physical, operational, and procedural changes to ensure the safe handling of hazardous drugs in healthcare settings, including retail, hospital, and compounding pharmacies.

Economic Impact on Permitted Pharmacies

USP standards for handling hazardous drugs were announced in 2019 by the United States Pharmacopeia, which is an independent scientific organization, with implementation set for 2023. Most of Arizona's permitted pharmacies have invested in becoming compliant. However, there may still be some pharmacies that need to upgrade their facilities and operations to meet the requirements for handling hazardous drugs. Affected pharmacies will incur upfront capital and ongoing operational costs. These costs include facility modifications such as the installation or retrofitting of externally ventilated negative-pressure rooms, containment primary engineering controls (C-PECs), and other structural upgrades. Industry estimates suggest one-time capital costs may range from $300,000 to $2,500,000 per pharmacy depending on facility size and existing infrastructure. Additionally, ongoing expenses for personal protective equipment and required closed-system transfer devices used in handling hazardous drugs may range from $5,000 to $20,000 per year. In addition, stability studies for sterile preparations can reach $30,000 per formulation. Pharmacies that comply with USP BUD (beyond-use-date) do not have to perform stability studies. Many rural facilities that compound patient specific medications may not be compounding for anticipatory needs so the expense for stability study does not apply.

Impact on Small Businesses

The Board estimates most of the affected pharmacies are small businesses under A.R.S. § 41-1001. As with all permitted pharmacies, this rulemaking may impose a financial burden on these entities.

Consumer Impact

The rulemaking will have no direct economic effect on consumers but pharmacies may pass some compliance-related costs to consumers receiving compounded hazardous medications, which would result in an indirect economic effect. Consumers will benefit through reduced occupational contamination risk and safer handling of medications that present carcinogenic, teratogenic, or organ-toxic risks.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

The Board made the following changes to the rules as they appeared in the Notice of Supplemental Proposed Rulemaking. Changes made between the NPR and NSPR were made in response to stakeholder comment, which is addressed in item 12.

R4-23-410: Added the word “pharmacy” before the word “permittee” to be consistent in terminology used throughout 4 A.A.C. 23.

R4-23-410(B)(2)(b): Added a reference to 21 U.S.C. § 353b (Section 503B of the Federal Food, Drug, and Cosmetic Act) for outsourcing facilities operating under federal law. This provision clarifies federal requirements applicable to outsourcing facilities and makes the material incorporated by reference more complete. This addition does not impose a new requirement because an outsourcing facility is already required to comply with Section 503B and applicable federal law.

R4-23-410(D): Amended the subsection to provide specificity regarding substances used in compounding, including references to USP standards, FDA-approved substances, bulk drug substances authorized under federal law, and documentation requirements. The amendments clarify, but do not change, existing federal law, the USP standards incorporated by reference, and existing Arizona law regarding compounding, adulteration, misbranding, and compliance with the official compendium.

R4-23-410(H): Amended the subsection to clarify when a pharmacist may compound a drug that is similar to an FDA-approved commercially available product to reflect existing federal requirements applicable to compounding under Section 503A and to improve clarity and enforcement consistency. The specific clarifications, which are not new but rather reflect existing federal requirements under Section 503A, include that a compounded product must differ from a commercially available product in a clinically significant manner determined by the prescribing practitioner for a specific patient, when the drug shortages exception applies, and patient-specific requirements for prescription orders.

The Board made minor grammatical, formatting, and terminology revisions throughout the Section to improve clarity and consistency without changing meaning, scope, or effect and corrected several typographical errors.

The changes made are not substantial as described at A.R.S. § 41-1025(B). The persons affected by and subject matter of the Section remain the same. The effect of the Section, consistency with federal requirements, USP standards, and Arizona law, also remains the same.

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

As indicated in the Notice of Supplemental Proposed Rulemaking, the Board received written comments regarding the Notice of Proposed Rulemaking from five entities: Alliance for Pharmacy Compounding, American Diabetes Association, CVS, Eli Lilly and Company, and Novo Nordisk. Some of the commenters submitted multiple comments. Multiple commenters asked for clarification regarding compliance requirements, consistency with federal requirements regarding use of bulk drug substances, and compounding an essential copy especially due to a drug shortage. It was the comments and the Board’s determination to incorporate the comments into the rulemaking that led to the Notice of Supplemental Proposed Rulemaking. Specifically, the Board clarified the difference between USP standards for 503A and 503B outsourcing facilities; hazardous drugs; bulk drug lists; compounding of essential copies of commercially available products; and documentation requirements. The following table summarizes the comments made regarding the NPR and Board actions taken in the NSPR:

COMMENT	ANALYSIS	ACTION
The EIS underestimates compliance costs required under USP <797> standards.	Most permittees already comply with the provisions regarding compounding. However, the comment is correct regarding initial and ongoing costs for compounding pharmacies.	The EIS was amended to address the ongoing costs.
The date of materials incorporated by reference is incorrect.	The comment is correct.	The typographical error was corrected.
It is difficult and unnecessary for the label of a compounded product to include qualify and purity information.	The comment is correct.	R4-23-410(C) was amended to change the label requirement.
The Board has not fully implemented USP <800> regarding hazardous drugs.	The Board seeks to be as non-restrictive as possible but determined both NIOSH tables could be referenced by clarifying the scope of “hazardous drugs.”	R4-23-410(M) was amended.

The language regarding substances used in compounding is unnecessarily restrictive and perhaps not enforceable. The proposed rule makes no mention of interim FDA bulk lists. Replace the phrase “chemical grade” with “pharmaceutical grade.”	The Board wants to provide flexibility regarding use of professional judgment and certainly wants rules that are enforceable. The comment is correct. The comment is correct.	R4-23-410(D) was amended consistent with the comments.
The language regarding compounding a product that is an essential copy of an FDA-approved, commercially available drug is not clear that the compounding must use bulk substances. Align the rule with federal provisions to avoid sham “personalization” practices. Use of the term “in short supply” is problematic. “Commercially available” means a substance can be bought and sold. A substance in short supply still can be bought and sold. It will be better to use the phrase “appears on the FDA drug shortage database.” Anticipatory compounding should align with federal law to prevent abuse. Be explicit regarding a prohibition of sales from 503B outsourcing facilities to 503A compounding pharmacies. Ensure records of “clinically significant” need are maintained for seven years.	These concerns are addressed by the FDA.	R4-23-410(H) was amended to address all the comments consistent with FDA requirements. R4-23-410(N) requires records be maintained for seven years.

The Board received one written comment regarding the NSPR. Mark Boesen, of Boesen and Snow Law, asked whether R4-23-410(D) applies to all permittees that compound or only 503A permittees. Mr. Boesen agreed the amendment to R4-23-410(D) answered his question.

The Board also consulted with members of the regulated public regarding the NSPR. Recommendations from these consultations were made as described in item 11.

13. 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:

Not applicable

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:

None of the amended rules requires 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 rules are not more stringent than the applicable federal law found at 21 CFR, Chapter 1, Subchapter C, Parts 210, 211, and 212, which is incorporated by reference in R4-23-410.

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

Not applicable

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

R4-23-410(B):

The United States Pharmacopeia and the National Formulary, Chapters 795, 797, 800, and 825, published November

1, 2022, and available at https://usp.org

21 U.S.C. § 353a (Section 503A of the Federal Food, Drug, and Cosmetic Act), 2024 edition, and available at https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title21-section353a&num=0&edition=prelim

21 U.S.C. § 353b (Section 503B of the Federal Food, Drug, and Cosmetic Act), 2024 edition, and available at https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title21-section353b&num=0&edition=prelim.

21 CFR, Chapter 1, Subchapter C, Parts 210, 211, and 212, updated July 15, 2025, and available at https://www.ecfr.gov/current/title-21/chapter-I/subchapter-C

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

Not applicable

16. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

ARTICLE 2. PHARMACIST LICENSURE

Section
R4-23-205. Fees and Charges

ARTICLE 4. PROFESSIONAL PRACTICES

Section
R4-23-410. Current Good Compounding Practices

ARTICLE 6. PERMITS AND DISTRIBUTION OF DRUGS

Section
R4-23-670. Sterile Pharmaceutical Products

ARTICLE 2. PHARMACIST LICENSURE

R4-23-205. Fees and Charges

A. The Board establishes and shall collect the full biennial fee for all initial and renewal license and permit applications listed in subsections (B) and (C).

B. Licensure fees:
1. Pharmacist:
   a. Initial licensure: $180.
   b. Licensure renewal: $180.
2. Intern. Initial licensure: $50.
3. Pharmacy technician:
   a. Initial licensure: $72.
   b. Licensure renewal: $72.
4. Temporary license valid for 30 days:
   a. Pharmacist: $120.
   b. Intern: $50.
   c. Pharmacy technician: $50.

C. Vendor permit fees (Resident and nonresident):
1. Pharmacy: $480 biennially (Including hospital, and limited service).
2. Drug wholesaler or manufacturer:
   a. Manufacturer: $1000 biennially.
   b. Full-service drug wholesaler: $1000 biennially.
   c. Nonprescription drug wholesaler: $500 biennially.
3. Drug packager or repackager: $1000 biennially.
4. Compressed medical gas distributor: $200 biennially.
5. Durable medical equipment and compressed medical gas supplier: $100 biennially.
6. Third-party logistics provider: $1000 biennially.
7. Automated prescription-dispensing kiosk: $480 biennially.

D. Pharmacy technician trainee 36-month, non-renewable, registration: $25.
E. Reciprocity fee: $150.
F. Application fee: $50.
G. Certificate fees:
1. Certificate of free sale: $200 per certificate.
2. Certificate of good manufacturing practice: $200 per certificate.

H. Charges for services:
1. Wall license.
   a. Pharmacist: $20.
   b. Intern: $10.
   c. Pharmacy technician: $10.
2. Duplicate of any Board-issued certificate: $10.
3. License, permit, or certificate verification: $15.
4. Charge for an inspection conducted under A.R.S. § 32-1904(A)(10), (B)(4), or (B)(17): the hourly rate of the Board staff member conducting the inspection multiplied by the number of rounded quarter hours required to conduct the inspection. If the inspection is conducted as a condition of probation, the charge will not exceed the amount stated in A.R.S. § 32-1939.
5. Charge for the following lists, as authorized under A.R.S. § 32-1904(B)(4)(b):
   a. Licensee and registrant list (open licensees):
      i. Pharmacists: $200.
      ii. Interns: $100.
      iii. Pharmacy technicians and pharmacy technician trainees: $200.
      iv. Comprehensive list of all licensees and registrants: $350.
   b. Permittee list (open permittees):
      i. Pharmacies: $50.
      ii. Other facilities: $35.
      iii. Comprehensive list of all permittees: $75.

I. Fees are not refunded under any circumstances except for the Board's failure to comply with its established licensure or permit time frames under R4-23-202 or R4-23-602.
J. Penalty. A renewal application submitted after the expiration date is subject to a penalty as provided in A.R.S. §§ 32-1925 and 32-1931.
1. Licensee: A penalty equal to half the licensee's biennial licensure renewal fee under subsection (B) and not to exceed $350.
2. Permittee: A penalty equal to half the permittee's biennial permit fee under subsection (C) and not to exceed $350.

ARTICLE 4. PROFESSIONAL PRACTICES

R4-23-410. Current Good Compounding Practices

~~**A.** This Section establishes the current good compounding practices to be used by a pharmacist licensed by the Board, in a pharmacy permitted by the Board, and in compliance with applicable federal and state law governing the practice of pharmacy.~~
~~**B.** A pharmacy permittee shall ensure compliance with the provisions in this subsection.~~
~~1. All substances for compounding that are received, stored, or used by the pharmacy permittee:~~
~~a. Meet official compendium requirements;~~
~~b. Are of high quality, such as Chemically Pure (CP), Analytical Reagent (AR), certified American Chemical Society (ACS), or Food Chemical Codex (FCC) grade; or~~
~~c. Are obtained from a source that, in the professional judgment of the pharmacist, is acceptable and reliable.~~
~~2. Before compounding a pharmaceutical product in excess of the quantity dispensed in anticipation of receiving valid prescriptions for the pharmaceutical product, a pharmacist, employed by the pharmacy permittee, shall establish a history of compounding valid prescriptions for the pharmaceutical product.~~
~~3. Neither the pharmacy permittee nor a pharmacist employed by the pharmacy permittee provides a compounded pharmaceutical product to a pharmacy, medical practitioner, or other person for dispensing or distributing except that a compounded pharmaceutical product may be provided to a medical practitioner to administer to a patient of the medical practitioner if each container is accompanied by the written list required in subsection (I)(5) and has a label that includes the following:~~
~~a. The pharmacy's name, address, and telephone number;~~
~~b. The pharmaceutical product's name and the information required in subsection (I)(4);~~
~~c. A lot or control number;~~
~~d. A beyond-use-date based upon the pharmacist's professional judgment, but not more than the maximum guidelines recommended in the Pharmacy Compounding Practices chapter of the official compendium unless there is published or unpublished stability test data that shows a longer period is appropriate;~~
~~e. The statement "Not For Dispensing;" and~~
~~f. The statement "For Office or Hospital Administration Only."~~
~~4. A pharmacy or pharmacist may advertise or otherwise promote the fact that the pharmacy or pharmacist provides prescription compounding services.~~
~~**C.** A pharmacy permittee shall ensure compliance with the organization, training, and personnel issues in this subsection.~~
~~1. Before dispensing a compounded pharmaceutical product, a pharmacist:~~
~~a. Inspects and approves or rejects, or assumes responsibility for inspecting and approving or rejecting, components, pharmaceutical product containers and closures, in-process materials, and labeling;~~

b. Prepares or assumes responsibility for preparing all compounding records;
c. Reviews all compounding records to ensure that no errors occur in the compounding process;
d. Ensures the proper use, cleanliness, and maintenance of all compounding equipment; and
e. Documents by hand-written initials or signature in the compounding record the completion of the requirements of subsections (C)(1)(a), (b), (c), and (d).

2. A pharmacist engaged in compounding:
a. Complies with the current good compounding practices and applicable state pharmacy laws;
b. Maintains compounding proficiency through current awareness, training, and continuing education; and
c. Ensures that personnel engaged in compounding wear:
i. Clean clothing appropriate to the work performed; and
ii. Protective apparel, such as coats, aprons, gowns, gloves or masks to protect the personnel from chemical exposure and prevent pharmaceutical product contamination.

D. A pharmacy permittee shall ensure the security, safety, and quality of a compounded pharmaceutical product by conforming with the following standards:
1. Implement procedures to exclude from direct contact with components, pharmaceutical product containers and closures, in-process materials, labeling, and pharmaceutical products, any person with an apparent illness or open lesion that may adversely affect the safety or quality of a compounded pharmaceutical product, until the illness or lesion, as determined by competent medical personnel, does not jeopardize the safety or quality of a compounded pharmaceutical product; and
2. Require all personnel to inform a pharmacist of any health condition that may adversely affect a compounded pharmaceutical product.

E. A pharmacy permittee shall provide compounding facilities that conform with the standards in this subsection.
1. In addition to the minimum area requirements of R4-23-609, R4-23-655, or R4-23-673, the compounding area:
a. Complies with the requirements in R4-23-611; and
b. Has sufficient space to permit efficient pharmacy practice, free movement of personnel, and visual surveillance by a pharmacist.
2. If sterile pharmaceutical product or radiopharmaceutical product compounding is performed, the compounding area complies with the requirements of R4-23-670, R4-23-681, and R4-23-682.
3. A clean, dry, and temperature-controlled area and, if required, a refrigerated area, in which to store properly labeled containers of bulk drugs, chemicals, and materials used in compounding, that complies with state statutes and rules.

F. To protect pharmaceutical product safety, identity, strength, quality, and purity, a pharmacy permittee shall ensure that equipment and utensils used in pharmaceutical product compounding are:
1. Of appropriate design, adequate size, and suitably located for proper operation, cleaning, and maintenance;
2. Made of material that is not reactive, additive, or absorptive when exposed to components, in-process materials, or pharmaceutical products;
3. Cleaned and protected from contamination before use;
4. Inspected and determined suitable for use before initiation of compounding operations; and
5. Routinely inspected, calibrated, or checked to make proper performance certain.

G. A pharmacy permittee shall ensure that the pharmacist-in-charge establishes, implements, and complies with procedures to prevent cross-contamination when pharmaceutical products that require special precautions to prevent cross-contamination, such as penicillin, are used in a compounding procedure. The procedures shall include either the dedication of equipment or the meticulous cleaning of contaminated equipment before its use in compounding other pharmaceutical products.

H. A pharmacy permittee shall ensure that the pharmacist-in-charge establishes, implements, and complies with control procedures for components and pharmaceutical product containers and closures, either written or electronically stored with printable documentation, that conform with the standards in this subsection.
1. Components and pharmaceutical product containers and closures are:
a. Stored off the floor,
b. Handled and stored to prevent contamination, and
c. Rotated so the oldest approved stock is used first.
2. Container closure systems comply with official compendium standards.
3. Pharmaceutical product containers and closures are clean and made of material that is not reactive, additive, or absorptive.

I. A pharmacy permittee shall ensure that the pharmacist-in-charge establishes, implements, and complies with pharmaceutical product compounding controls that conform with the standards in this subsection.
1. Pharmaceutical product compounding procedures are available in either written form or electronically stored with printable documentation:
a. To ensure that a finished pharmaceutical product has the identity, strength, quality, and purity it is purported or represented to possess, the procedures include, for each pharmaceutical product compounded, a description of:
i. The components, their manufacturer, lot number, expiration date, and amounts, the order of component addition, if applicable, and the compounding process;
ii. The equipment and utensils used; and
iii. The pharmaceutical product container and closure system proper for the sterility and stability of the pharmaceutical product as it is intended to be used.
b. To test the pharmaceutical product being compounded, the procedures monitor the output and validate the performance of compounding processes that may cause variability in the final pharmaceutical product, including assessing:
i. Dosage form weight variation;

~~ii. Adequacy of mixing to ensure uniformity and homogeneity; and~~
~~iii. Clarity, completeness, and pH of solutions, if applicable.~~

~~2. Components for pharmaceutical product compounding are accurately weighed, measured, or subdivided. To ensure that each weight, measure, or subdivision is correct as stated in the compounding procedures, a pharmacist:~~
~~a. Checks and rechecks, or assumes responsibility for checking and re-checking, the operations at each stage of the compounding process; and~~
~~b. Documents by hand-written initials or signature the completion and accuracy of the compounding process.~~

~~3. Compounding equipment and utensils are properly cleaned and maintained.~~

~~4. In addition to the labeling requirements of A.R.S. § 32-1968(D), the label contains:~~
~~a. A statement, symbol, designation, or abbreviation that the pharmaceutical product is a compounded pharmaceutical product, and~~
~~b. A beyond-use-date as specified in subsection (B)(3)(d).~~

~~5. A written list of the compounded pharmaceutical product's active ingredients is given to the patient at the time of dispensing.~~

~~6. When a component is removed from its original container and transferred to another container, the new container label contains, in full text or an abbreviated code system, the following:~~
~~a. The component name,~~
~~b. The manufacturer's or supplier's name,~~
~~c. The lot or control number,~~
~~d. The weight or measure,~~
~~e. The beyond-use-date as specified in subsection (B)(3)(d), and~~
~~f. The transfer date.~~

~~**J.** A pharmacy permittee shall ensure that the pharmacist-in-charge stores any quantity of compounded pharmaceutical product produced in excess of the quantity dispensed in accordance with subsection (B):~~

~~1. In an appropriate container with a label that contains:~~
~~a. A complete list of components or the pharmaceutical product's name;~~
~~b. The preparation date;~~
~~c. The assigned lot or control number; and~~
~~d. A beyond-use-date as specified in subsection (B)(3)(d); and~~

~~2. Under conditions, dictated by the pharmaceutical product's composition and stability characteristics, that ensure its strength, quality, and purity.~~

~~**K.** A pharmacy permittee shall ensure that the pharmacist-in-charge establishes, implements, and complies with recordkeeping procedures that comply with this subsection:~~

~~1. Pharmaceutical product compounding procedures and other records required by this Section are maintained by the pharmacy for not less than seven years, and~~

~~2. Pharmaceutical product compounding procedures and other records required by this Section are readily available for inspection by the Board or its designee.~~

A. A licensed pharmacist and a pharmacy permittee shall comply with the good compounding practices specified in this Section and federal and state law governing the practice of pharmacy. A licensed pharmacist, intern, and pharmacy technician under the supervision of a licensed pharmacist working in Arizona shall practice compounding only in a Board-permitted facility.

