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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 39

September 25, 2026

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 Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.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

Arizona Administrative **REGISTER**

September 25, 2026

Volume 32

Issue 39

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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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The Office of the Secretary of State is an equal opportunity employer.

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 it 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 decide 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 compiled 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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Volume 32, Issue 39, September 25, 2026

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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 they are not filed at the same time, information on where the docket opening was published is listed in the preamble of the proposed rulemaking.

An agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before scheduling any oral proceedings. Written public comments shall be accepted for at least 30 days after the published notice. Refer to A.R.S. §§ [41-1013](#), [41-1022](#) and [41-1023](#).

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

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

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

File Number: R26-162

PREAMBLE

1. **Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
August 14, 2026
2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R4-11-1203	Amend
R4-11-1204	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. § 32-1207
Implementing statute: A.R.S. § 32-1201 et seq.
4. **Citations to all related notices published in the *Register* that pertain to the current record of the proposed rule:**
Notice of Rulemaking Docket Opening: 32 A.A.R. 2361, September 25, 2026 (*in this issue*); File Number: R26-168
5. **The agency's contact person who can answer questions about the rulemaking:**
Name: Ryan Edmonson, Executive Director
Address: Arizona State Board of Dental Examiners
1740 W. Adams St., Suite 2470
Phoenix, AZ 85007
Telephone: (602) 542-4493
Email: ryan.edmonson@dentalboard.az.gov
Website: <https://dentalboard.az.gov/home>
6. **An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**
The Board needs to repeal R4-11-1203(7) and R4-11-1204(6) because they are no longer necessary.
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:**
None

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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:**
None

9. **The preliminary summary of the economic, small business, and consumer impact:**
There is little to no economic, small business, or consumer impact, other than the cost to the Board to prepare the rule package, because the rulemaking simply removes continuing education requirements that are no longer necessary, thereby reducing the regulatory burden. Thus, the economic impact is minimized.

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

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

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

The Board will accept comments during business hours at the address listed in item #5. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice.

An oral proceeding regarding the proposed rules will be held as follows:

Date: November 4, 2026
Time: 10:00 a.m.
Location: Virtual Format
Video call link: <https://meet.google.com/xaz-kjwa-nzv>
Or dial: (US) +1 346-222-0496 PIN: 185 231 705#

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

None

- a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
The Board issues general permits to licensees who meet the criteria established in statute and rule.
- b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**
Not applicable
- c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
Not applicable

13. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
None

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

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 11. STATE BOARD OF DENTAL EXAMINERS

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ARTICLE 12. CONTINUING DENTAL EDUCATION AND RENEWAL REQUIREMENTS

Section

R4-11-1203. Dentists and Dental Consultants

R4-11-1204. Dental Hygienists

ARTICLE 12. CONTINUING DENTAL EDUCATION AND RENEWAL REQUIREMENTS

R4-11-1203. Dentists and Dental Consultants

Dentists and dental consultants shall complete 63 hours of Recognized Continuing Dental Education in each renewal period as follows:

1. At least 36 Credit Hours in any one or more of the following areas: Dental and medical health, preventive services, dental diagnosis and treatment planning, dental recordkeeping, dental clinical procedures, managing medical emergencies, pain management, dental public health, and courses in corrective and restorative oral health and basic dental sciences, which may include current research, new concepts in dentistry, chemical dependency, tobacco cessation, and behavioral and biological sciences that are oriented to dentistry. A Licensee who holds a permit to administer General Anesthesia, Deep Sedation, Parenteral Sedation, or Oral Sedation who is required to obtain continuing education pursuant to Article 13 may apply those Credit Hours to the requirements of this Section;
2. No more than 15 Credit Hours in one or more of the following areas: Dental practice organization and management, patient management skills, and methods of health care delivery;
3. At least three Credit Hours in opioid education;
4. At least three Credit Hours in infectious diseases or infectious disease control;
5. At least three Credit Hours in cardiopulmonary resuscitation healthcare provider level, advanced cardiac life support or pediatric advanced life support. Coursework may be completed online if the course requires a physical demonstration of skills; and
6. At least three Credit Hours in ethics or Arizona dental jurisprudence.
7. ~~If the dentist provides botulinum toxin type A or dermal fillers to a patient, at least 12 Credit Hours in didactic or clinical training related to botulinum toxin type A or dermal fillers, as identified in A.R.S. § 32-1202.~~