B. A pharmacy permittee engaged in compounding pharmaceutical products shall comply with the following materials, which are incorporated by reference and contain no later amendments or editions:

1. For a pharmacy permittee operating under Section 503A of the Federal Food, Drug, and Cosmetic Act:
   a. Chapters <795>, <797>, <800>, and <825> of the United States Pharmacopeia and the National Formulary (USP-NP), published November 1, 2022, and available at https://usp.org; and
   b. 21 U.S.C. § 353a (Section 503A of the Federal Food, Drug, and Cosmetic Act), 2024 edition, and available at https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title21-section353a&num=0&edition=prelim; and
2. For an outsourcing facility permitted as a manufacturer operating under Section 503B of the Federal Food, Drug, and Cosmetic Act:
   a. 21 CFR, Chapter 1, Subchapter C, Parts 210, 211, and 212, published by the U.S. Government Publishing Office, updated July 15, 2025, and available at https://www.ecfr.gov/current/title-21/chapter-I/subchapter-C; and
   b. 21 U.S.C. § 353b (Section 503B of the Federal Food, Drug, and Cosmetic Act), 2024 edition, and available at https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title21-section353b&num=0&edition=prelim.

C. A pharmacy permittee engaged in compounding pharmaceutical products shall comply with R4-23-610(A)(2) regarding policies and procedures that:

1. Are required to conform with the material incorporated by reference in subsection (B); and
2. Address steps necessary to ensure:
   a. A finished compounded pharmaceutical product meets all label and labeling requirements;
   b. A finished compounded pharmaceutical product has the identity, strength, quality, and purity it is purported or represented to have;
   c. The person to whom the finished compounded pharmaceutical product is dispensed is knowledgeable about the product; and
   d. Records of compounding pharmaceutical products are maintained for seven years.

D. Substances used in compounding. A pharmacy permittee engaged in compounding pharmaceutical products shall ensure:

1. All substances received, stored, or used in compounding, including bulk drug substances, comply with applicable USP requirements incorporated in subsection (B) and the following:
   a. Comply with the standards of an applicable USP-NF monograph, if one exists; or
   b. If an applicable USP-NF monograph does not exist, are components of drug substances approved by the FDA; or
   c. If neither subsection (D)(1)(a) nor (D)(1)(b) exists, appear on the list of bulk drug substances (also called active pharmaceutical ingredients) enacted under Section 503A(b)(1)(A)(i)(III) of the Federal Food, Drug, and Cosmetic Act and codified at 21 CFR 216.23(a); or
   d. Appear on category 1 or any FDA-recognized interim bulk drug substances list of policy applicable to compounding under Section 503A of the Federal Food, Drug, and Cosmetic Act;
2. If the compounded pharmaceutical product is intended for:
   a. Human use, all substances are pharmaceutical grade; or
   b. Animal use, substances are pharmaceutical or veterinary grade and the compounded pharmaceutical product is labeled and supplied for veterinary use only;
3. All substances are obtained from a source that, in the professional judgment of the pharmacist, is reputable and reliable and provides substances, including allergen extracts and substances not identified by the U.S. FDA, appropriate for the intended compounding use;
4. All substances used in compounding have documented identity, strength, purity, and quality appropriate for the intended compounding use and bulk substances are accompanied by a valid certificate of analysis; and
5. All substances identified under Section 501 of the Federal Food, Drug, and Cosmetic Act are obtained from either an FDA-registered facility that is:
   a. Permitted by the Board; or
   b. Outside the Board's jurisdiction but has a valid FDA registration that is verified and documented in the permittee's records.

E. A pharmacist may compound a pharmaceutical product for which the pharmacist does not have a prescription order if, based on experience and the exercise of professional judgment, the pharmacist reasonably anticipates receipt of a prescription order for the compounded pharmaceutical product. The pharmacist shall ensure a pharmaceutical product compounded under this subsection is labeled accurately and stored in a manner that protects the pharmaceutical product's quality until the pharmaceutical product is dispensed under a patient-specific prescription order except as described in subsection (F) when the pharmaceutical product is dispensed to a veterinary medical practitioner. A pharmacist shall not add an ingredient to a pharmaceutical product that was compounded at another 503A facility.

F. A pharmacy permittee or pharmacist shall not provide a compounded pharmaceutical product to a pharmacy, medical practitioner, or other person unless the medical practitioner is a veterinarian who will administer the compounded pharmaceutical product to a patient of the veterinary medical practitioner. The permittee or pharmacist who provides a compounded pharmaceutical product to a veterinary medical practitioner shall ensure the compounded pharmaceutical product is labeled with the following information:
1. The name, address, and telephone number of the compounding pharmacy;
2. The compounded pharmaceutical product's name;
3. A lot or control number;
4. A beyond-use date consistent with the information in subsection (B);
5. An indication the pharmaceutical product has been compounded; and
6. The following statement: Not for Dispensing; For Veterinary Use Only.

G. A pharmacy permittee or pharmacist:
1. May advertise that compounding services are provided, and
2. Shall not advertise false or misleading information.

H. Compounding a pharmaceutical product that is essentially a copy of an FDA-approved, commercially available drug.
1. A pharmacist shall not fill a prescription order for and shall not compound a copy of an FDA-approved, commercially available drug unless:
   a. The compounded pharmaceutical product differs from the FDA-approved, commercially available drug in a clinically significant manner the prescribing practitioner determines is needed for a specifically identified patient:
      i. To meet a documented medical need; or
      ii. To address an intolerance to the commercially available drug; or
   b. The FDA-approved, commercially available drug appears on:
      i. The FDA drug shortages database; or
      ii. The American Society of Health-system Pharmacists drug shortages list,
2. A pharmacist shall not fill a prescription order submitted through a pharmacy platform or electronic system if the prescription order is for a copy of an FDA-approved, commercially available drug unless the prescribing practitioner provides patient-specific clinical information that supports the prescription order and enables the pharmacist to determine the prescription order was issued for a legitimate medical purpose.

I. Before a pharmaceutical product is compounded and dispensed, a pharmacy permittee shall ensure:
1. The area and equipment used in compounding the pharmaceutical product is clean and well maintained;
2. All components used in compounding the pharmaceutical product and pharmaceutical product containers, closures, and labeling are inspected and either approved or disapproved;
3. Records of the compounding are prepared completely and accurately; and
4. Completion of the requirements in subsections (I)(1) through (I)(3) is documented in the compounding record and the compounding record is retained for at least seven years.

J. A pharmacist, intern, or pharmacy technician under the supervision of a pharmacist who is engaged in compounding pharmaceutical products shall:
1. Comply with subsection (B);
2. Maintain and document proficiency in compounding;
3. Ensure persons engaged in compounding wear clothing and protective apparel that protects the persons from chemical exposure and prevents pharmaceutical product contamination; and
4. Require all persons engaged in compounding:
   a. To inform the pharmacist of any health condition that may adversely affect a compounded pharmaceutical product; and
   b. To remain outside the compounding area if the person has an apparent illness or open lesion that may adversely affect the compounded pharmaceutical product.

K. A pharmacy permittee shall ensure an area in which pharmaceutical product compounding is performed:
1. Complies with the space and equipment standards specified in R4-23-609, R4-23-655, or R4-23-673, as applicable;
2. Complies with the requirements in R4-23-670, R4-23-681, and R4-23-682 if the compounding involves a sterile pharmaceutical or radiopharmaceutical product; and
3. Allows visual surveillance of the compounding area by a pharmacist.

L. A pharmacy permittee shall ensure all equipment used in pharmaceutical product compounding:
1. Complies with the standards in subsection (B) and is suitable for the intended purpose;
2. Is inspected and calibrated, if necessary, according to the manufacturer's instructions; and
3. Is handled in a manner that prevents cross-contamination of the compounding substances.

M. A pharmacy permittee shall develop a facility-specific list of hazardous drugs.
1. As used in this subsection, a hazardous drug is a drug that is:
   a. Approved for use in humans by the FDA;
   b. Not regulated by the U.S. Nuclear Regulatory Commission; and
   c. Either:
      i. Is accompanied by prescribing information that includes manufacturer's special handling information to protect workers handling the drug; or
      ii. Is identified as a carcinogenic, developmental, reproductive, genotoxic, or other health hazard.
2. In developing the facility-specific list of hazardous drugs, the pharmacy permittee shall consider:
   a. The NIOSH List of Hazardous Drugs in Healthcare Settings, including both Table 1 (drugs with manufacturer special handing information or carcinogenic classification) and Table 2 (drugs with reproductive or developmental risks), as it is referenced in the material incorporated in subsection (B)(1);
   b. Specific product formulations and packaging that occur in the facility; and
   c. Site-specific risks from routine handling, compounding, spills, broken device, needle stick, inadvertent contact, or surface contamination.
3. When using the NIOSH List of Hazardous Drugs in Healthcare Settings, the pharmacy permittee shall:
   a. Ensure all Table 1 drugs are managed in accordance with USP <800> requirements, including application of containment controls and assessment of risk provisions;
   b. Ensure a risk-based assessment is done of Table 2 drugs to determine the level of containment, protective equipment, and handling controls necessary. The pharmacy permittee shall document, review annually, make available to the Board on request, and ensure the assessment of each Table 2 drug includes:
      i. Frequency and duration of handling;
      ii. Dosage form and packaging characteristics;
      iii. Potential routes of exposure;
      iv. Engineering controls used;
      v. Required personal protective equipment; and
      vi. Cleaning, decontamination, and spill procedures; and
   c. Evaluate each new drug introduced into the facility against the NIOSH lists referenced in subsection (M)(2)(a), reevaluate drugs when new information becomes available, and conduct a facility-wide review annually.

N. A pharmacy permittee shall ensure all records required under this Section, including compounding procedures, ingredient documentation, certificates of analysis, compounding logs, quality assurance records, environmental monitoring records, policies and procedures, and training documentation are:
1. Maintained for at least seven years; and
2. Made available to the Board or the Board's designee within three business days of request.

ARTICLE 6. PERMITS AND DISTRIBUTION OF DRUGS

R4-23-670. Sterile Pharmaceutical Products

~~**A.** In addition to the minimum area requirement of R4-23-609(A) and R4-23-655(B) and before compounding a sterile pharmaceutical product, a pharmacy permittee, limited-service pharmacy permittee, or applicant shall provide a minimum sterile pharmaceutical product compounding area that is not less than 100 square feet of contiguous floor area, except any pharmacy permit issued or pharmacy remodeled before November 1, 2006 may continue to use a sterile pharmaceutical product compounding area that is not less that 60 square feet of contiguous floor area, until a pharmacy ownership change occurs that requires issuance of a new permit or the pharmacy is remodeled. The pharmacy permittee or the pharmacist-in-charge shall ensure that the sterile pharmaceutical product compounding area:~~
~~1. Is dedicated to the purpose of preparing and compounding sterile pharmaceutical products;~~

2. Is isolated from other pharmacy functions;
3. Restricts entry or access;
4. Is free from unnecessary disturbances in air flow;
5. Is made of non-porous and cleanable floor, wall, and ceiling material; and
6. Meets the minimum air cleanliness standards of an ISO Class 7 environment as defined in R4-23-110, except an ISO class 7 environment is not required if all sterile pharmaceutical product compounding occurs within an ISO class 5 environment isolator, such as a glove box, pharmaceutical isolator, barrier isolator, pharmacy isolator, or hospital pharmacy isolator.

B. In addition to the equipment requirements in R4-23-611 and R4-23-612 or R4-23-656 and before compounding a sterile pharmaceutical product, a pharmacy permittee, limited-service pharmacy permittee, or applicant shall ensure that a pharmacist who compounds a sterile pharmaceutical product has the following equipment:
1. Environmental control devices capable of maintaining a compounding area environment equivalent to an "ISO class 5 environment" as defined in R4-23-110. Devices capable of meeting these standards include: laminar airflow hoods, hepa filtered zonal airflow devices, glove boxes, pharmaceutical isolators, barrier isolators, pharmacy isolators, hospital pharmacy isolators, and biological safety cabinets;
2. Disposal containers designed for needles, syringes, and other material used in compounding sterile pharmaceutical products and if applicable, separate containers to dispose of cytotoxic, chemotherapeutic, and infectious waste products;
3. Freezer storage units with thermostatic control and thermometer, if applicable;
4. Packaging or delivery containers capable of maintaining official compendial drug storage conditions;
5. Infusion devices and accessories, if applicable; and
6. In addition to the reference library requirements of R4-23-612, a current reference pertinent to the preparation of sterile pharmaceutical products.

C. Before compounding a sterile pharmaceutical product, the pharmacy permittee, limited-service pharmacy permittee, or pharmacist-in-charge shall:
1. Prepare, implement, and comply with policies and procedures for compounding and dispensing sterile pharmaceutical products,
2. Review biennially and if necessary revise the policies and procedures required under subsection (C)(1),
3. Document the review required under subsection (C)(2),
4. Assemble the policies and procedures as a written manual or by another method approved by the Board or its designee, and
5. Make the policies and procedures available in the pharmacy for employee reference and inspection by the Board or its designee.

D. The assembled policies and procedures shall include, where applicable, the following subjects:
1. Supervisory controls and verification procedures to ensure the quality and safety of sterile pharmaceutical products;
2. Clinical services and drug monitoring procedures for:
    a. Patient drug utilization reviews;
    b. Inventory audits;
    c. Patient outcome monitoring;
    d. Drug information; and
    e. Education of pharmacy and other health professionals;
3. Controlled substances;
4. Supervisory controls and verification procedures for:
    a. Cytotoxics handling, storage, and disposal;
    b. Disposal of unused supplies and pharmaceutical products; and
    c. Handling and disposal of infectious wastes;
5. Pharmaceutical product administration, including guidelines for the first dosing of a pharmaceutical product;
6. Drug and component procurement;
7. Pharmaceutical product compounding, dispensing, and storage;
8. Duties and qualifications of professional and support staff;
9. Equipment maintenance;
10. Infusion devices and pharmaceutical product delivery systems;
11. Investigational drugs and their protocols;
12. Patient profiles;
13. Patient education and safety;
14. Quality management procedures for:
    a. Adverse drug reactions;
    b. Drug recalls;
    c. Expired pharmaceutical products;
    d. Beyond-use-dating for both standard-risk and substantial-risk sterile pharmaceutical products consistent with the requirements of R4-23-410(B)(3)(d);
    e. Temperature and other environmental controls;
    f. Documented process and product validation testing; and
    g. Semi-annual certification of the laminar air flow hood or other ISO class 5 environment, other equipment, and the ISO class 7 environment, including documentation of routine cleaning and maintenance for each laminar air flow hood or other ISO class 5 environment, other equipment, and the ISO class 7 environment; and
15. Sterile pharmaceutical product delivery requirements for:
    a. Shipment to the patient;
    b. Security; and

~~c. Maintaining official compendial storage conditions.~~

~~**E.** Standard-risk sterile pharmaceutical product compounding. Before compounding a standard-risk sterile pharmaceutical product, a pharmacy permittee or pharmacist-in-charge shall ensure compliance with the following minimum standards:~~

~~1. Compounding occurs only in an ISO class 5 environment within an ISO class 7 environment, and the ISO class 7 environment may have a specified prep area inside the environment;~~

~~2. Compounding sterile pharmaceutical products from sterile commercial drugs or sterile pharmaceutical otic or ophthalmic products from non-sterile ingredients occurs using procedures that involve only a few closed-system, basic, simple aseptic transfers and manipulations;~~

~~3. Each person who compounds wears adequate personnel protective clothing for sterile preparation that includes gown, gloves, head cover, and booties. Each person who compounds is not required to wear personnel protective clothing when all sterile pharmaceutical compounding occurs within an ISO class 5 environment isolator, and the ISO Class 5 environment isolator is not inside an ISO Class 7 environment; and~~

~~4. Each person who compounds completes an annual media-fill test to validate proper aseptic technique.~~

~~**F.** Substantial-risk sterile pharmaceutical product compounding. Before compounding a substantial-risk sterile pharmaceutical product, a pharmacy permittee or pharmacist-in-charge shall ensure compliance with the following minimum standards:~~

~~1. Compounding parenteral or injectable sterile pharmaceutical products from non-sterile ingredients occurs only in an ISO class 5 environment within an ISO class 7 environment and the ISO class 7 environment shall not have a prep area inside the environment;~~

~~2. Each person who compounds wears adequate personnel protective clothing for sterile preparation that includes gown, gloves, head cover, and booties. Each person who compounds is not required to wear personnel protective clothing when all sterile pharmaceutical compounding occurs within an ISO class 5 environment isolator, and the ISO Class 5 environment isolator is not inside an ISO Class 7 environment; and~~

~~3. Each person who compounds completes a semi-annual media-fill test that simulates the most challenging or stressful conditions for compounding using dry non-sterile media to validate proper aseptic technique.~~

A. A pharmacy permittee or pharmacist engaged in sterile compounding shall comply with R4-23-410(B).

B. Sterile compounding area requirements. Before engaging in sterile compounding, a pharmacy permittee shall comply with the area requirements of R4-23-609(A) and R4-23-655(A), as applicable, and provide a dedicated sterile compounding area that is at least 100 square feet of contiguous floor area. A pharmacy permitted or remodeled before November 1, 2006 may continue using a sterile compounding area that is at least 60 square feet until an ownership change requiring a new permit or a remodeling occurs. The pharmacy permittee shall ensure the sterile compounding area:

1. Is designated exclusively for sterile compounding;
2. Has restricted entry and access;
3. Maintains appropriate airflow that is verified by certification at least every six months;
4. Is made of non-porous, cleanable, materials;
5. Is clean, well lit, non-cluttered, and contains only the supplies and equipment necessary for sterile compounding;
6. Is monitored to ensure microbial contamination of air and surfaces is maintained within acceptable levels; and
7. Is monitored to ensure all personnel who enter the sterile compounding area are trained and demonstrate knowledge necessary to work in the area.

C. Equipment requirements. A pharmacy permittee shall ensure a pharmacist compounding sterile products has access to the following:

1. Environmental control devices maintaining an ISO class 5 environment;
2. Disposal containers for sharps, hazardous drugs, and infectious waste, as applicable;
3. Refrigerated or frozen storage with thermostatic control, if necessary for the type of drug or media stored;
4. Packaging or delivery containers that maintain proper storage conditions;
5. Infusion devices and accessories, if applicable; and
6. A current reference relevant to sterile compounding.

D. Policies and procedures. A pharmacy permittee shall comply with R4-23-610(A)(2) regarding policies and procedures relevant to sterile compounding. The policies and procedures shall address, as applicable:

1. Quality assurance and verification procedures;
2. Patient drug utilization review and monitoring;
3. Handling of substances;
4. Proper handling, storing, and disposing of hazardous and infectious materials;
5. Compounding, dispensing, labeling, and storing sterile preparations;
6. Staff qualifications and responsibilities;
7. Equipment maintenance and certification;
8. Investigational drug protocols;
9. Patient education and safety measures;
10. Adverse event reporting and recall procedures; and
11. Secure and compliant pharmaceutical delivery methods.

Volume 32, Issue 30, July 24, 2026

NOTICES OF PROPOSED EXPEDITED RULEMAKING

An agency may conduct expedited rulemaking if the rulemaking does not increase the cost of regulatory compliance, increase a fee or reduce procedural rights of persons regulated. Other requirements to conduct expedited rulemaking are listed under A.R.S. § 41-1027(A)(1) through (8).

A Notice of Proposed Expedited Rulemaking is filed by the agency and published in the *Register* and is also posted on an agency's website and the Governor's Regulatory Review Council's website to allow for written comments at least 30 days after posting the notice.

An agency shall also respond to written objections to these proposed expedited rules which are filed and published in the *Register.*

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

Refer to item #10 of the preamble for information on how to comment on this notice and the close of record to comment.

NOTICE OF PROPOSED EXPEDITED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 1. BOARD OF ACCOUNTANCY

File Number: R26-120

PREAMBLE

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

June 18, 2026

2.

Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R4-1-226.01	Amend
R4-1-341	Amend
R4-1-343	Amend
R4-1-454	Amend
R4-1-455	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. § 32-703(B)(7) and (13)

Implementing statute: A.R.S. § 32-703(B)(8)

4. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the proposed expedited rule:

Notice of Docket Opening for a Proposed Expedited Rulemaking: 32 A.A.R. 1688, July 24, 2026 (*in this issue*); File Number: R26-123

5. The agency's contact person who can answer questions about the rulemaking:

Name: Chris Rasmussen
Title: Assistant Director of Regulation and Compliance
Address: Board of Accountancy
100 N. 15th Ave., Suite 165
Phoenix, AZ 85007
Telephone: (602) 364-0895
Fax: (602) 364-0903
Email: crasmussen@azaccountancy.gov
Website: www.azaccountancy.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:

R4-1-226.01. Laws 2026, Chapter 17, SB 1181 is a bill to expand pathways to obtain a certified public accountant (CPA) certificate in Arizona. It has a delayed effective date of December 31, 2026. This effort is crucial as the CPA profession nationwide is experiencing a decline in accounting graduates and a shortage of qualified professionals (i.e., the "CPA Pipeline" issue). Under SB 1181, budding professionals can obtain the CPA certificate by completing one of the following pathways:

	Education	Experience	Exam
Path 1 [New]	Bachelor's Degree	2 Years Work Experience	CPA Exam
Path 2 [Current]	Bachelor's Degree + 30 Semester Hours	1 Year Work Experience	CPA Exam
Path 3 [Current]	Post-Bachelor's Degree	1 Year Work Experience	CPA Exam

Each pathway would require that applicants have a minimum concentration in accounting and related courses, so they may have the technical knowledge necessary to be a CPA. SB 1181 requires the Board to promulgate the required accounting and related course hours in rule. As it relates to R4-1-226.01, existing statute requires 24 nonduplicate accounting hours of which 12 must be upper-level and 18 must be in related courses (a.k.a. 24/12/18) to sit for the Uniform CPA Exam (Exam). This has been moved from A.R.S. § 32-723(A) to R4-1-226.01(A)(1)(c). The number of semester hours being proposed in rule is the same as what was in the statute, thus it is just being relocated. All other changes in this rule are technical or conforming in nature.

R4-1-341(A)(3)(a). An error was identified as it relates to this provision. A.R.S. § 32-721(C), which this rule is directly tied to, is a certification pathway permitted for those who are already registered in another jurisdiction and who have passed the Exam or the International Qualification Examination (IQEX), which is a form of the Exam for international applicants. R4-1-341(A)(3)(a) as drafted did not require applicants to provide verification that they had passed the Exam, which is contrary to statute and practice. Accordingly, language is added to this provision to conform it to statute and practice.

R4-1-341(A)(3)(b). The Board recently received legal advice from its Assistant Attorney General that this provision is overbroad as it requires license verifications from all jurisdictions that an applicant is registered with. This contrasts with A.R.S. § 32-721(C), which only requires that an applicant be registered with one other jurisdiction. The changes outlined in this provision conform the rule to A.R.S. § 32-721(C) by requiring that only one license verification be submitted.

R4-1-341(A)(7)(c). This rule provision addresses the additional educational requirement that the Board could prescribe and is intended to raise the bar for reinstatement for individuals who were previously relinquished or revoked due to egregious professional standard violations. Due to the passage of SB 1181, Sec. 11, changes are required to conform with the new alternative pathway language, accounting/related course hours, and to conform with R4-1-341(A)(2)(b), which references R4-1-343 for education and accounting experience.

R4-1-343(C)(1). For certification, the existing statute requires 36 nonduplicative accounting hours of which 30 must be upper-level and 30 must be related courses (a.k.a. 36/30/30). The proposed rule language reduces the total and upper-level accounting hours by six (a.k.a. 30/24/30), which will make the profession more accessible to a greater range of professionals, while still maintaining the rigor necessary and expected of CPAs.

R4-1-343(C)(2). This portion of the rule addresses accounting/related course hours for certification by "long reciprocity". This is an alternative certification pathway that can be used by CPAs who are certified in another jurisdiction and don't otherwise qualify for certification by substantial equivalency (A.R.S. § 32-721(C)(1)). It uses a gradient system where the more experience you have, the less education you need, and vice versa.

"Long Reciprocity" Pathways (Under SB 1181)

	Education	Experience	Exam
32-721(C)(2)(a) and (b)	Either: Post-Bachelor's Degree or Bachelor's Degree + 30 Semester Hours	3 Years Employed as a CPA	CPA Exam
32-721(C)(3)	Bachelor's Degree	At least 5 of the 10 Preceding Years Employed as a CPA	CPA Exam

32-721(C)(4)	N/A	At Least 10 of the 15 Preceding Years Employed as a CPA	CPA Exam

Any education required via Long Reciprocity needs to have a certain amount of accounting/related course hours. This rule change simply transfers the accounting/related course hour requirements of 24/12/18 from A.R.S. § 32-721(C)(2) and (3) to R4-1-343(C)(2).

R4-1-343(D). This language transfers the accounting/related course hour requirements that may be prescribed by the Board in a relinquishment or revocation order from A.R.S. § 32-732(C)(2) to R4-1-343(D), and lowers it to the 30/24/30 standard, which will be the new base standard for certification.

R4-1-454. The Board is seeking to update its incorporation by reference of the Standards for Performing and Reporting on Peer Reviews. Peer reviews are periodic quality reviews that CPA firms undergo to educate them as to whether attest and/or compilation engagements are performed in accordance with applicable standards. A.R.S. § 41-1028(B) requires that a reference in rule fully identify an incorporated matter by location, date, and state that the rule does not include any later amendments or editions of the incorporated matter, hence the Board's need to annually update.

R4-1-455. The Board is seeking to update its incorporation by reference of the American Institute of Certified Public Accountants' (AICPA's) Code of Professional Conduct (the Code). The Code is a set of principles and rules that guide the ethical and professional responsibilities of CPAs. It also incorporates technical standards for various practice areas. A.R.S. § 41-1028(B) requires that a reference in rule fully identify an incorporated matter by location, date, and state that the rule does not include any later amendments or editions of the incorporated matter, hence the Board's need to annually update.

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:

Not applicable.

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

Not applicable.

9. A statement that the agency is exempt from the requirements under A.R.S. § 41-1055(G) to obtain and file a preliminary summary of the economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2):

This rulemaking is exempt from the requirements to obtain and file an economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2).

10. Where, when, and how a person may provide written comments on the proposed expedited rule:

Written comments can be sent via email or mail to the Board staff member noted in item #5. An oral proceeding regarding the proposed rules will be held as follows:

Date: August 24, 2026
Time: 9:00 a.m.
Location: Board of Accountancy
100 N. 15th Ave., Suite 165
Phoenix, AZ 85007

The rulemaking record will close on Monday, August 24, 2026 at 5:00 p.m.

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

There are no other matters prescribed by statute applicable to this agency 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:

The rules do not require a permit.

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

There is no federal law regarding CPAs or any other subjects of the rules.

c. Whether a person submitted an analysis to the agency regarding the rule's impact on the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states under A.R.S. §

41-1055(I). If yes, include the analysis with the rulemaking package.
No analysis was submitted.

12. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:
R4-1-454(A) – Standards for Performing and Reporting on Peer Reviews
https://www.aicpa-cima.com/resources/article/peer-review-standards

R4-1-455(A) – Code of Professional Conduct
https://pub.aicpa.org/codeofconduct/ethicsresources/et-cod.pdf

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 1. BOARD OF ACCOUNTANCY

ARTICLE 2. CPA EXAMINATION

Section
R4-1-226.01. Applications; Examination - Computer-based

ARTICLE 3. CERTIFICATION AND REGISTRATION

Section
R4-1-341. CPA Certificates; Firm Registration; Reinstatement; Reactivation
R4-1-343. Education and Accounting Experience

ARTICLE 4. REGULATION

Section
R4-1-454. Peer Review
R4-1-455. Professional Conduct and Standards

ARTICLE 2. CPA EXAMINATION

R4-1-226.01. Applications; Examination - Computer-based

A. A person desiring to take the Uniform Certified Public Accountant Examination who is qualified under A.R.S. § 32-723 may apply by submitting an initial application. A person whose initial application has already been approved by the Board to sit for the Uniform CPA Examination may apply by submitting an application for ~~reexamination~~ re-examination.
1. The requirements for initial application for examination are:
   a. A completed application for initial examination,
   b. A $100 initial application fee if:
      i. The applicant has not previously filed an application for initial examination in Arizona, or
      ii. The Board administratively closed a previously submitted application, or
      iii. The applicant has been previously denied by the Board.
   c. University or college transcripts to verify that the applicant ~~meets the educational requirements and if~~ has at least:
      i. Twenty-four semester hours of nonduplicative accounting courses, of which at least twelve semester hours are upper-level courses.
      ii. Eighteen semester hours of related courses.
   d. If necessary for education taken outside the United States an additional course-by-course evaluation from the National Association of State Boards of Accountancy International Evaluation Services (NIES).
   ~~d.~~e. Other information or documents requested by the Board to determine compliance with eligibility requirements.
2. The requirements for application for re-examination are:
   a. A completed application for re-examination, and
   b. A $50 re-examination application fee.

B. Within 30 days of receiving an initial application, the Board shall provide written notice to the applicant that the application is either complete or incomplete. If the application is incomplete, the notice shall specify what information is missing. The applicant has 30 days from the date of the Board's letter to respond to the Board's request for additional information or the Board or its designee may administratively close the file. An applicant whose file is administratively closed and who later wishes to apply shall reapply under subsection (A)(1).

C. The Board's certification advisory committee (CAC) shall evaluate the applicant's file and make a recommendation to the Board to approve or deny the application. The CAC may defer a decision on the applicant's file to a subsequent CAC meeting to provide the applicant opportunity to submit any information requested by written notice by the CAC that the CAC believes is relevant to make a recommendation to the Board. The applicant has 30 days from the date of the Board's letter to respond to the CAC's request for additional information or the Board or its designee may administratively close the file.

D. If the Board approves the application, the Board shall notify the applicant in writing and send an authorization to test (ATT) to the National Association of State Boards of Accountancy (NASBA) to permit the applicant to take the specified section or sections of the examination for which the applicant applied. If the Board denies the application, the Board shall send the applicant written notice explaining:
1. The reason for denial, with citations to supporting statutes or rules;
2. The applicant's right to seek a fair hearing to challenge the denial; and
3. The time periods for appealing the denial.

E. If the applicant does not timely pay to the NASBA the fees owed for the examination section or sections for which the applicant applied, the ATT expires. An applicant that still wishes to take a section or sections of the Uniform CPA Examination shall submit an application for re-examination under subsection (A)(2).

F. After an applicant has paid NASBA, NASBA shall issue a notice to schedule (NTS) to the applicant. A NTS enables an applicant to schedule testing at an approved examination center. The NTS is effective on the date of issuance and expires when the applicant sits for all sections listed on the NTS or six months from the date of issuance, whichever occurs first. Upon written request to the Board and showing good cause that prevents the applicant from appearing for the examination, an applicant may be granted by the Board a 90-day extension to a current NTS.

G. The Board shall send the applicant any written notice required by this section in accordance with R4-1-117(E)(1) or (2).

ARTICLE 3. CERTIFICATION AND REGISTRATION

R4-1-341. CPA Certificates; Firm Registration; Reinstatement; Reactivation

A. An applicant may apply for a certificate of certified public accountant or for reinstatement of a certificate by submitting:
1. An application fee of $100; and
2. For an applicant applying for certification under A.R.S. § 32-721(A) and (B), a completed application including:
   a. Verification that the applicant passed the Uniform CPA Examination,
   b. Verification that the applicant meets the education and experience requirements specified in R4-1-343,
   c. Proof of a score of at least 90% on the American Institute of Certified Public Accountants (AICPA) examination in professional ethics taken within the two years immediately before the application is submitted,
   d. Evidence of lawful presence in the United States, and
   e. Other information or documents requested by the Board to determine compliance with eligibility requirements.
3. For an applicant applying for certification under A.R.S. § 32-721(A) and (C), a completed application including:
   a. Verification that the applicant has passed the Uniform CPA Examination or the International Qualification Examination (IQEX),
   b. License verification ~~from each jurisdiction~~ in which the applicant has ~~ever been issued~~ a certificate to practice as a certified public accountant ~~of which at least one must be an active certification~~ from a jurisdiction with requirements determined by the Board to be substantially equivalent to the requirements in A.R.S. § 32-721(B) or verification that the applicant meets the education and experience requirements specified in R4-1-343,
   c. Evidence of lawful presence in the United States, and
   d. Other information or documents requested by the Board to determine compliance with eligibility requirements.
4. For an applicant applying for certification under A.R.S. § 32-721(A) and (D) for mutual recognition agreements adopted by the Board a completed application including:
   a. Verification that the applicant has passed the International Qualification Examination (IQEX),
   b. License verification from the applicant's country which has a mutual recognition agreement with the National Association of State Boards of Accountancy that has been adopted by the Board,
   c. Evidence of lawful presence in the United States, and
   d. Other information or documents requested by the Board to determine compliance with eligibility requirements.
5. For an applicant applying for certification under A.R.S. § 32-4302, a completed application including:
   a. License verification from each jurisdiction in which the applicant holds a license;
   b. Evidence of lawful presence in the United States;
   c. Proof of residency;
   d. Disciplinary history, if applicable;
   e. Other information or documents requested by the Board to determine compliance with eligibility requirements.
6. For an applicant applying for reinstatement from cancelled status under A.R.S. § 32-732(B) a completed application including:
   a. CPE that meets the requirements of R4-1-453(C)(7) and (E), and
   b. Evidence of lawful presence in the United States.
7. For an applicant applying for reinstatement from expired, relinquished, or revoked status under A.R.S. § 32-732(C), a completed application including:
   a. CPE that meets the requirements of R4-1-453(C)(7) and (E),
   b. Evidence of lawful presence in the United States,
   c. If prescribed by a board relinquishment or revocation order, ~~evidence from an accredited institution or a college or university that maintains standards comparable to those of an accredited institution that the individual has completed at least one hundred fifty semester hours of education as follows:~~ verification that the applicant meets the education requirements specified in R4-1-343.
      ~~i. At least 36 semester hours are accounting courses of which at least 30 semester hours are upper level courses.~~
      ~~ii. At least 30 semester hours are related courses.~~

d. If prescribed by a board relinquishment or revocation order, evidence that the individual has retaken and passed the Uniform Certified Public Accountant Examination.

B. An applicant may apply for a certified public accountant firm registration or for reinstatement of a registration by submitting:
1. For an applicant applying for a new firm under A.R.S. § 32-731, a completed application including:
   a. Approved Articles of Incorporation for professional corporations, approved Articles of Organization for limited liability companies or professional limited liability companies, confirmation of business name on the Secretary of State's website for partnerships, limited liability partnerships, or an individual or sole proprietorship with a trademark name;
   b. If applicable, peer review results as prescribed by R4-1-454(B); and
   c. Other information or documents requested by the Board to determine compliance with eligibility requirements.
2. For an applicant applying for reinstatement from cancelled under A.R.S. § 32-732(E) a completed application including:
   a. Approved Articles of Incorporation for professional corporations, approved Articles of Organization for limited liability companies or professional limited liability companies, confirmation of business name on the Secretary of State's website for partnerships, limited liability partnerships, or an individual or sole proprietorship with a trademark name;
   b. If applicable, peer review results as prescribed by R4-1-454(B); and
   c. Other information or documents requested by the Board to determine compliance with eligibility requirements.
3. For an applicant applying for reinstatement from expired, relinquished, or revoked status under A.R.S. § 32-732(F) a completed application including:
   a. Approved Articles of Incorporation for professional corporations, approved Articles of Organization for limited liability companies or professional limited liability companies, confirmation of business name on the Secretary of State's website for partnerships, limited liability partnerships, or an individual or sole proprietorship with a trademark name;
   b. If applicable, peer review results as prescribed by R4-1-454(B);
   c. If applicable, substantial evidence that the applicant has been completely rehabilitated with respect to the conduct that was the basis of the expiration, relinquishment or revocation of the firm's registration; and
   d. Other information or documents requested by the Board to determine compliance with eligibility requirements.