R4-11-1204. Dental Hygienists

- A. A dental hygienist shall complete 45 Credit Hours of Recognized Continuing Dental Education in each renewal period as follows:
1. At least 25 Credit Hours in any one or more of the following areas: Dental and medical health, and dental hygiene services, periodontal disease, care of implants, maintenance of cosmetic restorations and sealants, radiology safety and techniques, managing medical emergencies, pain management, dental recordkeeping, dental public health, and new concepts in dental hygiene;
 2. No more than 11 Credit Hours in one or more of the following areas: Dental hygiene practice organization and management, patient management skills, and methods of health care delivery;
 3. At least three Credit Hours in one or more of the following areas: chemical dependency, tobacco cessation, ethics, risk management, or Arizona dental jurisprudence;
 4. At least three Credit Hours in infectious diseases or infectious disease control; and
 5. At least three Credit Hours in cardiopulmonary resuscitation healthcare provider level, advanced cardiac life support and pediatric advanced life support. Coursework may be completed online if the course requires a physical demonstration of skills.
 6. ~~If the hygienist provides botulinum toxin type A or dermal fillers to a patient, at least 12 Credit Hours in didactic or clinical training related to botulinum toxin type A or dermal fillers, as identified in A.R.S. § 32-1202.~~
- B. A Licensee who performs dental hygiene services under an affiliated practice relationship who is required to obtain continuing education under R4-11-609 may apply those Credit Hours to the requirements of this Section.

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TITLE 9. HEALTH SERVICES

**CHAPTER 6. DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES AND INFESTATIONS**

File Number: R26-163

PREAMBLE

1. **Permission to proceed with this proposed rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
April 22, 2025
2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R9-6-501	Amend
R9-6-502	Amend
R9-6-503	Amend
R9-6-504	Amend

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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 statute: A.R.S. §§ 11-1003 and 36-136(I)(1)
4. **Citations to all related notices published in the Register that pertain to the current record of the proposed rule:**
Notice of Rulemaking Docket Opening: 32 A.A.R. 2144; Issue Date: September 11, 2026; Issue Number: 37; File Number: R26-156
5. **The agency's contact person who can answer questions about the rulemaking:**
Name: Irene Ruberto
Title: Vector-borne and Zoonotic Diseases & Mycotic Diseases Program Manager
Division: Public Health Preparedness Services
Address: 150 N. 18th Ave.
Phoenix, AZ 85007
Telephone: (602) 364-3676
Fax: (602) 364-3199
Email: Irene.Ruberto@azdhs.gov
or
Name: Stacie Gravito
Title: Chief, Office of Administrative Counsel and Rules
Address: 150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: ACR@azdhs.gov
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.) § 36-136(I)(1) requires the Department of Health Services (Department) to make rules defining and prescribing "reasonably necessary measures for detecting, reporting, preventing, and controlling communicable and preventable diseases." A.R.S. § 11-1003 requires the Department to regulate "the handling and disposition of animals other than livestock that have been bitten by a rabid or suspected rabid animal or are showing symptoms suggestive of rabies." Rabies is a preventable viral disease that is endemic in Arizona and throughout the country. It is always fatal once symptoms appear, but rabies can be prevented by vaccination of common household pets (dogs, cats, and ferrets) and treatment of exposed individuals with prompt administration of anti-rabies vaccine and rabies immune globulin (post-exposure rabies prophylaxis). The Department has adopted rules to implement control measures for rabies, according to these statutes, in *Arizona Administrative Code* (A.A.C.) Title 9, Chapter 6, Article 5. In this rulemaking, the Department is amending the rules to address issues identified in a five-year-review report approved by the Council on February 4, 2025, as well as to update the rules to align more closely with national standards, as specified in the National Association of State Public Health Veterinarians Compendium, and with the Department's current practice.
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. **The preliminary summary of the economic, small business, and consumer impact:**
The current rules in 9 A.A.C. 6, Article 5, cover requirements for managing a dog, cat, or ferret exposed to rabies; actions an animal control agency is required to take if aware of an exposed animal; actions an animal control agency is

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required to take upon learning that a suspect case does not have rabies; and other requirements for handling suspect cases. The rules also specify requirements for an animal control agency to submit a report to the Department that contains the number of animal bites to humans reported as occurring in the animal control agency's jurisdiction during the preceding calendar year and a breakdown of the bites. Thus, those affected by these rules include the Department, animal control agencies, local health agencies, veterinarians and veterinary clinics, individuals whose pets were exposed to a rabid animal or suspect case, individuals exposed to a rabid animal or suspect case, and the general public.

In this rulemaking, the Department is clarifying requirements in the current rules. New definitions are added to ensure that terms used in the rules may be consistently interpreted. Requirements in R9-6-502 have been updated to clarify that they relate to "exposed" animals, that subsection (B) relates to a rabies-susceptible animal, and that livestock exposure is subject to A.A.C. R3-2-408. The Department believes that these changes may provide a significant benefit to all persons affected by the rules.

The new rules update requirements to align with national standards. The Department believes that having requirements that are consistent with national standards may cause the Department to incur minimal additional costs initially, associated with explaining the differences in the rules, as well as providing a significant benefit to the Department. Consistent with the national standards, the new R9-6-502(A) separates the treatment of exposed animals from two categories (currently vaccinated or not) into four categories: currently vaccinated; overdue for a booster vaccination but with appropriate documentation of rabies vaccination; overdue for a booster vaccination without appropriate documentation of rabies vaccination; and never vaccinated. It also allows a veterinarian, rather than just an animal control agency, to provide vaccination or euthanizing to an exposed animal. The Department believes that these changes may provide a significant benefit to an animal control agency, a veterinarian or veterinary clinic, an owner of an exposed animal, and the general public.