C. Pursuant to Title 41, Chapter 6, Article 7.1, the Board's licensing time frames are as follows:
1. Certification/Reinstatement/Reactivation
   a. Administrative Completeness Review Time Frame. The Board shall notify the applicant within 30 days from the receipt of the application that the application is complete.
      i. If the application is incomplete, an incomplete notice shall specify what information is missing. If the Board issues an incomplete notice, the administrative completeness review time frame and the overall time frame are suspended from the date the notice is issued until the date the Board receives the missing information from the applicant.
      ii. The applicant has 30 days from the date of the incomplete notice to respond in writing and provide all the missing information or the Board may administratively close the file. An applicant whose file is administratively closed shall reapply under subsection (A).
   b. Substantive Review Time Frame. The Board has 60 days to complete its substantive review.
      i. If the Board finds deficiencies during the substantive review of the application, the Board may issue one comprehensive written request to the applicant for additional information. If the Board issues a comprehensive written request, or a supplemental request by mutual agreement, the substantive review time frame and the overall time frame are suspended from the date the request is issued until the date the Board receives the additional information from the applicant.
      ii. The applicant has 30 days from the date of the written request to respond in writing and provide all the additional information or the Board may administratively close the file. An applicant whose file is administratively closed shall reapply under subsection (A).
   c. Overall Time Frame. The Board has 150 days to issue a written notice to an applicant approving or denying an application.
2. Firm Registration
   a. Administrative Completeness Review Time Frame. The Board shall notify the applicant within 10 days from the receipt of the application that the application is complete.
      i. If the application is incomplete, an incomplete notice shall specify what information is missing. If the Board issues an incomplete notice, the administrative completeness time frame and the overall time frame are suspended from the date the notice issued until the date the Board receives the missing information from the applicant.
      ii. The applicant has 30 days from the date of the incomplete notice to respond in writing and provide all the missing information or the Board may administratively close the file. An applicant whose file is administratively closed shall reapply under subsection (B).
   b. Substantive Review Time Frame. The Board has 60 days to complete its substantive review.
      i. If the Board finds deficiencies during the substantive review of the application, the Board may issue one comprehensive written request to the applicant for additional information. If the Board issues a comprehensive written request, or a supplemental request by mutual agreement, the substantive time frame and the overall time frame are suspended from the date the request is issued until the date the Board receives the additional information from the applicant.
      ii. The applicant has 30 days from the date of the written request to respond in writing and provide all the additional information or the Board may administratively close the file. An applicant whose file is administratively closed shall reapply under subsection (B).
   c. Overall Time Frame. The Board has 90 days to issue a written notice to an applicant approving or denying an application.

D. If the Board denies an applicant's request under this section, the Board shall send the applicant written notice explaining:
1. The reason for denial, with citations to supporting statutes or rules;

2. The applicant's right to seek a fair hearing to challenge the denial; and
3. The time periods for appealing the denial.

E. The Board shall send the applicant any written notice required by this section in accordance with R4-1-117(E)(1) or (2).

R4-1-343. Education and Accounting Experience

A. To demonstrate compliance with the experience requirements of A.R.S. § 32-721(B), an applicant for certification by examination or grade transfer shall submit to the Board:
1. One or more certificates of experience, completed, signed and dated by an individual who:
   a. Possesses personal knowledge of the applicant's work, and
   b. Is able to confirm the applicant's accounting experience, and
   c. Is a certified public accountant; or
   d. Has accounting education and experience similar to that of a certified public accountant; and
2. Other information requested by the Board for explanation or clarification of experience.

B. To demonstrate compliance with the experience requirements of A.R.S. § 32-721(C), an applicant for certification by reciprocity shall submit to the Board:
1. One or more certificates of experience, completed, signed and dated by an individual who:
   a. Possesses personal knowledge of the applicant's work, and
   b. Is able to confirm the applicant's accounting experience, and
   c. Is a certified public accountant; or
   d. Has accounting education and experience similar to that of a certified public accountant; or
2. If the applicant is ~~self employed~~ self-employed, the applicant shall provide a signed and dated statement indicating ~~self employment~~ self-employment and three signed and dated client letters, confirming years of work experience, and
3. Other information requested by the Board for explanation or clarification of experience.

C. To demonstrate compliance with ~~the~~ education requirements ~~of Title 32, Chapter 6,~~ an applicant for certification ~~or reinstatement~~ shall submit to the Board~~:~~
~~1.~~ ~~University~~ university or college transcripts verifying that the applicant ~~meets the educational requirements~~ has:
1. For section 32-721(B):
   a. At least 30 semester hours of nonduplicative accounting courses, of which at least 24 semester hours are upper-level courses.
   b. At least 30 semester hours of related courses.
2. For section 32-721(C)(2) and (3):
   a. At least 24 semester hours of nonduplicative accounting courses, of which at least 12 semester hours are upper-level courses.
   b. At least 18 semester hours of related courses.

D. An applicant for reinstatement pursuant to A.R.S. § 32-732 shall submit to the board, if prescribed by a board relinquishment or revocation order, university or college transcripts verifying that the applicant has:
1. At least 30 semester hours of nonduplicative accounting courses, of which at least 24 semester hours are upper-level courses.
2. At least 30 semester hours of related courses.

E. ~~and if~~ If necessary for education taken outside the United States, an additional course-by-course evaluation from the National Association of State Boards of Accountancy International Evaluation Services (NIES)~~, and 2.~~.

F. Other information requested by the Board for explanation or clarification of education.

ARTICLE 4. REGULATION

R4-1-454. Peer Review

A. Each firm, review team, and member of a review team shall comply with the Standards for Performing and Reporting on Peer Reviews published ~~June 15, 2025~~ July 15, 2026 in the AICPA Professional Standards by the American Institute of Certified Public Accountants, 220 Leigh Farm Road, Durham, North Carolina 27707-8110 (www.aicpa.org), which is incorporated by reference. This incorporation by reference does not include any later amendments or editions. The incorporated material is available for inspection and copying at the Board's office.

B. A firm shall allow the sponsoring organization to make the following documents and objective information accessible to the Board via the FSBA process:
1. Peer review report which has been accepted by the sponsoring organization,
2. Firm's letter of response accepted by the sponsoring organization, if applicable,
3. The acceptance letter from the sponsoring organization,
4. Letter or letters accepting the documents signed by the firm with the understanding that the firm agrees to take any actions required by the sponsoring organization, if applicable,
5. Letter signed by the sponsoring organization notifying the firm that required actions have been appropriately completed, if applicable,
6. Date of the most current peer review program enrollment or reenrollment letter,
7. Firm representation to the sponsoring organization that it has not performed engagements subject to peer review in the last 12 months, if applicable,
8. Due date of the current peer review and due date on any open corrective actions,
9. Date of the peer review or corrective action extension letters,
10. Date of the letter acknowledging the peer review was scheduled, and

11. Estimated dates of the peer review commencement and presentation to a report acceptance body.

C. Information discovered solely as a result of a peer review is not grounds for suspension or revocation of a certificate.

D. Firms that reorganize a current firm, rename a firm, or create a new firm, within which at least one of the prior CPA owners remains an owner or employee, shall remain subject to the provisions of this Section. If a firm is merged, combined, dissolved, or separated, the sponsoring organization shall determine which resultant firm shall be considered the succeeding firm. The succeeding firm shall retain its peer review status and the review due date.

R4-1-455. Professional Conduct and Standards

A. It is the Board's policy that the rules governing registrants be consistent with the rules governing the accounting profession generally. Except as otherwise set forth in these regulations, registrants shall conform their conduct to the Code of Professional Conduct, published ~~June 15, 2025~~ July 15, 2026 in the AICPA Professional Standards by the American Institute of Certified Public Accountants, 220 Leigh Farm Road, Durham, North Carolina 27707-8110 (www.aicpa.org), available from the AICPA.

B. The AICPA Code of Professional Conduct, and any interpretations and ethical rulings by the issuing body, shall apply to all registrants, including those who are not members of the AICPA. The version specified above, including any interpretations and ethical rulings in effect shall apply. Any later amendments, additions, interpretations, or ethical rulings shall not apply.

NOTICE OF PROPOSED EXPEDITED RULEMAKING

TITLE 9. DEPARTMENT OF HEALTH SERVICES

CHAPTER 12. SOBER LIVING HOMES

File Number: R26-119

PREAMBLE

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

February 20, 2025

2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R9-12-101	Amend
R9-12-103	Amend
R9-12-104	Amend
R9-12-105	Amend
R9-12-106	Amend
R9-12-107	Amend
Table 1.1	Amend
Table 1.2	New Section
R9-12-201	Amend
R9-12-202	Amend
R9-12-203	Amend
R9-12-204	Amend
R9-12-205	Amend
R9-12-206	Renumber
R9-12-206	New Section
R9-12-207	Renumber
R9-12-207	Amend
R9-12-208	Renumber
R9-12-208	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. §§ 36-132(A)(1) and 36-136(G)

Implementing statutes: A.R.S. §§ 36-2062, 36-2062.01, 36-2063, 36-2064, and 36-2069

4. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the proposed expedited rule:

Notice of Rulemaking Docket Opening: 31 A.A.R. 863; Issue Date: March 21, 2025; Issue Number: 12; File Number: R25-31

Notice of Rulemaking Docket Opening: 32 A.A.R. 892; Issue Date: April 17, 2026; Issue Number: 16; File Number:

R26-48

5. The agency's contact person who can answer questions about the rulemaking:

Name:	Odette Colburn
Title:	Deputy Director
Division:	Public Health Licensing
Address:	150 N. 18th Ave. Phoenix, AZ 85007
Telephone:	(602) 542-6383
Email:	Odette.Colburn@azdhs.gov
	or
Name:	Stacie Gravito
Title:	Chief Administrative Counsel, Office of Administrative Counsel and Rules
Division:	Director's Office
Address:	150 N. 18th Ave., Suite 540 Phoenix, AZ 85007
Telephone:	(602) 542-1020
Email:	ACR@azdhs.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:

Arizona Revised Statutes (A.R.S.) § 36-2062(A) requires the Arizona Department of Health Services (Department) to "adopt rules to establish minimum standards and requirements for the licensure of sober living homes necessary to ensure the public health, safety, and welfare." Additional requirements for sober living homes are found in other statutes in A.R.S. Title 36, Chapter 18, Article 4. The Department has adopted rules to implement these statutes in A.A.C. Title 9, Chapter 12, Articles 1 and 2.

The Department is amending the rules in Chapter 12 by expedited rulemaking to address issues identified in a recent five-year-review report approved by the Council on December 3, 2024. In addition, the Department will make changes to comply with the requirements of Laws 2025, Ch. 66, such as requiring documentation verifying that an applicant is in compliance with local zoning ordinances, building codes, and fire codes; requiring information about whether an applicant or a licensee or controlling person has had a professional license or certificate or an application or license to operate a sober living home or a health care institution, denied, suspended, or revoked; including the provision for assessing a civil penalty on a sober living home that violates applicable statutes or rules; and requiring that paid staff comply with the fingerprint clearance card requirements in A.R.S. § 36-2069. While changes specifically required in statute may impose an additional burden in regulated entities, these burdens are attributed to the statutes, rather than the rules, themselves. Other changes made by the Department reduce the burden on regulated entities, such as changing the timing of the submission of licensing fees so the fee doesn't need to be submitted to the Department until the Department has approved the application for an initial license, rather than at the time of application, and including provisions for larger sober living homes. The revised rules are expected to improve effectiveness, align the rules with statutes and other applicable rules, update the rules to align with the Department's current practice as well as industry guidelines, and make the rules clearer, more concise, and understandable. The proposed changes are consistent with the purpose of A.R.S. § 41-1027 in that, except as described above, this rulemaking does not increase the cost of regulatory compliance, does not increase a fee, or reduce a procedural right of regulated persons. In addition, the rulemaking reduces steps, procedures, or processes and amends rules that are outdated and unnecessary, while protecting the health and safety of workers, patients, and the general public.

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 Department did not review or rely on any study for this rulemaking.

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

Not applicable

9. A statement that the agency is exempt from the requirements under A.R.S. § 41-1055(G) to obtain and file a preliminary summary of the economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2):

This rulemaking is exempt from the requirements to obtain and file an economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2).

10. Where, when, and how a person may provide written comments on the proposed expedited rule:

A person may submit written comments no later than the close of record to either of the individuals listed under item #5.

Close of Record: Monday, August 10, 2026, at 4:00 p.m.

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

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:

Because A.R.S. § 36-2062(E) states that a license is valid only for the premises and is not transferable, a general permit is not applicable and is not used. Therefore, Department believes that, under A.R.S. § 41-1037(A)(2), a general permit is not applicable.

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

Not applicable

c. Whether a person submitted an analysis to the agency regarding the rule's impact on the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states under A.R.S. § 41-1055(I). If yes, include the analysis with the rulemaking package.

No business competitiveness analysis was received by the Department.

12. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:

In R9-12-207(A)(2), the rules cite to the following documents incorporated by reference in A.A.C. R9-10-104.01:

The National Fire Protection Association 72: National Fire Alarm and Signaling Code; and

The National Fire Protection Association 13: Standard for the Installation of Sprinkler Systems

13. The full text of the rules follows:

TITLE 9. DEPARTMENT OF HEALTH SERVICES

CHAPTER 12. SOBER LIVING HOMES

ARTICLE 1. LICENSURE REQUIREMENTS

Section

R9-12-101. Definitions
R9-12-103. Initial Application for a License
R9-12-104. License Renewal
R9-12-105. Changes Affecting a License
R9-12-106. Time-frames
R9-12-107. ~~Denial, Revocation, or Suspension of a License~~ Enforcement Action
Table 1.1. Time-frames (in calendar days)
Table 1.2. Violation Severity and Remedy Matrix

ARTICLE 2. SOBER LIVING HOME REQUIREMENTS

Section

R9-12-201. Administration
R9-12-202. Residency Agreements
R9-12-203. Resident Rights
R9-12-204. Resident Records
R9-12-205. Sober Living Home Services
R9-12-206. Food Services
~~R9-12-206.~~R9-12-207. Emergency and Safety Standards
~~R9-12-207.~~R9-12-208. Environmental and Physical Plant Requirements

ARTICLE 1. LICENSURE REQUIREMENTS

R9-12-101. Definitions

In addition to the definitions in A.R.S. § 36-2061, the following definitions apply in this Chapter unless otherwise specified:

1. "Abuse" means:
   a. The same as in A.R.S. § 46-451;
   b. A pattern of ridiculing or demeaning a resident;
   c. Making derogatory remarks or verbally harassing a resident; or
   d. Threatening to inflict physical harm on a resident.
2. "Accept" or "acceptance" means an individual becomes a resident of a sober living home.
3. "Administrative completeness review time-frame" means the same as in A.R.S. § 41-1072.
4. "Applicant" means an individual or business organization requesting a license ~~under R9-12-104 to open~~ for a sober living home.
5. ~~"Application packet"~~ "Application" means the forms, documents, and additional information the Department requires to be submitted by an applicant.
6. "Available" means:
   a. For an individual, the ability to be contacted and to provide immediate response by any means possible;
   b. For equipment and supplies, physically retrievable at a sober living home; and
   c. For a document, retrievable by a sober living home or accessible according to applicable time-frames in this Chapter.
7. "Business day" means any day of the week other than a Saturday, a Sunday, a state legal holiday, or a day on which the Department is authorized or obligated by law or executive order to close.

~~6.~~8. "Business organization" means the same as "entity" in A.R.S. § 10-140.

~~7.~~9. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.

10. "Common area" means a space in a sober living home that is:
    a. Not a resident's bedroom,
    b. Not restricted to use by employees or volunteers of the sober living home,
    c. Available for use by visitors and other individuals on the premises, and
    d. Furnished to meet the needs of the residents.

~~8.~~11. "Controlling person" means ~~a person who, with respect to a business organization:~~ the same as in A.R.S. § 36-2068.
   ~~a. Has the power to vote at least 10% of the outstanding voting securities of the business organization;~~
   ~~b. If the business organization is a partnership, is a general partner or is a limited partner who holds at least 10% of the voting rights of the partnership;~~
   ~~c. If the business organization is a corporation, association, or limited liability company, is the president, the chief executive officer, the incorporator, an agent, or any person who owns or controls at least 10% of the voting securities; or~~
   ~~d. Holds a beneficial interest in 10% or more of the liabilities of the business organization.~~

~~9.~~12. "Department" means the Arizona Department of Health Services.

~~10.~~13. "Documentation" means information in written, photographic, electronic, or other permanent form.

~~11.~~14. "Drug" has the same meaning as in A.R.S. § 32-1901.

~~12.~~15. "Exploitation" has the same meaning as in A.R.S. § 46-451.

~~13.~~16. "Facility" means the building or buildings used for operating a sober living home.

~~14.~~17. "Health care provider" means a:
   a. Physician, as defined in A.R.S. § 36-401;
   b. Registered nurse practitioner, as defined in A.R.S. § 32-1601; or
   c. Physician assistant, as defined in A.R.S. § 32-2501.

~~15.~~18. "Illicit drug" means:
   a. A substance listed in A.R.S. § 36-2512 as a schedule I controlled substance;
   b. A dangerous drug, as defined in A.R.S. § 13-3401, that is not an individual's prescription medication; ~~or~~
   c. A prescription medication, as defined in A.R.S. § 32-1901, that is not an individual's prescription medication; or
   d. A substance, other than the individual's prescription medication as defined in A.R.S. § 32-1901, that is intended to alter a user's mental state.

19. "Immediate" means without delay.

~~16.~~20. "Licensee" means the ~~individual or business organization to which the Department has issued a license to operate a sober living home~~ same as in A.R.S. § 36-2069.

~~17.~~21. "Manager" means an individual designated by a licensee to:
   a. Act on behalf of the licensee in the onsite management of a sober living home; and
   b. Support and assist residents of the sober living home.

~~18.~~22. "Modification" means the substantial improvement, enlargement, reduction, alteration, or other substantial change in the facility or another structure on the premises at a sober living home.

~~19.~~23. "Over-the-counter drug" means the same as in A.R.S. § 32-1901.

~~20.~~24. "Overall time-frame" means the same as in A.R.S. § 41-1072.

~~21.~~25. "Premises" means:
   a. A facility; and
   b. The grounds surrounding the facility that are owned, leased, or controlled by the licensee, including other structures.