The new rules require a 180-day quarantine period for unvaccinated exposed ferrets, rather than 120 days, to align with the Compendium. However, the new rules also allow for an exposed ferret that is not currently vaccinated/overdue to be evaluated case-by-case, according to guidance from the State Veterinarian or Department and consistent with the Compendium, to determine how the exposed ferret is managed. This may eliminate in some cases the additional cost of longer quarantine that the owner of an exposed ferret without current vaccination may incur. The new rules also allow additional methods, also under guidance from the State Veterinarian or Department, by which an exposed cat or dog that is not currently vaccinated can be subject to a 45-day quarantine period and avoid the longer quarantine period.

A.R.S. § 11-1014 requires anyone with knowledge of an animal biting an individual to report the incident "to the county enforcement agent immediately." Under the current rules, an animal control agency would need to maintain a list of reports in order to comply with the reporting requirements in R9-6-504 and to submit a report about these bites to the Department. Local health agencies are responsible for carrying out most of the control measures for cases or suspect cases of communicable diseases, including rabies, within their jurisdictions. Instead of an annual report, the new rules call for the animal control agency to provide a list of animal bites to humans to the Department or the applicable local health agency only upon request. They also specify the situations in which information is reported to the local health agency to allow the local health agency to provide follow-up for exposed individuals. The Department estimates that an animal control agency that is not currently communicating with the local health agency could incur as much as a moderate cost to provide relevant information to the local health agency, depending on the number of reports and the amount of information provided, and anticipates that these changes will provide a significant benefit to the Department, local health agencies, individuals exposed to a rabid animal or suspect case, and the general public.

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

Name:	Irene Ruberto
Title:	Vector-borne and Zoonotic Diseases & Mycotic Diseases Program Manager
Division:	Public Health Preparedness Services
Address:	150 N. 18th Ave. Phoenix, AZ 85007
Telephone:	(602) 364-3676
Fax:	(602) 364-3199
Email:	Irene.Ruberto@azdhs.gov
or	
Name:	Stacie Gravito

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Title: Chief, Office of Administrative Counsel and Rules
Address: 150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: ACR@azdhs.gov

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

The Department has scheduled the following oral proceeding:

Date and time: Monday, October 26, 2026, at 1:00 p.m.

Location: 150 N. 18th Ave., Room 335
Phoenix, AZ 85007

Close of record: Monday, October 26, 2026, at 4:00 p.m.

A person may submit written comments on the proposed rules no later than the close of record to either of the individuals listed in items 5 and 10.

A person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Stacie Gravito at ACR@azdhs.gov or (602) 542-1020. Requests should be made as early as possible to allow time to arrange the accommodation.

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

- a. **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:**
The rules are based on state statutes, rather than any federal law.
- c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
No business competitiveness analysis has been received by the Department.

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

The following is incorporated by reference in R9-6-502(D):

NASPHV Compendium of Animal Rabies Prevention and Control

14. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 6. DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES AND INFESTATIONS**

ARTICLE 5. RABIES CONTROL

Section

- R9-6-501. Definitions
R9-6-502. Management of Exposed Animals
R9-6-503. Suspect Cases
R9-6-504. Animal Control Agency Reporting Requirements

ARTICLE 5. RABIES CONTROL

R9-6-501. Definitions

In this Article, unless otherwise specified:

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1. "Adequate anamnestic response" means an appropriate increase in antibody titers, based on and interpreted in consultation with the State Veterinarian or the Department.
- ~~1-2.~~ "Animal control agency" means a board, commission, department, office, or other administrative unit of federal or state government or of a political subdivision of the state that has the responsibility for controlling rabies in animals in a particular geographic area.
- 2.3. "Approved rabies vaccine" means a rabies vaccine authorized for use in this state by the ~~state veterinarian~~ State Veterinarian under A.A.C. R3-2-409.
4. "Appropriate documentation of rabies vaccination" means verification by one of the following means that a rabies vaccine has been administered to an animal:
 - a. A completed rabies vaccination certificate, such as Form 51, recommended by NASPHV, or an equivalent, which has been signed by the administering veterinarian or a supervising veterinarian, as defined in A.A.C. R3-2-401; or
 - b. A statement from an administering veterinarian that the veterinarian's records indicate that the animal received a rabies vaccine from the veterinarian.
- ~~3-5.~~ "Cat" means an animal of the genus species *Felis domesticus*.
6. "Cat/wild cat hybrid" means any mammal that is the offspring of a wild felid or hybrid wild felid and a domestic cat or hybrid wild felid or is represented by its owner to be a wild felid hybrid.
- ~~4-7.~~ "Currently vaccinated" means that an animal was last immunized against rabies with an approved rabies vaccine:
 - a. At least 28 days and no longer than one year before being exposed, if the animal has only received an initial dose of approved rabies vaccine;
 - b. No longer than one year before being exposed, if the approved rabies vaccine is approved for annual use under A.A.C. R3-2-409; or
 - c. No longer than three years before being exposed, if the approved rabies vaccine is approved for triennial use under A.A.C. R3-2-409.
- ~~5-8.~~ "Dog" means an animal of the genus species *Canis familiaris*.
9. "Dog/wolf hybrid" means any mammal that is the offspring of any species of wild canid or hybrid wild canid and a domestic dog or hybrid wild canid, or is represented by its owner to be a wolf hybrid, coyote hybrid, or any other kind of wild canid hybrid.
- ~~6-10.~~ "Euthanize" means to kill an animal painlessly.
- ~~7-11.~~ "Exposed" means bitten by or having touched a rabid animal or an animal suspected of being rabid.
- ~~8-12.~~ "Ferret" means an animal of the genus species *Mustela putorius*.
13. "NASPHV" means the same as in A.A.C. R3-2-401.
9. "Not currently vaccinated" means that an animal does not meet the definition of "currently vaccinated."
14. "Overdue for a booster vaccination" means that a dog or cat has not received a booster vaccination against rabies according to the veterinary and USDA-licensed rabies vaccine manufacturer schedule.
15. "Prospective serological monitoring" means the process of collection of a serum sample from an exposed animal and submission of the serum sample to an NASPHV-approved rabies laboratory to determine antibody titers against rabies, including:
 - a. Following the instructions for serum sample collection, testing, and rabies vaccine administration from the State Veterinarian or the Department; and
 - b. The interpretation of the test results by, or in consultation with, the State Veterinarian or Department.
16. "Quarantine" means:
 - a. Placing an exposed animal in a confined environment, with no escape possible;
 - b. Ensuring the exposed animal has no contact with other animals or people, except for what is necessary for the care of the exposed animal; and
 - c. Observing the exposed animal at least daily to identify any signs of illness.
- ~~10-17.~~ "Rabid" means infected with rabies virus, a rhabdovirus of the genus *Lyssavirus*.
18. "State Veterinarian" means the individual appointed under A.R.S. § 3-1211.
- ~~11-19.~~ "Suspect case" means an animal whose signs or symptoms indicate that the animal may be rabid.

R9-6-502. Management of Exposed Animals

- A. An animal control agency shall manage an exposed dog, cat, or ferret as follows:
1. If the exposed dog, cat, or ferret is currently vaccinated, the animal control agency shall:
 - a. ~~Revaccinate~~ Ensure that the exposed animal is revaccinated with an approved rabies vaccine within ~~seven~~ four days after the date that the animal is exposed; and
 - b. ~~Confine and observe~~ Quarantine the exposed animal in the owner's home or, at the owner's expense, in a veterinary hospital or the animal control agency's facility, as determined by the animal control agency, for 45 days after the animal is exposed; or
 2. If the exposed dog, cat, or ferret ~~is not currently~~ has never been vaccinated for rabies, the animal control agency shall:
 - a. ~~Euthanize the animal~~ Ensure that the exposed animal is euthanized; or
 - b. At the owner's request, confine:
 - i. Quarantine the exposed animal for 120 days for dogs and cats or 180 days for ferrets, at the owner's expense, in a veterinary hospital or the animal control agency's facility, as determined by the animal control agency; and
 - ii. ~~vaccinate~~ Ensure that the exposed animal is vaccinated with an approved rabies vaccine ~~28 days before it is released from confinement upon entry into quarantine;~~
 3. If the exposed dog or cat is overdue for a booster vaccination and has appropriate documentation of rabies vaccination with a USDA-licensed rabies vaccine at least once previously, the animal control agency shall:

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- a. Ensure that the exposed animal is revaccinated with an approved rabies vaccine within four days after the date that the animal is exposed; and
- b. Quarantine the exposed animal in the owner's home or, at the owner's expense, in a veterinary hospital or the animal control agency's facility, as determined by the animal control agency, for 45 days after the animal is exposed;
- 4. If the exposed dog or cat does not have appropriate documentation of rabies vaccination with a USDA-licensed rabies vaccine at least once previously:
 - a. The animal control agency shall treat the exposed animal as never vaccinated, as described in subsection (A)(2); or
 - b. The attending veterinarian of the exposed dog or cat may request guidance from the State Veterinarian or the Department to use prospective serological monitoring and, if prospective serological monitoring is appropriate, the animal control agency:
 - i. Shall ensure that the exposed animal remains in quarantine during the testing process, unless and until otherwise approved by the animal control agency;
 - ii. If an adequate anamnestic response is documented, may consider the exposed animal to be overdue for a booster vaccination and ensure that the exposed animal is quarantined and observed for 45 days, as described in subsection (A)(1); and
 - iii. If an adequate anamnestic response is not documented, shall consider the exposed animal to be unvaccinated and subject to a 120-day quarantine or euthanasia, as described in subsection (A)(2); and
- 5. If the exposed ferret is not currently vaccinated, the animal control agency shall:
 - a. Ensure that the exposed ferret is revaccinated with an approved rabies vaccine within four days after the date that the ferret is exposed, and
 - b. Quarantine the exposed ferret according to guidance from the State Veterinarian or the Department on a case-by-case basis.
- B. An animal control agency that is aware of an exposed animal that is susceptible to rabies, other than a cat, a dog, a ferret, or livestock subject to A.A.C. R3-2-408 shall:
 - 1. Make Shall make every effort to capture the exposed animal as soon as it is identified, and
 - 2. Euthanize May euthanize the animal as soon as it is captured.
- C. An animal control agency shall release from ~~confinement~~ quarantine a dog, cat, or ferret exposed to a suspect case when the animal control agency receives a negative rabies report on the suspect case from the Department.
- ~~D. Livestock shall be handled according to A.A.C. R3-2-408.~~
- D. An animal control agency shall handle dog/wolf hybrids and cat/wild cat hybrids as wildlife in the context of rabies control using the methods prescribed in the 2016 version of the NASPHV Compendium of Animal Rabies Prevention and Control, which is incorporated by reference, is available at <https://nasphv.org/Documents/NASPHVRabiesCompendium.pdf>, is on file with the Department, and includes no future editions or amendments.

R9-6-503. Suspect Cases

- A. An animal control agency shall ensure ~~confinement~~ quarantine of a dog, cat, or ferret that is a suspect case until:
 - 1. The animal dies,
 - 2. The animal is euthanized, or
 - 3. A veterinarian determines that the animal is not rabid.
- B. When an animal control agency euthanizes a suspect case, the animal control agency shall avoid damaging the brain, so that rabies testing can be performed.

R9-6-504. Animal Control Agency Reporting Requirements

~~By April 30 of each year, an animal control agency shall submit a report to the Department that contains the number of animal bites to humans reported as occurring in the animal control agency's jurisdiction during the preceding calendar year and a breakdown of the bites by:~~

- ~~1. Species of animal;~~
- ~~2. Age of victim; and~~
- ~~3. Month of occurrence.~~
- A. An animal control agency shall:
 - 1. Maintain a list of animal bites to humans, reported according to A.R.S. § 11-1014 as occurring in the animal control agency's jurisdiction, for at least 12 months after the date of the report; and
 - 2. Provide a copy of the list in subsection (A)(1) to the Department or the applicable local health agency within seven calendar days after a request.
- B. An animal control agency, in consultation with the applicable local health agency, shall ensure that information is reported to the local health agency in any of the following situations, as specified by the local health agency:
 - 1. An animal bite to a human,
 - 2. Exposure of a human or susceptible animal to a suspect case, and
 - 3. Euthanizing or quarantine of an animal due to exposure.

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Volume 32, Issue 39, September 25, 2026

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 10. BARBERING AND COSMETOLOGY BOARD

File Number: R26-164

PREAMBLE

1. **Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
July 14, 2026

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R4-10-101	Amend
R4-10-102	Amend
R4-10-103	Amend
R4-10-106	Amend
R4-10-111	Amend
R4-10-112	Amend
R4-10-113	Amend
R4-10-114	Amend
Part A.	Repeal
R4-10-A101	Repeal
Table A1	Repeal
Part B.	Repeal
Table B1	Amend
R4-10-201	Amend
R4-10-202	Amend
R4-10-203	Amend
R4-10-204	Amend
R4-10-205	Renumber
R4-10-205	Amend
R4-10-206	New Section
R4-10-207	Renumber
R4-10-207	Amend
Part A.	Repeal
R4-10-A201	Repeal
R4-10-A202	Repeal
Part B.	Repeal
R4-10-B201	Renumber
R4-10-B202	Renumber
R4-10-301	Amend
R4-10-302	Amend
R4-10-303	Amend

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R4-10-304	Amend
R4-10-304.1	Amend
R4-10-305	Amend
R4-10-306	Amend
R4-10-A301	Amend
R4-10-A302	Amend
R4-10-A303	Amend
R4-10-B305	Amend
R4-10-B306	Amend
R4-10-B307	Amend
R4-10-401	Amend
R4-10-402	Amend
R4-10-403	Amend
R4-10-404	Amend
R4-10-405	Amend
Part A	Repeal
R4-10-A401	Renumber
R4-10-406	Renumber
R4-10-406	Amend
Part B	Repeal
R4-10-B401	Renumber
R4-10-407	Renumber
R4-10-407	Amend
R4-10-B402	Renumber
R4-10-408	Renumber
R4-10-408	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. § 32-504(A)(1)

Implementing statute: A.R.S. § Title 32, Chapter 5

4. The effective date of the rule:

October 31, 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: 32 A.A.R. 452; Issue Date: February 20, 2026; Issue Number: 8; File Number: R26-12