~~22.~~26. "Prescription medication" means the same as in A.R.S. § 32-1901.
~~23.~~27. "Residency agreement" means a document signed by a resident or the resident's representative and a manager, detailing the terms of residency.
~~24.~~28. "Resident" means an individual who is accepted by a licensee under the terms of a residency agreement with the individual to live at the licensee's sober living home.
~~25.~~29. "Resident's representative" means:
a. An individual acting on behalf of a resident with the written consent of the resident, or
b. The resident's legal guardian.
~~26.~~30. "Sober" or "sobriety" means that an individual is free of alcohol or drugs, except for a drug that is:
a. Used as part of medication-assisted treatment,
b. The individual's prescription medication, or
c. An over-the-counter drug.
~~27.~~31. "Staff" means the ~~employees or volunteers who provide monitoring or assistance to residents at a sober living home~~ same as "paid staff member" in A.R.S. § 36-2069.
32. "Substantial compliance" means the same as in A.R.S. § 36-2062.01.
~~28.~~33. "Substantive review time-frame" means the same as in A.R.S. § 41-1072.
~~29.~~34. "Swimming pool" means the same as "private residential swimming pool" as defined in A.A.C. R18-5-201.
~~30.~~35. "Termination of residency" or "terminate residency" means an individual is no longer a resident of a sober living home.

R9-12-103. Initial Application for a License

A. An applicant for an initial sober living home license shall submit to the Department a completed application ~~packet to operate a sober living home~~ that contains:
1. ~~An application~~ The following information, in a Department-provided format~~, that includes~~:
a. The applicant's name;
b. The proposed name~~, if any,~~ of the sober living home;
c. The address and telephone number of the proposed sober living home;
d. The applicant's address and telephone number, if different from the address or telephone number of the proposed sober living home;
e. The applicant's e-mail address;
f. ~~The~~ If the applicant is a business organization, the name and contact information of an individual acting on behalf of the applicant according to ~~R9-12-102, if applicable~~ R9-12-102(2);
~~g. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-12-106(C)(3);~~
g. Whether the applicant has current certificate as a sober living home from a certifying organization approved by the Director;
h. The maximum number of residents of the proposed sober living home;
i. The maximum number of individuals who will reside in the sober living home, as described in A.R.S. § 36-2062, including the manager and staff members;
~~i.~~j. The name, telephone number, and e-mail address of the manager for the proposed sober living home;
~~j. An attestation that the applicant is in compliance with local zoning ordinances, building codes, and fire codes; and~~
k. Whether the applicant or a controlling person has had, in any state or jurisdiction, an application or license to operate a sober living home or a health care institution denied, suspended, or revoked, unless the denial was based on the failure to complete the licensing process or to pay a required licensing fee within the required time-frame;
l. Whether the applicant or a controlling person has had in any state or jurisdiction a health professional license or certificate denied, suspended, or revoked;
m. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-12-106(C)(3); and
~~k.~~n. The applicant's signature and the date signed;
2. Documentation for the applicant that complies with A.R.S. § 41-1080, if applicable;
3. If applicable, a copy of the applicant's current certificate and certification report as a sober living home from a certifying organization approved by the Director;
4. A site plan for the proposed sober living home that includes;
a. The property lines;
b. Each street and walkway adjacent to the proposed sober living home;
c. Parking;
d. Fencing and each gate on the premises; and
e. If applicable, each swimming pool on the premises;
~~4.~~5. A floor plan for each floor of the proposed sober living home, including:
~~a. The location and size of each resident bedroom, and~~
~~b. The location of each openable window or door from a resident bedroom;~~
a. Each room layout, including the square footage of each bedroom;
b. Room usage;
c. If applicable, the bedroom designated for use by the manager or staff;
d. Each door and each window;

e. Plumbing fixtures;
f. Each exit; and
g. The location of each fire protection device;

~~5.~~6. If the premises for the proposed sober living home are leased, documentation from the owner of the premises, in a Department-provided format, that the applicant has permission from the owner to operate a sober living home on the premises; and

~~6. A licensing fee of $500 plus $100 times the maximum number of residents of the proposed sober living home in subsection (A)(1)(h).~~

7. Documentation verifying that the applicant is in compliance with local zoning ordinances, building codes, and fire codes, as required by A.R.S. § 36-2062(C).

B. ~~Upon receipt of the application packet in subsection (A), the Department shall issue or deny a license to an applicant as provided in R9-12-106.~~ The Department shall review the application in subsection (A) according to R9-12-106.

C. An applicant shall submit the applicable licensing fee of $500 plus $100 times the maximum number of residents of the sober living home, as specified in subsection (A)(1)(h), within 60 calendar days after the Department's notification of substantial compliance, according to R9-12-106(C)(3)(a).

D. After receiving the applicable sober living home licensing fee from an applicant according to subsection (C), the Department shall issue a sober living home license to the applicant.

R9-12-104. License Renewal

A. ~~At least~~ No more than 60 calendar days before the expiration date indicated on a license to operate a sober living home, a licensee shall submit to the Department an application ~~packet~~ for renewal of the license that contains:

1. ~~An application~~ The following information, in a Department-provided format~~, that includes~~:
   a. The ~~applicant's~~ licensee's name;
   b. The address and telephone number of the sober living home;
   c. The ~~applicant's~~ licensee's address and telephone number, if different from the address or telephone number of the sober living home;
   d. The ~~applicant's~~ licensee's e-mail address;
   e. The license number of the sober living home; ~~and~~
   f. Whether the ~~applicant~~ licensee agrees to allow the Department to submit supplemental requests for information under R9-12-106(C)(3);
   g. Whether the licensee or a controlling person has had, in any state or jurisdiction, an application or license to operate a sober living home or a health care institution denied, suspended, or revoked, unless the denial was based on the failure to complete the licensing process or to pay a required licensing fee within the required time-frame;
   h. Whether the licensee or a controlling person has had, in any state or jurisdiction a health professional license or certificate denied, suspended, or revoked; and
   i. The licensee's signature and the date signed;
2. If applicable, a copy of the licensee's current certificate and certification report as a sober living home from a certifying organization approved by the Director; and
3. Except as provided in subsection (B), a licensing fee of $500 plus $100 times the maximum number of residents approved for the sober living home during the current licensing period.

B. A licensee may submit to the Department the licensing fee in subsection (A)(3) with an additional late payment fee of $250 within 30 calendar days after the expiration date of the license as a sober living home.

C. The Department shall renew or deny renewal of a license to operate a sober living home as provided in R9-12-106.

R9-12-105. Changes Affecting a License

A. A licensee shall notify the Department in writing at least 30 calendar days before the effective date of:

1. Termination of operation of the sober living home, including the proposed termination date;
2. A change in the individual or business organization controlling the sober living home, including the name, address, telephone number, and e-mail address of the individual or business organization proposing to assume control of the sober living home;
3. A change in the address of the sober living home, including:
   a. The name and license number of the sober living home,
   b. ~~the~~ The new address for the sober living home, and
   c. An acknowledgment of the requirement to submit an application for an initial license according to R9-12-103;
4. A change in the name of the sober living home, including:
   a. The current name and license number of the sober living home,
   b. ~~the~~ The new name of the sober living home, and
   c. Documentation verifying the name change without a change of ownership;
5. If the licensee is an individual, a legal change of the licensee's name, including:
   a. The current name and license number of the licensee,
   b. ~~the~~ The new name of the licensee, and
   c. Documentation, such as a marriage certificate, divorce decree, or court order, verifying the name change;
6. A proposed change in the maximum number of residents in the sober living home or construction or modification of the facility, including the application in subsection (D)~~:~~; or
   ~~a. A floor plan for the sober living home showing:~~
      ~~i. If applicable, the areas in which construction or modification of the facility will occur;~~
      ~~ii. The location and size of each resident bedroom; and~~

~~iii. The location of each openable window or door from a resident bedroom;~~
~~b. For a proposed change in the maximum number of residents in the sober living home:~~
~~i. The proposed new maximum number of residents in the sober living home; and~~
~~ii. If the proposed new maximum number of residents in the sober living home is larger than the current maximum number of residents, a fee of $100 times the difference between the current maximum number of residents and the new maximum number of residents; and~~
~~c. For construction or modification of the facility, an attestation that the construction or modification will be is in compliance with local zoning ordinances, building codes, and fire codes.~~
7. A change in the certification status from a certifying organization according to A.R.S. § 36-2064, including:
a. Whenever a certified sober living home will no longer be certified; and
b. When a sober living home receives certification, including a copy of the licensee's certificate and certification report as a sober living home from the certifying organization.

B. A licensee shall notify the Department in writing ~~no more than 30 calendar days after the effective date of~~ within 48 hours and in a Department-provided format after:
1. A change in the name or contact information of an individual acting on behalf of the licensee according to R9-12-102, including the name and contact information of the new individual acting on behalf of the licensee;
2. A change in the licensee's e-mail address, including the new e-mail address; or
3. A change in the manager of the sober living home, including the name, telephone number, and e-mail address of the new manager.

C. A licensee providing a notification specified in subsection (A)(1) shall ensure that there is no interruption of services required to sustain the life, health, and safety of the residents of the sober living home until the termination date of the license.

D. A licensee providing a notification specified in subsection (A)(6) shall submit to the Department, along with the notification required in subsection (A)(6), a completed change application that contains:
1. The following information, in a Department-provided format:
a. The licensee's name and e-mail address;
b. The license number of the sober living home;
c. The current address and telephone number of the sober living home;
d. If applicable, the new address of the sober living home;
e. The maximum number of residents for which the sober living home is currently approved;
f. If applicable, the maximum number of residents for which the sober living home is requesting approval; and
g. The licensee's signature and the date signed;
2. A floor plan for the sober living home, as specified in R9-12-103(A)(5), showing, as applicable:
a. The areas in which construction or modification of the facility will occur; and
b. The location and size of each resident bedroom to reflect the proposed change in the maximum number of residents; and
3. For construction or modification of the facility, documentation verifying that the construction or modification is in compliance with local zoning ordinances, building codes, fire codes, and licensing ordinances, according to A.R.S. § 36-2062(C); and
4. If the proposed new maximum number of residents in the sober living home is larger than the current maximum number of residents, a fee of $100 times the difference between the current maximum number of residents and the proposed maximum number of residents.

~~C.~~**E.** If the Department receives the notification of termination of operation in subsection (A)(1), the Department shall void the licensee's license to operate a sober living home as of the termination date specified by the licensee.

~~D.~~**F.** If the Department receives the notification in subsection (A)(2) of a change in the individual or business organization controlling the sober living home, the Department shall:
1. Inform the individual or business organization named according to subsection (A)(2) of the requirement to obtain a new license, as required in A.R.S. § 36-2062(E), before beginning operation of the sober living home; and
2. ~~void~~ Void the current licensee's license to operate a sober living home upon issuance of a new license to operate a sober living home to the individual or business organization named according to subsection (A)(2).

~~E.~~**G.** If the Department receives the notification in subsection (A)(3) of a change in the address of the sober living home, the Department shall review, according to R9-12-106, the licensee's application for a new license, submitted consistent with R9-12-103.

~~F.~~**H.** If the Department receives the notification of a change in the name of the sober living home in subsection (A)(4) or of the licensee in subsection (A)(5), the Department shall issue to the licensee an amended license that incorporates the change but retains the expiration date of the existing license.

~~G.~~**I.** If the Department receives the notification in subsection (A)(6) of a proposed change in the maximum number of residents in the sober living home or of construction or modification of the facility and the change application in subsection (D), the Department:
1. ~~May~~ Shall conduct an inspection of the premises as ~~allowed~~ required by A.R.S. § 36-2063; and
2. Shall issue to the licensee an amended license that incorporates the change but retains the expiration date of the existing license if the sober living home is in compliance with A.R.S. Title 36, Chapter 18, Article 4 and this Chapter.

~~H.~~**J.** An individual or business organization planning to assume operation of an existing sober living home shall obtain a new license, as required in A.R.S. § 36-2062(E), before beginning operation of the sober living home.

R9-12-106. Time-frames

A. The overall time-frame for a license granted by the Department under this Chapter is set forth in Table 1.1. The applicant or licensee and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame. An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.

B. The administrative completeness review time-frame for a license granted by the Department under this Chapter is set forth in Table 1.1 and begins on the date that the Department receives an application ~~packet~~.
1. The Department shall send a notice of administrative completeness or deficiencies to the applicant or licensee within the administrative completeness review time-frame.
   a. A notice of deficiencies shall list each deficiency and the information or items needed to complete the application.
   b. The administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice of deficiencies is sent until the date that the Department receives all of the missing information or items from the applicant or licensee.
   c. If an applicant or licensee fails to submit to the Department all of the information or items listed in the notice of deficiencies within ~~120 calendar days~~ the applicable time-frame specified in Table 1.1 after the date that the Department sent the notice of deficiencies or within a time period the applicant or licensee and the Department agree upon in writing, the Department shall consider the application withdrawn.
2. If the Department issues a license during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.

C. The substantive review time-frame is set forth in Table 1.1 and begins on the date of the notice of administrative completeness.
1. Except as provided in A.R.S. § 36-2064, as ~~As~~ part of the substantive review of an application for a license, the Department ~~may~~ shall conduct an inspection according to A.R.S. § 36-2063 that may require more than one visit to complete.
2. ~~The Department shall send a license or a written notice of denial of a license within the substantive review time-frame.~~
3.2. During the substantive review time-frame, the Department may make one comprehensive written request for additional information, unless the applicant or licensee has agreed in writing to allow the Department to submit supplemental requests for information.
   a. The Department shall send a comprehensive written request for additional information ~~that includes a written statement of deficiencies~~, stating each statute and rule upon which noncompliance is based, if the Department determines that an applicant or licensee, a sober living home, or the premises are not in substantial compliance with A.R.S. Title 36, Chapter 18, Article 4 or this Chapter.
   b. An applicant or licensee shall submit to the Department all of the information requested in a comprehensive written request for additional information or a supplemental request for information, including, if applicable, documentation of the corrections required ~~in a statement of deficiencies~~, within ~~30 calendar days~~ the applicable time-frame specified in Table 1.1 after the date of the comprehensive written request for additional information or the supplemental request for information or within a time period the applicant or licensee and the Department agree upon in writing.
   c. The substantive review time-frame and the overall time-frame are suspended from the date that the Department sends a comprehensive written request for additional information or a supplemental request for information until the date that the Department receives all of the information requested, including, if applicable, documentation of the corrections required ~~in a statement of deficiencies~~.
   d. If an applicant or licensee fails to submit to the Department all of the information requested in a comprehensive written request for additional information or a supplemental request for information, including, if applicable, documentation of corrections required ~~in a statement of deficiencies~~, within the time prescribed in subsection (C)(3)(b), the Department shall deny the application.
4. ~~The Department shall issue a license if the Department determines that the applicant or licensee and the sober living home, including the premises, are in substantial compliance with A.R.S. Title 36, Chapter 18, Article 4, and this Chapter.~~
5. ~~If the Department denies a license, the Department shall send to the applicant or licensee a written notice of denial setting forth the reasons for denial and all other information required by A.R.S. § 41-1076.~~
3. Within the substantive review time-frame, the Department shall send, as applicable:
   a. Notice of substantial compliance with A.R.S. Title 36, Chapter 18, Article 4, and this Chapter to an applicant for an initial license;
   b. A renewal license, according to R9-12-104, to a licensee that is in substantial compliance with A.R.S. Title 36, Chapter 18, Article 4, and this Chapter;
   c. An amended license, according to R9-12-105(G) or (H), to a licensee that is in substantial compliance with A.R.S. Title 36, Chapter 18, Article 4, and this Chapter; or
   d. A written notice of denial of a license to an applicant or licensee, setting forth the reasons for denial and all other information required by A.R.S. § 41-1076.

R9-12-107. ~~Denial, Revocation, or Suspension of a License~~ Enforcement Action

A. If the Department determines that an applicant or licensee is violating applicable statutes or rules, the Department may take action according to A.R.S. Title 36, Chapter 18, Article 4 and Table 1.2.

B. The Department may impose a civil penalty, according to A.R.S. § 36-2063 and subsection (E), on a sober living home that violates A.R.S. Title 36, Chapter 18, Article 4, or this Chapter, with the amount of the civil penalty assessed per resident or other individual impacted by the violation, as determined by the Department.

~~A.~~C. The Department may deny an application or suspend or revoke a license to operate a sober living home, as described in A.R.S. §§ 36-2063 and 36-2068, if:
1. An applicant or licensee does not meet the application requirements contained in R9-12-103(A) or R9-12-104(A), as applicable;
2. A licensee does not comply with requirements in A.R.S. Title 36, Chapter 18, Article 4, or this Chapter;
3. ~~A licensee does not correct the deficiencies according to the plan of correction specified in R9-12-201(J)(1) by the time stated in the plan of correction;~~

4.3. An applicant, ~~or~~ licensee, or controlling person provides false or misleading information ~~as part of an application~~; or
5.4. The nature or number of violations revealed by any type of inspection or investigation of a sober living home poses a direct risk to the life, health, or safety of a resident or another individual on the premises.

D. The Department may impose a sanction on a sober living home, as described in A.R.S. § 36-2063(J).

B.E. In determining which action in subsection ~~(A)~~ (B), (C), or (D) is appropriate, the Department shall consider the ~~direct~~ risk to the life, health, or safety of a resident or other individual in the sober living home based on:
1. Repeated violations of statutes or rules~~,~~;
2. ~~Pattern~~ Patterns of ~~violations~~ noncompliance~~,~~;
3. Types of ~~violation~~ violations~~,~~;
4. Severity of ~~violation~~ the violations~~,~~; ~~and~~
~~5. Number of violations.~~
5. Whether the violation poses a potential for, or has resulted in occurrences of, actual harm to residents or the sober living home's staff;
6. Threats to the health and safety of residents or the sober living home's staff;
7. The number of persons affected by the violation;
8. The number of violations;
9. The size of the facility; and
10. The length of time the violation occurred.

C.F. An applicant or licensee may appeal the Department's determination in subsection (A) according to A.R.S. Title 41, Chapter 6, Article 10.

Table 1.1. Time-frames (in calendar days)

~~Type of approval~~	~~Statutory authority~~	~~Overall time-frame~~	~~Administrative completeness review time-frame~~	~~Substantive review time-frame~~
~~Application for a license under R9-12-103~~	~~A.R.S. § 36-2062~~	~~90~~	~~30~~	~~60~~
~~Renewal of a license under R9-12-104~~	~~A.R.S. § 36-2062~~	~~30~~	~~10~~	~~20~~
~~Changes affecting a license, including modifications~~	~~A.R.S. § 36-2062~~	~~60~~	~~30~~	~~30~~

Type of Approval	**Authority (A.R.S. § or A.A.C.)**	**Overall Time-frame**	**Administrative Completeness Time-frame**	**Time-frame to complete application**	**Substantive Review Time-frame**	**Response Time for Request in R9-12-106(C)(2)(b)**
Initial application for a license under R9-12-103	A.R.S. § 36-2062	120	30	60	90	120
Renewal of a license under R9-12-104	A.R.S. § 36-2062	30	10	60	20	120
Change application under R9-12-105(D)	A.R.S. § 36-2062	75	15	60	60	120

Table 1.2. Violation Severity and Remedy Matrix

Severity Level	**Criteria**	**Action**
Level 1	If the violation is isolated and has no actual physical or psychosocial harm with no potential of physical or psychosocial harm.	Technical Assistance, or Written plan of correction.