Notice of Proposed Rulemaking: 32 A.A.R. 417; Issue Date: February 20, 2026; Issue Number: 8; File Number: R26-09

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

Name: Frank Migali
Title: Executive Director
Address: 1740 W. Adams St., Suite 4400
Phoenix, AZ 85007
Telephone: (480) 784-4539

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Email: azboard@bcb.az.gov
Website: bcb.az.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:

Since the Board's rules were made in 2024, two important changes have occurred. The first is that the legislature repealed statutes relating to the former Board of Barbers and created one set of statutes for the Barbering and Cosmetology Board. The second is that a sufficient number of states have joined the cosmetology licensure compact to make the compact provisions effective (See A.R.S. § 32-596) so a cosmetologist with an active, unencumbered license is eligible to apply for a multistate license. These two changes necessitate the current rulemaking.

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:

Most of the amendments in this rulemaking were made to address the legislative repeal of statutes relating to the former Board of Barbers. To the extent possible, the Board attempted to have similar procedures apply to all applicants and licensees. The primary economic impact of these changes is on the Board, which incurred the cost of the rulemaking and will incur the cost of implementing and enforcing the new rules.

The following changes will have minimal economic impact on those regulated by the Board:

- Adding new fees for a cosmetology multistate license and renewal and renewal or late renewal of an eyelash technician training program;
- Clarifying what happens if a Board inspector is unable to complete an inspection because of licensee behavior;
- Specifying procedures for applying for a cosmetology multistate license;
- Specifying procedures for applying for an instructor license by reciprocity or universal recognition;
- Removing the requirement that an offsite training facility be in an establishment;
- Deleting some application requirements;
- Requiring a school licensee to maintain student records for 25 years;
- Requiring a barbering school licensee to provide each student with a training kit;
- Reducing the amount of time a barbering student may be trained at an offsite training facility;
- Clarifying the difference when a change to an establishment occurs but the current licensee continues to operate the establishment and when the change results in a new licensee; and
- Requiring use of the Board's licensing portal.

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

Not applicable

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

Not applicable

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 Board does not issue general permits. Rather, the Board issues individual licenses as required by the

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Board's statutes to each person that is qualified by statute (See A.R.S. §§ 32-510, 32-511, 32-512, 32-512.01, 32-512.02, 32-519, 32-531, 32-541, 32-551, and 32-583) and rule.

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

Not applicable

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

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:**
Not applicable

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 10. BARBERING AND COSMETOLOGY BOARD

ARTICLE 1. GENERAL PROVISIONS

Section	
R4-10-101.	Definitions
R4-10-102.	Fees and Charges
R4-10-103.	Payment of Fees
R4-10-106.	Time Frames
R4-10-111.	Display of Licenses, Registrations, and Signs
R4-10-112.	Infection Control and Safety Standards
R4-10-113.	Establishment and School Management
R4-10-114.	Board Inspection

PART A. BARBERING REPEALED

Section	
R4-10-A101.	Definitions <u>Repealed</u>
Table A1.	Time Frames (in days) <u>Repealed</u>

PART B. COSMETOLOGY REPEALED

Section	
Table B1 1.	Time Frames (in days)

ARTICLE 2. PERSONAL LICENSURE OR REGISTRATION

Section	
R4-10-201.	Application for a Personal License by Reciprocity; Application for License by or Universal Recognition; Application for Multistate License
R4-10-202.	Application for a <u>Personal</u> Cosmetology, Aesthetics, Hairstyling, Nail Technology, or Barber License by Examination
R4-10-203.	Personal License, <u>Instructor License</u> , or Registration Renewal
R4-10-204.	Reactivating an Inactive or Expired License or Registration

PART A. BARBERING REPEALED

Section	
R4-10-A201.	Examination <u>Repealed</u>
R4-10-A202.	Application for a Barber Instructor License by Examination <u>Repealed</u>

PART B. COSMETOLOGY REPEALED

Section	
R4-10-B201.	<u>Renumbered</u> R4-10-205. Renumbered Application of for an Instructor License by Examination
R4-10-206.	<u>Renumbered</u> Application for an Instructor License by Reciprocity or Universal Recognition

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~~R4-10-B202-~~ Renumbered R4-10-207. ~~Renumbered~~ Application for an Eyelash Technician Registration

ARTICLE 3. SCHOOLS; EYELASH TECHNOLOGY TRAINING PROGRAM

Section

- R4-10-301. License to Operate a School
- R4-10-302. Application for a License to Operate a Barber, Cosmetology, Aesthetician, Hairstyling, or Nail Technology School
- R4-10-303. Application to Renew a License to Operate a School
- R4-10-304. Notification of Changes
- R4-10-304.1. School Closure
- R4-10-305. School Records; Student Certificates
- R4-10-306. General Barber, Cosmetology, Aesthetics, Hairstyling, or Nail Technology School Requirements

PART A. BARBERING

Section

- R4-10-A301. Barbering School Operations
- R4-10-A302. Barbering School 1200-hour Curriculum Requirements
- R4-10-A303. Offsite Training Facility

PART B. COSMETOLOGY

Section

- R4-10-B305. Distant Classrooms
- R4-10-B306. Approval of an Eyelash Technician Training Program
- R4-10-B307. Requirements of an Eyelash Technician Training Program

ARTICLE 4. ESTABLISHMENTS

Section

- R4-10-401. ~~Changes Affecting a License to Operate an Establishment; Establishment Changes~~
- R4-10-402. Application for a License to Operate a ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ an Establishment
- R4-10-403. ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ Establishment Requirements and Minimum Equipment
- R4-10-404. Renewal of an Establishment License
- R4-10-405. Establishment Supervision

PART A. BARBERING REPEALED

Section

- ~~R4-10-A401-~~ Renumbered
- ~~R4-10-A401-R4-10-406.~~ Barbering Establishment Mobile Units

PART B. COSMETOLOGY REPEALED

Section

- ~~R4-10-B401-~~ Renumbered
- ~~R4-10-B401-R4-10-407.~~ Mobile Services
- ~~R4-10-B402-~~ Renumbered
- ~~R4-10-B402-R4-10-408.~~ Shampoo Assistants

ARTICLE 1. GENERAL PROVISIONS

R4-10-101. Definitions

The definitions in A.R.S. §§ ~~32-301~~, 32-501, 32-516, and 32-572, and ~~32-581~~ apply to this Chapter. Additionally, in this Chapter unless otherwise specified:

1. “Accredited” means approved by any regional or national accreditation organization.
2. “Administrative completeness review” means the Board’s process for determining that an applicant has provided all information and documents required by Board statute or rule for an application.
3. “Applicant” means an individual or any of the following seeking licensure or registration by the Board:
 - a. If a corporation, one officer as the applicant and a list of all officers of the corporation; or
 - b. If a partnership, one partner as the applicant and a list of all other partners; or
 - c. If a limited liability company, the designated ~~corporate~~ contact person, or if no contact person is designated, one member as the applicant and a list of all other members.
4. “Application packet” means the forms and documents the Board requires an applicant to submit.
5. “Approved by the Board,” as used in A.R.S. §§ ~~32-302~~ and 32-501, means a cosmetologist, aesthetician, barber, hair stylist, or nail technician has a current license or an eyelash technician has a current registration, issued by the Board and no record of disciplinary action.
6. “Authorized representative” means a person designated by the owner of an establishment or school.
- ~~6. “Bracing” means to use a support that helps to steady or strengthen while performing a procedure.~~
7. “Barber pole” means a stationary or revolving sign composed of a vertical cylinder or pole with alternating, diagonal, stripes of any combination including red, white, and blue or a likeness of the sign.