Level 2	If the violation is isolated and has no actual physical or psychosocial harm, with potential for minimal physical or psychosocial harm.	Written plan of correction, Provider agreement, or Civil money penalties up to $500.
Level 3	If the violation is isolated and has no actual physical or psychosocial harm, with potential for more than minimal physical or psychosocial harm.	Written plan of correction, Directed plan of correction, Provider agreement, or Civil money penalties up to $1,000.
Level 4	The violation resulted in actual physical or psychosocial harm that is not immediate jeopardy; The licensee provided false or misleading information; The licensee fails to correct the violation in a reasonable timely manner, which may be a threat to health and safety; or If the violation is repeated, or if there is a pattern with no actual physical or psychosocial harm, with potential for minimal or more than minimal physical or psychosocial harm.	Written plan of correction, On-site plan of correction, Provider agreement, Civil money penalties, Suspension, Intermediate sanctions, or Revocation.
Level 5	Immediate jeopardy to health and safety.	Directed plan of correction; Provider agreement; Civil money penalties; Suspension; Intermediate sanctions; Revocation; or Other remedies, as applicable, in Title 41, Chapter 6.

ARTICLE 2. SOBER LIVING HOME REQUIREMENTS

R9-12-201. Administration

A. A licensee of a sober living home:
1. Has the authority and responsibility for the management of the sober living home, including when the licensee designates another individual or contracts with a person to accomplish an action or perform a service;
2. Shall establish, in writing, the scope of services to be provided by the sober living home;
3. Shall designate, in writing, an individual, who may be the licensee, as the manager of the sober living home; ~~and~~
4. Shall establish the qualifications, skills, and knowledge that is required for a manager or a staff member, based on the type of services the staff member is expected to provide;
~~4.~~5. Shall ensure that the knowledge, skills, and experience of the manager and any other staff of the sober living home are sufficient to carry out the scope of services established according to subsection (A)(2)~~.~~; and
6. Shall ensure that the sober living home complies with the standards specified in A.R.S. § 36-2062 and this Chapter.

B. A licensee shall ensure that:
1. A manager:
   a. Is at least 21 years of age;
   b. Complies with the fingerprint clearance card requirements in A.R.S. § 36-2069;
   ~~b.~~c. Is sober and has maintained sobriety for:
      i. ~~at~~ At least one year, or
      ii. At least six months and has a valid fingerprint clearance card;
   ~~c.~~d. ~~Resides~~ Is present on the premises of ~~only~~ the ~~one~~ sober living home, or is available;
   ~~d.~~e. Has documentation of current training in cardiopulmonary resuscitation; ~~and~~
   ~~e.~~f. Is directly accountable to the licensee for:
      i. The daily operation of the sober living home;
      ii. Enforcing all policies and procedures, house rules, and other requirements of the sober living home; and
      iii. All services provided by or at the sober living home; and
   g. Designates, in writing, a staff member who is present on the sober living home's premises and accountable for the daily operation of the sober living home if the manager does not reside on the sober living home's premises;
2. A staff member:
   a. Is at least 18 years of age;
   b. Complies with the fingerprint requirements in A.R.S. § 36-2069; and
   c. Complies with and enforces all policies and procedures, house rules, and other requirements of the sober living home;
3. The manager and any other staff member receive training on:
   a. The use and administration of naloxone before providing services at the sober living home, as an annual refresher, and when the method of administration of naloxone available at the sober living home has changed; and
   b. If required by the licensee, cardiopulmonary resuscitation and first aid training;
4. If the manager does not reside on the sober living home's premises, at least one staff member with training in cardiopulmonary resuscitation and first aid training is on the premises of the sober living home when a resident is present;
5. A personnel record is established for a manager and any staff member of a sober living home that includes the individual's:
   a. Name;
   b. Date of birth;

c. Contact telephone number; and
d. Documentation of:
i. Verification of the qualifications, skills, and knowledge required to carry out the duties of the individual, consistent with the sober living home's scope of services;
ii. Training in the use of naloxone according to subsection (B)(3)(a);
iii. Compliance with the fingerprinting requirements in A.R.S. § 36-2069; and
iv. If required for the individual according to subsection (B)(3)(b), current certification in cardiopulmonary resuscitation and first aid training; and
6. Documentation that the manager has maintained sobriety.

C. A licensee shall ensure that:
~~2.~~1. Policies and procedures are established, documented, and implemented to:
a. Prevent or address any concerns or complaints from individuals living in the surrounding neighborhood in compliance with A.R.S. § 36-2062(A)(5) by:
~~i. Identifying an individual for individuals living in the surrounding neighborhood to contact to discuss a concern;~~
~~ii.~~i. Requiring the ~~identified individual~~ manager or a designated staff member to respond to a concern or complaint, even if the issue cannot be resolved; and
~~iii.~~ii. Ensuring that requirements for residents and visitors related to parking, noise emanating from the sober living home, smoking, cleanliness of the public space near the sober living home, and loitering in front of the sober living home or near-by homes are established, known to residents, and enforced; ~~and~~
b. ~~Promote the safety of the surrounding neighborhood, to comply~~ Ensure that the sober living home maintains an environment that complies with A.R.S. § 36-2062(A)(3);
c. Require the sober living home to be free from alcohol and illicit drugs at all times; and
d. Ensure that the sober living home is maintained in compliance with local fire codes and rules applicable to comparable dwelling occupied by single families.
~~3.~~2. Policies and procedures are established, documented, and implemented to protect the health and safety of a resident that cover:
a. Recordkeeping;
b. Resident acceptance;
c. Informing a resident of the residency requirements and resident agreements;
~~c.~~d. Resident rights;
~~d.~~e. Orientation of a resident to:
i. The premises of the sober living home~~.~~;
ii. The resident's rights and responsibilities~~.~~;
iii. The ~~prohibition of the possession of~~ requirement for the sober living home to be free from alcohol and illicit drugs at all times~~.~~;
iv. The requirement for abstinence from alcohol ~~or~~ and illicit drugs~~.~~;
v. The requirement for a resident to participate in alcohol or drug treatment, self-help groups, or other recovery supports;
~~iv.~~vi. Services offered by or coordinated through the sober living home~~.~~;
~~v.~~vii. Drug and alcohol testing practices~~.~~; and
~~vi.~~viii. Expectations about food preparation and chores;
~~e.~~f. Drug and alcohol testing ~~conducted by an independent testing facility certified under 42 C.F.R. 493~~ for the sober living home and other assessments of sobriety, including:
i. The frequency of testing or assessment, based on the residents accepted; ~~and~~
ii. The compounds included in the testing panel or, if applicable, an assessment methodology, based on the sober living home's scope of services and residents accepted; and
iii. If the testing is conducted by an independent testing facility, the testing facility is certified under 42 CFR 493;
~~f.~~g. Allowing the acceptance and retention as a resident of an individual~~:~~
~~i. Who~~ who is receiving and will continue to receive medication-assisted treatment;
~~ii. Who has a co-occurring behavioral health issue, as defined in A.A.C. R9-10-101; or~~
~~iii. If included in the scope of services established according to subsection (A)(2), has a co-occurring medical condition;~~
~~g.~~h. House meetings, including:
i. Frequency;
ii. Typical duration; and
iii. Participation requirements, if applicable;
~~h.~~i. The provision of services, including:
i. Facilitating peer support activities;
ii. Providing assistance or activities directed toward recovery from any substance use disorder;
iii. Providing activities that promote independent living and life skills development;
~~ii.~~iv. If applicable, providing other services on the premises to support sobriety or improve independent living;
~~iii.~~v. If applicable, coordinating the provision of services to support sobriety provided by other persons; and
~~iv.~~vi. Referring a resident to other persons for the provision of services to support sobriety;
~~i.~~j. The requirement for a resident to participate in alcohol or drug treatment, self-help groups, or other recovery supports;
~~i.~~k. Residents' records, including electronic records if applicable;
~~j.~~l. The establishment, updating, and enforcement of house rules, including:
i. If applicable, curfews;

ii. Requirements related to chores~~,~~ and smoking~~, and visitors~~; ~~and~~
iii. Requirements related to visitors and visitation hours; and
~~iii.~~iv. Requirements for the storage, security, and use of a resident's prescription medications or over-the-counter drugs;

~~k.~~m. Management of all monies received or spent by the sober living home, including:
i. Accounting for monies received by residents;
ii. Prohibiting a requirement for an individual or resident to sign a document relinquishing the resident's public assistance benefits, such as medical assistance, case assistance, or supplemental nutrition assistance program benefits, as a condition of residency; and
iii. Providing copy of the record of the resident's account to the resident or the resident's representative upon request;

~~l.~~n. Specific steps for:
i. A resident to file a complaint,
ii. The sober living home to respond to a resident's complaint, and
iii. The prevention of retaliation against a resident who files a complaint;

~~m.~~o. How the licensee or the manager will respond to:
i. A resident's loss of sobriety; or
ii. A resident's sudden, intense, or out-of-control behavior to prevent harm to the resident or another individual;

~~n.~~p. The provision of naloxone, including requirements for:
i. Informing the residents, the manager, and any other staff of the availability and location of the naloxone on the premises of the sober living home;
ii. Providing training to the manager and any other staff on the correct use of naloxone; and
iii. Ensuring the naloxone provided is available and not beyond the listed expiration date; and

~~o.~~q. Termination of residency, including:
i. Planning for termination of residency when the services provided by the sober living home are no longer needed by a resident, including assisting the resident to find other housing;
ii. Coordinating the relocation of a resident to a health care institution or another sober living home if the resident needs services outside the scope of services provided by the sober living home;
iii. Coordinating the relocation of a resident to another sober living home or other housing option if the resident terminates residency; ~~and~~
iv. Addressing factors that may negatively impact the surrounding neighborhood~~.~~; and
v. Addressing a plan to relocate residents if the sober living home ceases operations.

~~C.~~D. A licensee shall:
1. Not act as a patient's representative; and
2. Ensure that a manager, an employee, or a family member of a manager or employee does not act as a resident's representative.

~~D.~~E. If a manager has a reasonable basis, according to A.R.S. § 46-454, to believe abuse, neglect, or exploitation of a resident has occurred on the premises, the manager shall:
1. If applicable, take immediate action to stop the suspected abuse, neglect, or exploitation;
2. Immediately report the suspected abuse, neglect, or exploitation of the resident according to A.R.S. § 46-454;
3. Document:
a. The suspected abuse, neglect, or exploitation,
b. Any action taken according to subsection ~~(D)(1)~~ (E)(1), and
c. The report in subsection ~~(D)(2)~~ (E)(2); and
4. Maintain the documentation in subsection ~~(D)(3)~~ (E)(3) for at least 12 months after the date of the report in subsection ~~(D)(2)~~ (E)(2).

~~E.~~F. A manager shall notify:
1. A resident's representative, family member, or other emergency contact designated by the resident according to R9-12-202(C)(2):
a. ~~Within one calendar day~~ Immediately after:
i. The resident's death, ~~or~~
ii. The resident has an illness or injury, or sustains other permanent or severe harm that requires immediate intervention by an emergency medical services provider or treatment by a health care provider; ~~and~~ or
iii. The resident's overdose; and
b. Within seven calendar days after the manager determines that a resident is:
i. Incapable of handling financial affairs, or
ii. Not complying with the residency agreement; and
2. The Department, in a Department-provided format, ~~of a resident's death,~~ within one ~~working~~ business day after:
a. ~~the~~ A resident's death, if the resident's death is required to be reported according to A.R.S. § 11-593~~.~~;
b. A resident has sustained permanent or severe harm that requires immediate intervention an emergency medical service provider or treatment by a healthcare provider; or
c. A resident's overdose.

~~F.~~G. If a sober living home provides ~~or arranges~~ transportation for residents, a manager shall ensure that the vehicle used for transportation:
1. Is in good working order, and
2. Has a seat belt for each occupant of the vehicle.

~~G.~~H. A ~~manger~~ manager shall ensure that the following are conspicuously posted in a sober living home:

1. The license of the sober living home;
2. The name and contact information for the individual or business organization controlling the sober living home; and
3. A statement of resident's rights as described in R9-12-203, including:
   a. The right to file a complaint about ~~the manager or~~ the sober living home,
   b. How to file a complaint about ~~the manager or~~ the sober living home, and
   c. The phone number for the unit in the Department responsible for licensing and monitoring the sober living home.

~~**H.** A licensee shall ensure that a personnel record is established for a manager and any other staff of a sober living home that includes the individual's:~~
~~1. Name;~~
~~2. Date of birth;~~
~~3. Contact telephone number; and~~
~~4. Documentation of:~~
~~a. Verification of skills and knowledge sufficient to carry out the sober living home's scope of services;~~
~~b. Training in the use of naloxone; and~~
~~c. If applicable:~~
~~i. Certification in cardiopulmonary resuscitation; and~~
~~ii. Compliance with subsection (B)(1)(b).~~

I. A licensee shall ensure that:
~~1. The manager or other staff of the sober living home is on the premises within 30 minutes after notification by the Department of the Department's presence at the sober living home; and~~
~~2.~~1. The Department is allowed immediate access to all:
   a. Areas of the premises;
   b. Information in records pertaining to the sober living home or residents, except as prohibited by 42 CFR, Part 2; and
   c. Staff or residents of the sober living home who are on the premises; and
2. An emergency medical services provider is allowed immediate access to the list of a resident's medications, required in R9-12-204(A)(6).

J. If the Department notifies the licensee of noncompliance with requirements in A.R.S. Title 36, Chapter 18, Article 4, or this Chapter, the licensee shall:
1. Within ~~14 calendar~~ 10 business days after the date of the Department's notice of noncompliance, establish a plan of correction, if applicable, for correction of a deficiency; and
2. Ensure that a deficiency listed on the plan of correction is corrected within 30 calendar days after the date of the plan of correction or within a time period the Department and the licensee agree upon in writing.

R9-12-202. Residency Agreements

A. ~~Within three calendar days before or at~~ At the time of acceptance into a sober living home, an individual requesting to be a resident of the sober living home shall provide proof of sobriety to the manager of the sober living home.

B. A manager shall not accept or retain an individual as a resident of a sober living home if the individual:
1. Is not at least 18 years of age,
2. Cannot provide proof of sobriety, or
3. ~~Needs more support to maintain sobriety than is~~ Has needs that are not within the scope of services for the sober living home.

C. Before or at the time of an individual's acceptance by a sober living home, a manager shall ensure that there is a documented residency agreement between the individual and the sober living home that includes:
1. The individual's name;
2. The name and phone number of an emergency point of contact, which may be a family member or another individual designated by the individual;
3. Information about the individual's:
   a. Length of sobriety;
   b. History of previous recovery activities; and
   c. Source of referral to the sober living home, if applicable;
4. Terms of occupancy, including:
   a. Date of occupancy or expected date of occupancy,
   b. Resident responsibilities, and
   c. Responsibilities of the sober living home;
5. The consequences of a loss of sobriety;
6. A description of the room for the individual to occupy;
7. A list of the services to be provided by the sober living home to a resident;
8. The fees to be charged to the individual for residency in the sober living home;
9. A list of the services available from the sober living home at an additional fee or charge and the associated fees or charges;
10. The policy for refunding fees, charges, or deposits;
11. The policy and procedure for a resident to terminate residency, including terminating residency because services were not provided to the resident according to the residency agreement;
12. The policy and procedure for a sober living home to terminate residency;
13. A statement that a resident has a right to file a complaint about the sober living home, manager, or licensee and a description of the complaint process;

14. A statement that a resident is expected to:
    a. Comply with the terms of the residency agreement and requirements established for residents according to ~~R9-12-201(B)(2)(a)(iii) or R9-12-201(B)(3)(j)~~ R9-12-201(C)(1)(a), related to preventing concerns or complaints from individuals living in the surrounding neighborhood, and R9-12-201(C)(2)(l), related to house rules;
    b. Maintain sobriety; and
    c. Participate in activities to improve life skills, support independent living, and promote recovery from substance use disorders, as defined in A.A.C. R9-10-101:
        i. Such as a treatment program, a self-help group, or another program to support sobriety and recovery; and
        ii. That may include job training, school, or looking for a job;
15. A statement that a sober living home may not require an individual to relinquish the individual's public assistance benefits, such as medical assistance, case assistance, or supplemental nutrition assistance program benefits, as a condition of residency;
16. A statement that a sober living home must notify a family member or other emergency contact of the individual, according to ~~R9-12-201(E)(1)~~ R9-12-201(F)(1), if the individual:
    a. Dies while a resident of the sober living home,
    b. Has an illness or injury that requires immediate intervention by an emergency medical services provider or treatment by a health care provider,
    c. Appears to be incapable of handling financial affairs, or
    d. Is not complying with the residency agreement;
17. The name and contact information for the individual or business organization controlling the sober living home;
18. The signature of the individual and the date signed; and
19. The manager's signature and date signed.

D. A manager shall:
1. Before or at the time of an individual's acceptance by a sober living home, provide to the resident or resident's representative a copy of:
    a. The residency agreement in subsection (C), and
    b. Resident's rights, according to R9-12-203; and
2. Maintain the original of the residency agreement in subsection (C) in the resident's record.

E. A manager may terminate residency of a resident as follows:
1. Without notice, if the resident exhibits behavior that is an immediate threat to the health and safety of the resident or other individuals in a sober living home;
2. With a seven-calendar-day written notice of termination of residency:
    a. For nonpayment of fees, charges, or deposit; or
    b. Under the conditions in subsection (B)(3), related to resident needs not being within the scope of services for the sober living home; or
3. With a 14-calendar-day written notice of termination of residency, for any other reason.

F. A manager shall ensure that a written notice of termination of residency includes:
1. The date of notice;
2. The reason for termination of residency;
3. If termination of residency is because the resident needs more support to maintain sobriety than is within the scope of services for the sober living home, a description of why the sober living home cannot meet the resident's needs;
4. The policy for refunding fees, charges, or deposits; and
5. The deposition of a resident's fees, charges, and deposits.

R9-12-203. Resident Rights

A. A manager shall ensure that:
1. A resident is not subjected to:
    a. Abuse,
    b. Exploitation,
    c. Coercion,
    d. Manipulation,
    e. Sexual abuse,
    f. Sexual assault, or
    g. Retaliation for submitting a complaint to the Department or another entity; ~~and~~ or
    h. Misappropriation of personal and private property by staff at the sober living home; and
2. A resident or the resident's representative is informed of and given the opportunity to ask questions about:
    a. The residency agreement,
    b. The costs associated with residency,
    c. The resident's rights and responsibilities,
    d. The prohibition of the possession of alcohol or illicit drugs at all times,
    e. The requirement for abstinence from alcohol and illicit drugs at the sober living home,
    ~~e.~~f. Drug and alcohol testing and other assessments of sobriety,
    ~~f.~~g. The consequences of loss of sobriety, and
    ~~g.~~h. The complaint process.

B. A resident has the following rights:

1. Not to be discriminated against based on race, national origin, religion, gender, sexual orientation, age, disability, marital status, or diagnosis;
2. To receive services that support the resident's sobriety, including, if applicable, continuing to receive medication-assisted treatment while a resident;
3. To have a secure place to store personal belongings, medications, or other personal items to deter misappropriation by another individual;
4. To be able to gain access to the sober living home at any time while a resident;
5. To have access to all areas of the sober living home's premises, except for:
   a. The bedrooms and secure storage locations of other residents,
   b. The bedroom and secure storage locations of the manager or other staff, and
   c. Areas of the sober living home used as the manager's office or for storage of records or supplies for assessment of sobriety;
6. To have access to meals prepared in the sober living home;
7. To review, upon written request, the resident's own record; and
8. To receive assistance in locating another place to live if the resident's record indicates that the resident:
   a. No longer needs the services of a sober living home, or
   b. Needs more services and support to maintain sobriety than the sober living home is authorized to provide.

R9-12-204. Resident Records

A. A manager shall ensure that a resident record is established and maintained for each resident that includes:
1. The original of the residency agreement in R9-12-202(C);
2. ~~The~~ Documentation of the date the resident received orientation to the sober living home, as required by R9-12-205(A);
3. A copy of each drug and alcohol test performed on the resident ~~by an independent testing facility~~, including the date of the test and the test result;
4. ~~Any~~ A copy of any other assessments of sobriety performed on the resident, including:
   a. The date of the assessment,
   b. A description of the assessment,
   c. The result of the assessment, and
   d. The name of the individual conducting the assessment;
5. Documentation of the resident's attendance at and participation in treatment, self-help groups, and other supports that promote recovery, including:
   a. The name or a description of the support towards recovery, and
   b. The date of the resident's attendance;
6. A current list of medications taken by the resident and the resident's medical conditions;
7. An account of monies received from the resident and any expenditures made specific to the resident;
8. Documentation of any complaints made by or about the resident and the outcome of each complaint;
9. Documentation of any notification made according to ~~R9-12-201(E)~~ R9-12-201(F) about the resident; and
10. If applicable, documentation related to termination of residency, including:
    a. Whether termination of residency was initiated by the resident or the sober living home,
    b. The reason for termination of residency,
    c. Any assistance the resident received in locating another place to live, and
    d. The date the residency ended.

B. A licensee shall ensure that a resident's record is:
1. Protected from loss, damage, or unauthorized use;
2. Available for review by the resident or the resident's representative, within 24 hours after a request; and
3. Maintained for at least 12 months after the termination of residency.

R9-12-205. Sober Living Home Services

A. Within 24 hours after an individual becomes a resident of a sober living home, a licensee shall ensure that the resident receives orientation to the sober living home and premises, according to policies and procedures, that includes:
1. The location of all exits from the sober living home and the route to evacuate the sober living home in case of an emergency;
2. The location of the first-aid kit required in ~~R9-12-206(1)~~ R9-12-207(1);
3. Either:
   a. The use of the kitchen of the sober living home, including:
      ~~a.~~i. Operation of the appliances,
      ~~b.~~ii. Use of food storage areas, and
      ~~c.~~iii. Removal of garbage and refuse; or
   b. If the sober living home provides food service, as described in R9-12-206, as part of residency:
      i. The hours during which food service is available,
      ii. Where menus are posted, and
      iii. Provisions for a resident to prepare food for the resident's use outside the times and food choices offered during food service;
4. The use of the washing machine and dryer;
5. The dates, time, and location of house meetings;
6. The prohibition of the possession of alcohol or illicit drugs at the sober living home;

7. Review and discussion of specific resident requirements, as applicable, such as curfews, smoking, visitors, signing in or out of the sober living home, meal preparation schedule, chore schedule, or other house rules;
8. Review and discussion of requirements related to ~~R9-12-201(B)(2)(a)(iii)~~ R9-12-201(C)(1)(a), related to preventing concerns or complaints from individuals living in the surrounding neighborhood; and
9. The information required according to ~~R9-12-201(B)(3)(n)~~ R9-12-201(C)(2)(p), related to naloxone.

B. A manager shall:
1. Conduct drug and alcohol testing according to policies and procedures;
2. Assist a resident to identify and participate in programs to support sobriety and recovery;
3. Provide to a resident information about community resources, such as nearby bus routes, grocery stores, department stores, other places to obtain food or other personal items, schools, libraries or other locations providing access to computers, or other locations providing items or services a resident may need~~.~~;
4. Maintain and make available to emergency medical personnel an up-to-date list of current medications and medical condition of each individual living in the sober living home; and
5. Document the topics discussed at a house meeting, including the date, time, and individuals who participated in the house meeting.

C. A licensee shall ensure that services provided are only provided to an individual who has a residency agreement.

R9-12-206. Food Services

A. A sober living home does not require a license or permit as a food establishment under 9 A.A.C. 8, Article 1, if the sober living home:
1. Does not provide food service as part of residency; and
2. Has on the premises a kitchen for use by the manager, staff, and residents in which each individual prepares food for the individual's own use.

B. If the sober living home provides food service as part of residency, a licensee shall ensure that:
1. The sober living home obtains and maintains a license or permit as a food establishment under 9 A.A.C. 8, Article 1;
2. If the sober living home contracts with a food establishment, as established in 9 A.A.C. 8, Article 1, to prepare and deliver food to the sober living home:
   a. A copy of the contracted food establishment's license or permit under 9 A.A.C. 8, Article 1, is maintained by the sober living home; and
   b. The sober living home is able to store, refrigerate, and reheat food to meet the dietary needs of a resident;
3. A food menu:
   a. Is prepared at least one week in advance,
   b. Includes the foods to be served each day with a minimum of three meals offered each day,
   c. Provides for a resident to choose which foods to eat based on the resident's preferences and dietary needs,
   d. Is conspicuously posted at least one calendar day before the first meal on the food menu will be served,
   e. Includes any food substitution no later than the morning of the day that a meal is to be serviced with food substitution, and
   f. Is maintained for at least 60 calendar days after the last day included in the food menu;
4. Meals and snacks provided by the sober living home are served according to the posted menu;
5. A resident is provided:
   a. Three meals a day with not more than 14 hours between the evening meal and breakfast; and
   b. The option to have a daily evening snack or other snack;
6. The hours during which each meal will be available is posted; and
7. A resident has access to a refrigerator and cooking appliances to prepare meals and snacks for the resident's own use.

~~R9-12-206.~~R9-12-207.Emergency and Safety Standards

A. A licensee shall ensure that a sober living home has:
1. A smoke detector and, if there is a gas line in the sober living home, a carbon monoxide detector installed in:
   a. Each bedroom used by a resident,
   b. Each hallway in a sober living home, and
   c. A room or hallway adjacent to the sober living home's kitchen; or
2. A fire alarm system installed according to the National Fire Protection Association 72: National Fire Alarm and Signaling Code, incorporated by reference in A.A.C. R9-10-104.01, and a sprinkler system installed according to the National Fire Protection Association 13: Standard for the Installation of Sprinkler Systems, incorporated by reference in A.A.C. R9-10-104.01, that are in working order.

B. A manager shall ensure that:
1. A first aid kit is available at a sober living home sufficient to meet the needs of residents;
2. Naloxone is available and accessible to the manager, staff, and residents of the sober living home;
3. ~~A~~ If the sober living home does not have a fire alarm system and a sprinkler system according to subsection (A)(2), a smoke detector and, if there is a gas line in the sober living home, a carbon monoxide detector are ~~installed in~~:
   ~~a. A bedroom used by a resident,~~
   ~~b. A hallway in a sober living home, and~~
   ~~c. A sober living home's kitchen;~~
4. ~~The smoke detector and, if applicable, carbon monoxide detector in subsection (3) are~~:
   a. Either battery operated or, if hard-wired into the electrical system of the sober living home, have a back-up battery; and
   b. In working order;
5. A fire extinguisher that is labeled as rated at least 1A-10-BC by the Underwriters Laboratories:

a. Is maintained in the sober living home's kitchen;
b. If a disposable fire extinguisher, is replaced when its indicator reaches the red zone; and
c. If a rechargeable fire extinguisher:
i. Is serviced at least once every 12 months, and
ii. Has a tag attached to the fire extinguisher that specifies the date of the last servicing and the identification of the person who serviced the fire extinguisher;
6. An evacuation path is conspicuously posted on each hallway of each floor of the sober living home;
7. A written evacuation plan is maintained and available for use by the manager, any other staff of the sober living home, and any resident in a sober living home;
8. An evacuation drill is conducted at least once every six months; and
9. A record of an evacuation drill required in subsection ~~(8)~~ (B)(8) is maintained for at least 12 months after the date of the evacuation drill.

~~R9-12-207.~~R9-12-208.Environmental and Physical Plant Requirements

A. A licensee shall ensure that a sober living home:
1. Is free of any plumbing, electrical, ventilation, mechanical, chemical, or structural hazard that may result in physical injury or illness to an individual or jeopardize the health or safety of a resident;
~~2. Has a kitchen for use by the manager and residents of the sober living home;~~
~~3.~~2. Has a ~~living room~~ common area accessible at all times to a resident;
~~4.~~3. Has a dining area furnished for group meals that is accessible to the manager, residents, and any other individuals present in the sober living home;
~~5.~~4. For each ~~five~~ six residents of the sober living home, has at least one ~~bathroom equipped with:~~ working toilet that flushes and has a seat, and one sink with running water;
~~a. A working toilet that flushes and has a seat;~~
~~b. A sink with running water accessible for use by a resident; and~~
~~c. A working bathtub or shower with a slip-resistant surface;~~
5. For every eight residents of the sober living home, has at least one working bathtub or shower;
6. Has heating and cooling systems that maintain the sober living home at a temperature between 70° F and 84° F at all times, unless individually controlled by a resident;
7. Has a supply of hot and cold water that is sufficient to meet the personal hygiene needs of residents and the cleaning requirements in this Article, with the temperature of the hot water being at least 100° F;
8. Has a working washing machine and dryer that is accessible to a resident; and
9. Has a working telephone that is accessible ~~to a resident~~ at the sober living home at all times.

B. If the sober living home has a swimming pool, a licensee shall ensure that:
1. The swimming pool is equipped with the following:
a. An operational water circulation system that clarifies and disinfects the swimming pool water continuously and that includes at least:
i. A removable strainer,
ii. Two swimming pool inlets located on opposite sides of the swimming pool, and
iii. A drain located at the swimming pool's lowest point and covered by a grating that cannot be removed without using tools; and
b. An operational cleaning system;
2. The swimming pool is enclosed by a wall or fence that:
a. Is at least five feet in height as measured on the exterior of the wall or fence;
b. Has no vertical openings greater that four inches across;
c. Has no horizontal openings, except as described in subsection (B)(2)(e);
d. Is not chain-link;
e. Does not have a space between the ground and the bottom fence rail that exceeds four inches in height; and
f. Has a self-closing, self-latching gate that:
i. Opens away from the swimming pool,
ii. Has a latch located at least 54 inches from the ground, and
iii. Is locked when the swimming pool is not in use; and
3. A life preserver or shepherd's crook is available and accessible in the swimming pool area.

C. If the sober living home has a spa that is not enclosed by a wall or fence, as described in subsection (B)(2), a licensee shall ensure that the spa is covered and locked when not in use.

~~C.~~D. A licensee shall ensure that:
1. A bedroom for use by a resident:
a. Is not used as a common area;
b. ~~Is separated from a hall, corridors, or other habitable room by~~ Has floor-to-ceiling walls containing no interior openings except doors ~~and is not used as a passageway to another bedroom or habitable room~~;
~~b.~~c. ~~Provides sufficient space for an individual in the bedroom to have unobstructed access to the bedroom door;~~ Is not used as a passageway to a common area, another bedroom, or a bathroom, unless the bathroom is for the exclusive use of an individual occupying the bedroom;
d. Contains a door that opens into a hallway, common area, or outdoors;

~~e.~~e. Either:
i. Has at least one openable window or door to the outside for use as an emergency exit from the facility, or
ii. Is equipped with a sprinkler system and alarm system as specified in R9-12-207(A)(2);
d. Is constructed and furnished to provide unimpeded access to the bedroom door;
e. Has window or door covers that provide resident privacy;
~~d.~~f. Contains for each resident using the bedroom:
i. A separate, adult-sized, single bed or larger bed with a clean mattress and bed frame in good repair; and
ii. ~~Clean bedding appropriate for the season; and~~ Clean sheets large enough to tuck under the mattress, pillows, pillow cases, waterproof mattress covers, and blankets to ensure warmth and comfort for the resident; and
~~e.~~g. If used for:
i. Single occupancy, contains at least 60 square feet of floor space; or
ii. Two or more residents, has an area of at least 50 square feet per resident;
2. A mirror is available to a resident for grooming; and
3. Each resident has individual storage space available for personal possessions and clothing.

~~D.~~**E.** A manager shall ensure that:
1. A sober living home:
a. Is maintained free of a condition or situation that may cause a resident or another individual to suffer physical injury;
b. Has equipment and supplies to maintain a resident's personal hygiene that are accessible to the resident;
c. Is clean and free from accumulations of dirt, garbage, and rubbish; and
d. Implements a pest control program:
i. ~~to~~ To minimize the presence of insects and vermin at the sober living home; and
ii. That complies with A.A.C. R3-8-201(C)(4) if the sober living home has a license or permit as a food establishment under 9 A.A.C. 8, Article 1, as specified in R9-12-206;
2. An appliance, light, or other device with a frayed or spliced electrical cord is not used at the sober living home;
3. An electrical cord, including an extension cord, is not run under a rug or carpeting, over a nail, or from one room to another at the sober living home;
4. A resident does not share a bedroom with an individual who is not a resident;
5. A resident's bedroom is not used to store anything other than the furniture and articles used by the resident and the resident's belongings;
6. A resident has a lockable or other secure storage location for medications, valuables, or other personal belongings to deter misappropriation by other individuals that is accessible only by the resident ~~and the manager~~;
7. If pets or animals are allowed in the sober living home, pets or animals are:
a. Controlled to prevent endangering the residents and to maintain sanitation;
b. Licensed consistent with local ordinances; and
c. For a dog or cat, vaccinated against rabies;
8. If a water source that is not regulated under 18 A.A.C. 4 by the Arizona Department of Environmental Quality is used:
a. The water source is tested at least once every 12 months for total coliform bacteria and fecal coliform or E. coli bacteria;
b. If necessary, corrective action is taken to ensure the water is safe to drink; and
c. Documentation of testing is retained for at least 12 months after the date of the test; and
9. If a non-municipal sewage system is used, the sewage system is in working order and is maintained according to applicable state laws and rules.

NOTICES OF EXPIRATION OF RULES UNDER A.R.S. §§ 41-1056(J) OR 41-1052(M)

There are two types of Notice of Expiration of Rules in Arizona.

Under A.R.S. § 41-1056(J), if an agency does not file a five-year rule review report with the Governor's Regulatory Review Council (Council), including, when applicable, a revised report; or if an agency does not file an extension before the due date of the report; or if an agency files an extension but does not submit a report within the extension period; the rules scheduled for review expire and are no longer enforceable.

Under A.R.S. § 41-1052(M), an agency seeking to expire a rule or rules shall file a notice of intent for the rules to expire with the Council for approval.

The Council prepares and lists the expired rules in the applicable notice, and files them with the Office for publication in the *Register*.

The Office removes the expired rules from the *Code* chapter as specified in the notice.

NOTICE OF EXPIRATION OF RULES UNDER A.R.S. § 41-1056(J)

GOVERNOR'S REGULATORY REVIEW COUNCIL

File Number: R26-124

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY AIR POLLUTION CONTROL

1. Agency name:
Department of Environmental Quality

2. Title and its heading:
18, Environmental Quality

3. Chapter and its heading:
2, Department of Environmental Quality - Air Pollution Control

4. Article and its heading:
14, Conformity Determinations

As required by A.R.S. § 41-1056(J), the Council provides notice that the following rules expired as of June 2, 2026:

R18-2-1407.	Relationship of Transportation Plan and TIP Conformity with the NEPA Process
R18-2-1408.	Fiscal Constraints for Transportation Plans and TIPs
R18-2-1409.	Criteria and Procedures for Determining Conformity of Transportation Plans, Programs, and Projects: General
Table 1.	Conformity Criteria
R18-2-1410.	Criteria and Procedures: Latest Planning Assumptions
R18-2-1411.	Criteria and Procedures: Latest Emissions Model
R18-2-1412.	Criteria and Procedures: Consultation
R18-2-1413.	Criteria and Procedures: Timely Implementation of TCMs
R18-2-1414.	Criteria and Procedures: Currently Conforming Transportation Plan and TIP
R18-2-1415.	Criteria and Procedures: Projects from a Plan and TIP
R18-2-1416.	Criteria and Procedures: Localized CO and PM10 Violations (Hot Spots)
R18-2-1417.	Criteria and Procedures: Compliance with PM10 Control Measures
R18-2-1418.	Criteria and Procedures: Motor Vehicle Emissions Budget (Transportation Plan)
R18-2-1419.	Criteria and Procedures: Motor Vehicle Emissions Budget (TIP)
R18-2-1420.	Criteria and Procedures: Motor Vehicle Emissions Budget (Project Not from a Plan and TIP)
R18-2-1421.	Criteria and Procedures: Localized CO Violations (Hot Spots) in the Interim and Transitional Periods
R18-2-1422.	Criteria and Procedures: Interim and Transitional Period Reductions in Ozone and CO Areas (Transportation Plan)
R18-2-1423.	Criteria and Procedures: Interim Period Reductions in Ozone and CO Areas (TIP)
R18-2-1424.	Criteria and Procedures: Interim Period Reductions for Ozone and CO Areas (Project Not from a Plan and TIP)

R18-2-1425.	Criteria and Procedures: Interim Period Reductions for PM10 and NO2 Areas (Transportation Plan)
R18-2-1426.	Criteria and Procedures: Interim Period Reductions for PM10 and NO2 Areas (TIP)
R18-2-1427.	Criteria and Procedures: Interim Period Reductions for PM10 and NO2 Areas (Project Not from a Plan and TIP)
R18-2-1428.	Transition from the Interim Period to the Control Strategy Period
R18-2-1429.	Requirements for Adoption or Approval of Projects by Recipients of Funds Designated under 23 U.S.C. or the Federal Transit Act
R18-2-1430.	Procedures for Determining Regional Transportation-related Emissions
R18-2-1431.	Procedures for Determining Localized CO and PM10 Concentrations (Hot-spot Analysis)
R18-2-1432.	Using the Motor Vehicle Emissions Budget in the Applicable Implementation Plan or Implementation Plan Submission
R18-2-1433.	Enforceability of Design Concept and Scope and Project-level Mitigation and Control Measures
R18-2-1434.	Exempt Projects
Table 2.	Exempt Projects
R18-2-1435.	Projects Exempt from Regional Emissions Analyses
Table 3.	Projects Exempt From Regional Emissions Analyses
R18-2-1436.	Special Provisions for Nonattainment Areas Which are Not Required to Demonstrate Reasonable Further Progress and Attainment

Signature of Jessica Klein
Jessica Klein
Council Chair

July 8, 2026
Date

Volume 32, Issue 30, July 24, 2026

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (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 of the preamble.

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

NOTICE OF DOCKET OPENING FOR A PROPOSED EXPEDITED RULEMAKING

BOARD OF ACCOUNTANCY

File Number: R26-123

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

June 18, 2026

2. Title and its heading:

4, Professions and Occupations

Chapter and its heading:

1, Board of Accountancy

Article and its heading:

2, CPA Examination
3, Certification and Registration
4, Regulation

Section number:

R4-1-226.01, R4-1-341, R4-1-343, R4-1-454, and R4-1-455

3. The subject matter of the proposed rule:

R4-1-226.01. Laws 2026, Chapter 17, SB 1181 is a bill to expand pathways to obtain a certified public accountant (CPA) certificate in Arizona. It has a delayed effective date of December 31, 2026. This effort is crucial as the CPA profession nationwide is experiencing a decline in accounting graduates and a shortage of qualified professionals (i.e., the "CPA Pipeline" issue). Under SB 1181, budding professionals can obtain the CPA certificate by completing one of the following pathways:

	Education	Experience	Exam
Path 1 [New]	Bachelor's Degree	2 Years Work Experience	CPA Exam
Path 2 [Current]	Bachelor's Degree + 30 Semester Hours	1 Year Work Experience	CPA Exam
Path 3 [Current]	Post-Bachelor's Degree	1 Year Work Experience	CPA Exam

Each pathway would require that applicants have a minimum concentration in accounting and related courses, so they may have the technical knowledge necessary to be a CPA. SB 1181 requires the Board to promulgate the required accounting and related course hours in rule. As it relates to R4-1-226.01, existing statute requires 24 nonduplicate accounting hours of which 12 must be upper-level and 18 must be in related courses (a.k.a. 24/12/18) to sit for the Uniform CPA Exam (Exam). This has been moved from A.R.S. § 32-723(A) to R4-1-226.01(A)(1)(c). The number of semester hours being proposed in rule is the same as what was in the statute, thus it is just being relocated. All other changes in this rule are technical or conforming in nature.

R4-1-341(A)(3)(a). An error was identified as it relates to this provision. A.R.S. § 32-721(C), which this rule is directly tied to, is a certification pathway permitted for those who are already registered in another jurisdiction and who have passed the Exam or the International Qualification Examination (IQEX), which is a form of the Exam for international applicants. R4-1-341(A)(3)(a) as drafted did not require applicants to provide verification that they had passed the Exam, which is contrary to statute and practice. Accordingly, language is added to this provision to conform it to statute and practice.

R4-1-341(A)(3)(b). The Board recently received legal advice from its Assistant Attorney General that this provision is overbroad as it requires license verifications from all jurisdictions that an applicant is registered with. This contrasts with A.R.S. § 32-721(C), which only requires that an applicant be registered with one other jurisdiction. The changes outlined in this provision conform the rule to A.R.S. § 32-721(C) by requiring that only one license verification be submitted.

R4-1-341(A)(7)(c). This rule provision addresses the additional educational requirement that the Board could prescribe and is intended to raise the bar for reinstatement for individuals who were previously relinquished or revoked due to egregious professional standard violations. Due to the passage of SB 1181, Sec. 11, changes are required to conform with the new alternative pathway language, accounting/related course hours, and to conform with R4-1-341(A)(2)(b), which references R4-1-343 for education and accounting experience.

R4-1-343(C)(1). For certification, the existing statute requires 36 nonduplicative accounting hours of which 30 must be upper-level and 30 must be related courses (a.k.a. 36/30/30). The proposed rule language reduces the total and upper-level accounting hours by six (a.k.a. 30/24/30), which will make the profession more accessible to a greater range of professionals, while still maintaining the rigor necessary and expected of CPAs.

R4-1-343(C)(2). This portion of the rule addresses accounting/related course hours for certification by “long reciprocity”. This is an alternative certification pathway that can be used by CPAs who are certified in another jurisdiction and don’t otherwise qualify for certification by substantial equivalency (A.R.S. § 32-721(C)(1)). It uses a gradient system where the more experience you have, the less education you need, and vice versa.

“Long Reciprocity” Pathways (Under SB 1181)

	Education	Experience	Exam
32-721(C)(2)(a) and (b)	Either: Post-Bachelor's Degree or Bachelor's Degree + 30 Semester Hours	3 Years Employed as a CPA	CPA Exam
32-721(C)(3)	Bachelor's Degree	At least 5 of the 10 Preceding Years Employed as a CPA	CPA Exam
32-721(C)(4)	N/A	At Least 10 of the 15 Preceding Years Employed as a CPA	CPA Exam

Any education required via Long Reciprocity needs to have a certain amount of accounting/related course hours. This rule change simply transfers the accounting/related course hour requirements of 24/12/18 from A.R.S. § 32-721(C)(2) and (3) to R4-1-343(C)(2).

R4-1-343(D). This language transfers the accounting/related course hour requirements that may be prescribed by the Board in a relinquishment or revocation order from A.R.S. § 32-732(C)(2) to R4-1-343(D), and lowers it to the 30/24/30 standard, which will be the new base standard for certification.

R4-1-454. The Board is seeking to update its incorporation by reference of the Standards for Performing and Reporting on Peer Reviews. Peer reviews are periodic quality reviews that CPA firms undergo to educate them as to whether attest and/or compilation engagements are performed in accordance with applicable standards. A.R.S. § 41-1028(B) requires that a reference in rule fully identify an incorporated matter by location, date, and state that the rule does not include any later amendments or editions of the incorporated matter, hence the Board’s need to annually update.

R4-1-455. The Board is seeking to update its incorporation by reference of the American Institute of Certified Public Accountants’ (AICPA’s) Code of Professional Conduct (the Code). The Code is a set of principles and rules that guide the ethical and professional responsibilities of CPAs. It also incorporates technical standards for various practice areas. A.R.S. § 41-1028(B) requires that a reference in rule fully identify an incorporated matter by location, date, and state that the rule does not include any later amendments or editions of the incorporated matter, hence the Board’s need to annually update.

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

Notice of Proposed Expedited Rulemaking: 32 A.A.R. 1661, July 24, 2026 (*in this issue*); File Number: R26-120

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

Name:	Chris Rasmussen
Title:	Assistant Director of Regulation and Compliance
Address:	Board of Accountancy 100 N. 15th Ave., Suite 165 Phoenix, AZ 85007
Telephone:	(602) 364-0895
Fax:	(602) 364-0903
Email:	crasmussen@azaccountancy.gov
Website:	www.azaccountancy.gov

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

Written comments can be sent via email or mail to the Board staff member noted in item #5. An oral proceeding regarding the proposed rules will be held as follows:

Date:	August 24, 2026
Time:	9:00 a.m.
Location:	Board of Accountancy 100 N. 15th Ave., Suite 165 Phoenix, AZ 85007

The rulemaking record will close on Monday, August 24, 2026 at 5:00 p.m.

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

A timetable is not known at this time.

Volume 32, Issue 30, July 24, 2026

2026 REGISTER INDEXES

The *Register* is published by volume in a calendar year. Refer to the "Information" pages in the front of each issue for more details.

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING
PN means Proposed new Section
PM means Proposed amended Section
PR means Proposed repealed Section
P# means Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING
SPN means Supplemental proposed new Section
SPM means Supplemental proposed amended Section
SPR means Supplemental proposed repealed Section
SP# means Supplemental proposed renumbered Section

FINAL RULEMAKING
FN means Final new Section
FM means Final amended Section
FR means Final repealed Section
F# means Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY
PSMN means Proposed Summary new Section
PSMM means Proposed Summary amended Section
PSMR means Proposed Summary repealed Section
PSM# means Proposed Summary renumbered Section

FINAL SUMMARY
FSMN means Final Summary new Section
FSMM means Final Summary amended Section
FSMR means Final Summary repealed Section
FSM# means Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED
PEN means Proposed Expedited new Section
PEM means Proposed Expedited amended Section
PER means Proposed Expedited repealed Section
PE# means Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED
SPEN means Supplemental Proposed Expedited new Section
SPEM means Supplemental Proposed Expedited amended Section
SPER means Supplemental Proposed Expedited repealed Section
SPE# means Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED
FEN means Final Expedited new Section
FEM means Final Expedited amended Section
FER means Final Expedited repealed Section
FE# means Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT
XN means Exempt new Section
XM means Exempt amended Section
XR means Exempt repealed Section
X# means Exempt renumbered Section

EXEMPT PROPOSED
PXN means Proposed Exempt new Section
PXM means Proposed Exempt amended Section
PXR means Proposed Exempt repealed Section
PX# means Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED
SPXN means Supplemental Proposed Exempt new Section
SPXR means Supplemental Proposed Exempt repealed Section
SPXM means Supplemental Proposed Exempt amended Section
SPX# means Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING
FXN means Final Exempt new Section
FXM means Final Exempt amended Section
FXR means Final Exempt repealed Section
FX# means Final Exempt renumbered Section

EMERGENCY RULEMAKING
EN means Emergency new Section
EM means Emergency amended Section
ER means Emergency repealed Section
E# means Emergency renumbered Section
EEXP means Emergency expired

RECODIFICATION OF RULES
RC means Recodified

REJECTION OF RULES
RJ means Rejected by the Attorney General

TERMINATION OF RULES
TN means Terminated proposed new Sections
TM means Terminated proposed amended Section
TR means Terminated proposed repealed Section
T# means Terminated proposed renumbered Section

RULE EXPIRATIONS
EXP means Rules have expired
Refer to "emergency expired" under emergency rulemaking

CORRECTIONS
C means Corrections to Published Rules

2026 REGISTER INDEXES

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Issue Page Guide

RULEMAKING ACTIVITY INDEX

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 29 OF VOLUME 32.

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.

R9-10-711. PM-1068
R9-10-712. PM-1068
R9-10-716. PM-1068
R9-10-718. PM-1068
R9-10-722. PM-1068
R9-10-2002. FM-504
R9-10-2003. FM-504
R9-10-2005. F#-504; FM-504
R9-10-2006. F#-504; FM-504
R9-10-2007. F#-504; FM-504
R9-10-2008. F#-504
R9-10-2009. FM-504
R9-10-2301. PN-1068
R9-10-2302. PN-1068
R9-10-2303. PN-1068
R9-10-2304. PN-1068
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R9-10-2417. PN-1068
R9-10-2418. PN-1068
R9-10-2419. PN-1068

Health Services, Department of - Human Remains

Subchapter B. Funeral Industry

R9-9B-101. RC-177; PM-307; FM-1177
R9-9B-102. RC-177; PM-307; FM-1177
Table 1.1. RC-177; PM-307; FM-1177
R9-9B-103. RC-177; PM-307; FM-1177
R9-9B-104. RC-177; PM-307; FM-1177
R9-9B-201. PN-307; FN-1177
R9-9B-202. PN-307; FN-1177
R9-9B-203. RC-177; PM-307; FM-1177
R9-9B-204. RC-177; PM-307; FM-1177
R9-9B-205. RC-177; PM-307; FM-1177
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R9-9B-209. RC-177; PR-307; FR-1177
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R9-9B-304. RC-177; PR-307; PN-307; FR-1177; FN-1177
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R9-9B-317. RC-177; PR-307; FR-1177
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R9-9B-319. RC-177; PR-307; FR-1177
R9-9B-320. RC-177; PR-307; FR-1177
R9-9B-321. RC-177; PR-307; FR-1177
R9-9B-322. RC-177; PR-307; FR-1177
R9-9B-323. RC-177; PR-307; FR-1177
R9-9B-324. RC-177; PR-307; FR-1177

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 29 OF VOLUME 32.

Volume 32, Issue 30, July 24, 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

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

February

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

March

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

RULES EFFECTIVE DATES CALENDAR

April

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

May

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

June

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

RULES EFFECTIVE DATES CALENDAR

July

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

August

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

September

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

RULES EFFECTIVE DATES CALENDAR

October

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

November

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

December

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

RULES EFFECTIVE DATES CALENDAR

REGISTER 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 are listed in the first column and issue dates are provided in the second column. Listed in the third column 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*. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate.

Deadline Date Friday, 5:00 p.m.	***Register* Publication Date**	**Oral Proceeding may be scheduled on or after**
March 13, 2026	April 3, 2026	May 4, 2026
March 20, 2026	April 10, 2026	May 11, 2026
March 27, 2026	April 17, 2026	May 18, 2026
April 3, 2026	April 24, 2026	May 26, 2026 Later date due to a holiday
April 10, 2026	May 1, 2026	June 1, 2026
April 17, 2026	May 8, 2026	June 8, 2026
April 24, 2026	May 15, 2026	June 15, 2026
May 1, 2026	May 22, 2026	June 22, 2026
May 8, 2026	May 29, 2026	June 29, 2026
May 15, 2026	June 5, 2026	July 6, 2026
May 22, 2026	June 12, 2026	July 13, 2026
May 29, 2026	June 19, 2026	July 20, 2026
June 5, 2026	June 26, 2026	July 27, 2026
June 12, 2026	July 3, 2026	August 3, 2026
June 19, 2026	July 10, 2026	August 10, 2026
June 26, 2026	July 17, 2026	August 17, 2026
July 3, 2026	July 24, 2026	August 24, 2026
July 10, 2026	July 31, 2026	August 31, 2026
July 17, 2026	August 7, 2026	September 8, 2026 Later date due to a holiday
July 24, 2026	August 14, 2026	September 14, 2026
July 31, 2026	August 21, 2026	September 21, 2026
August 7, 2026	August 28, 2026	September 28, 2026
August 14, 2026	September 4, 2026	October 5, 2026
August 21, 2026	September 11, 2026	October 13, 2026 Later date due to a holiday
August 28, 2026	September 18, 2026	October 19, 2026
September 4, 2026	September 25, 2026	October 26, 2026
September 11, 2026	October 2, 2026	November 2, 2026
September 18, 2026	October 9, 2026	November 9, 2026
September 25, 2026	October 16, 2026	November 16, 2026
October 2, 2026	October 23, 2026	November 23, 2026
October 9, 2026	October 30, 2026	November 30, 2026
October 16, 2026	November 6, 2026	December 7, 2026
October 23, 2026	November 13, 2026	December 14, 2026

Volume 32, Issue 30, July 24, 2026

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

The deadlines provided in the following table 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 the Council's website.

File Number: M25-79

DEADLINE FOR PLACEMENT ON AGENDA Materials must be submitted by 5 p.m. on dates listed in this column as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.	**DEADLINE FOR FINAL MATERIALS SUBMITTED TO COUNCIL**	**DATE OF COUNCIL STUDY SESSION**	**DATE OF COUNCIL MEETING**
Tuesday March 24, 2026	Tuesday April 21, 2026	Tuesday April 28, 2026	Tuesday May 5, 2026
Tuesday April 21, 2026	Tuesday May 19, 2026	Wednesday May 27, 2026	Tuesday June 2, 2026
Tuesday May 19, 2026	Tuesday June 23, 2026	Tuesday June 30, 2026	Tuesday July 7, 2026
Tuesday June 23, 2026	Tuesday July 21, 2026	Tuesday July 28, 2026	Tuesday August 4, 2026
Tuesday July 21, 2026	Tuesday August 18, 2026	Tuesday August 25, 2026	Tuesday September 1, 2026
Tuesday August 18, 2026	Tuesday September 22, 2026	Tuesday September 29, 2026	Tuesday October 6, 2026
Tuesday September 22, 2026	Tuesday October 20, 2026	Tuesday October 27, 2026	Tuesday November 3, 2026
Tuesday October 20, 2026	Tuesday November 17, 2026	Tuesday November 24, 2026	Tuesday December 1, 2026
Tuesday November 17, 2026	Tuesday December 22, 2026	Tuesday December 29, 2026	Tuesday January 5, 2027
Tuesday December 22, 2026	Tuesday January 19, 2027	Tuesday January 26, 2027	Tuesday February 2, 2027

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF ACTION TAKEN AT THE JULY 7, 2026 MEETING

File Number: M26-57

A. CONSENT AGENDA ITEMS:

Five-Year Review Reports

1. **DEPARTMENT OF HEALTH SERVICES**
   Title 9, Chapter 7, Article 15

2. **DEPARTMENT OF HEALTH SERVICES**
   Title 9, Chapter 16, Article 1

3. **ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION**
   Title 4, Chapter 39

4. **DEPARTMENT OF ENVIRONMENTAL QUALITY**
   Title 18, Chapter 11, Article 1

5. **BOARD OF EXECUTIVE CLEMENCY**
   Title 5, Chapter 4, Articles 1-3

COUNCIL ACTION: CONSENT AGENDA APPROVED

B. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON RULEMAKINGS:

1. **ARIZONA BOARD OF PHARMACY**
   Title 4, Chapter 23, Articles 2, 4, and 6

   Amend: R4-23-205, R4-23-410, R4-23-670

COUNCIL ACTION: APPROVED

2. **ARIZONA BOARD OF PHARMACY**
   Title 4, Chapter 23, Article 4

   Amend: R4-23-407

COUNCIL ACTION: APPROVED WITH IMMEDIATE EFFECTIVE DATE PURSUANT TO A.R.S. § 41-1032(A)

3. **CITIZENS CLEAN ELECTIONS COMMISSION**
   Title 2, Chapter 20, Article 1

   Amend: R2-20-113

COUNCIL ACTION: APPROVED WITH IMMEDIATE EFFECTIVE DATE PURSUANT TO A.R.S. § 41-1032(A)

C. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON FIVE YEAR REVIEW REPORTS:

1. **DEPARTMENT OF HEALTH SERVICES**
   Title 9, Chapter 16, Article 4

COUNCIL ACTION: APPROVED

2. **DEPARTMENT OF ENVIRONMENTAL QUALITY**
   Title 18, Chapter 9, Articles 1, 3, 4, and 7

COUNCIL ACTION: APPROVED

D. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON FIVE-YEAR REVIEW REPORT EXTENSION REQUEST FROM THE ARIZONA COMMISSION FOR THE DEAF AND HARD OF HEARING FOR TITLE 9, CHAPTER 26, ARTICLES 2, 3, and 5

COUNCIL ACTION: COUNCIL VOTED TO APPROVE EXTENSION REQUEST TO SUBMIT COMMISSION'S FIVE-YEAR REVIEW REPORT WITH NEW DUE DATE OF JULY 31, 2027.