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8. "Bracing" means to use a support that helps to steady or strengthen while performing a procedure.
- ~~8-9.~~ "Certificate of hours" means a document issued by a licensed school to a student that states the total number of hours or credits completed at the school by the student who is transferring or withdrawing.
- ~~9-10.~~ "Certification of licensure" means the status of the license, signed by the authorized individual of the agency authorized to issue cosmetology, hairstyling, nail technician, aesthetics, barbering, or instructor licenses in the jurisdiction in which the applicant received a license.
- ~~10-11.~~ "Change of ownership," as used in A.R.S. §§ 32-328, 32-545, and 32-552, means a any change of 10 percent or more of the owners of ownership for the individual or entity holding a license to operate an establishment or school.
- ~~11-12.~~ "Classroom" means an area in which instruction or demonstration is provided.
- ~~12-13.~~ "Clinic" means the area where a student practices cosmetology, hairstyling, nail technology, aesthetics, or barbering on the general public for a fee.
- ~~13-14.~~ "Course" means an organized subject matter in which instruction is offered within a given period of time and for which credit toward graduation is given.
- ~~14-15.~~ "Credit" means one earned academic unit of study based on completing the required number of class sessions per calendar week in a course at a community college, an accredited college or university, or a high school.
- ~~15-16.~~ "Crossover hours" means hours of training obtained by a licensed aesthetician, cosmetologist, hair stylist, nail technician, or barber that a school licensee accepts as hours of training required to complete a course of training in a different discipline.
- ~~16-17.~~ "Days" means business days.
- ~~17-18.~~ "Direct supervision" means a licensee is physically present and observing the work of a supervisee.
- ~~18-19.~~ "Discipline" means the fields of study or service regulated by the Board including cosmetology, hairstyling, aesthetics, nail technology, eyelash technology, and barbering.
- ~~19-20.~~ "Disinfect" means the use of EPA-registered chemicals to kill most microbial life that can lead to infection in humans.
- ~~21.~~ "Domestic administration," as used in A.R.S. § 32-506(19)(b) means a licensee performs services on a person to whom the licensee is related by blood, marriage, or state action.
- ~~20-22.~~ "EPA" means the U.S. Environmental Protection Agency.
- ~~21.~~ "Establishment" means a business for which the Board has issued a license to a person under A.R.S. §§ 32-326 or 32-541, as applicable.
- ~~22-23.~~ "Establishment suite" means multiple individually operated and licensed establishments that share a physical address except for suite number.
- ~~23-24.~~ "Graduation" or "graduated from a school" means completion of the criteria established by a licensed cosmetology, hairstyling, aesthetics, nail technology, or barbering school for the course in which the applicant was enrolled including completion of the required curriculum hours.
- ~~24-25.~~ "High school diploma or equivalency" means:
- A high school diploma from a school recognized by the basic education authority or the Department of Education in the jurisdiction in which the school is located,
 - A passing score on a high school equivalency general educational development test or its equivalent as required by the Department of Education,
 - An associate degree or 15 academic credits from a junior college recognized by the basic education authority in the jurisdiction in which the college is located, or
 - Any degree from a college or university recognized by the basic education authority in the jurisdiction in which the college or university is located.
- ~~25-26.~~ "Licensed in another state of the United States or foreign country" means:
- A governmental regulatory agency in the state or country is authorized to examine the competency of individuals who graduate from a licensed cosmetology, hairstyling, nail technology, aesthetics, or barbering school, or instructors for these disciplines; and
 - The governmental regulatory agency issues licenses over which the state or country has regulatory and disciplinary jurisdiction.
- ~~26-27.~~ "Manager" means an individual who is responsible for ensuring an establishment for which the Board has issued a license to operate complies with A.R.S. Title 32, ~~Chapters 3 and Chapter 5, as applicable,~~ and this Chapter.
- ~~27.~~ "Mentor," as defined at A.R.S. §§ 32-301 and 32-501, means an aesthetician, barber, cosmetologist, hair stylist, or nail technician who is approved by the Board to train an individual in an apprenticeship program that is approved by the Department of Economic Security and occurs at a licensed establishment.
- ~~28.~~ "Model" means an individual or mannequin on which an applicant performs demonstrations for the practical section of a licensing examination.
- ~~29.~~ "Practice" means engaging in one of the disciplines regulated by the Board or engaging as an instructor of one of the disciplines in accordance with the license or registration issued by the Board and Title 32, Chapters 3 and C-5, as applicable, and this Chapter.
- ~~30-28.~~ "Owner" means a person that has controlling interest in an establishment or school or the owner's designee.
- ~~29.~~ "Passport-style photo" means a full-forward view of the face from the shoulders up, centered, on a plain white background taken within the last six months.
- ~~30.~~ "Practice" means engaging in one of the disciplines regulated by the Board or engaging as an instructor of one of the disciplines in accordance with the license or registration issued by the Board and Title 32, Chapter 5, and this Chapter.
- ~~31.~~ "Reciprocity" means the procedure for granting an Arizona license to an applicant who is currently licensed in another state of the United States or a foreign country.

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32. "School" means an educational facility for which the Board has issued a license to a person under A.R.S. §§ 32-325 or 32-551, as applicable.
33. ~~32.~~ "Student instructor" means an individual who is licensed by the Board in a discipline and training to be an instructor in that discipline.
34. ~~33.~~ "Substantive review" means the Board's process for determining whether an applicant for licensure, registration, or other approval meets the requirements for the license, registration, or other approval for which application is made including, if applicable, taking and passing ~~an examination~~ all examinations required by the Board.
34. "Tool drawer" means an ultraviolet electrical sanitizer or a clean, dust-proof cabinet, drawer, or other container that is disinfected with an EPA-registered disinfection agent and used to store disinfected tools.
35. "Transfer hours" means hours of study a student completed at one school that a school licensee accepts to meet the requirements at a second school.
35. ~~36.~~ "Two years of high school or its equivalent" means one of the following:
- Ten high school credits attained by an individual;
 - If the individual is homeschooled, a copy of the Affidavit of Intent filed with the county school superintendent and proof the individual is at least 16 years old; or
 - ~~Proof of being at least 18 years old; or~~
 - ~~d.c.~~ Obtaining a passing score on a high school equivalency general educational development (GED) test or its equivalent as required by the Department of Education.
36. ~~"Transfer hours" means hours of study a student completed at one school that a school licensee accepts to meet the requirements at a second school.~~
37. "Virtual learning" means the use of technology to teach students who may or may not be physically present in a classroom.
38. "Workstation" means a specific location within an establishment, mobile unit, offsite training facility, or school where services are performed not including hair-cleaning activity.

R4-10-102. Fees and Charges

- A. Cosmetology, aesthetics, hairstyling, and nail technology. Under the specific authority provided by A.R.S. § 32-507 and subject to R4-10-103, the Board establishes and shall collect the following fees:
- ~~Initial personal~~ Personal license: ~~\$60.00~~ \$60
 - ~~Personal licensing~~ license renewal: ~~\$60.00~~ \$60
 - ~~Delinquent personal license renewal: \$60 for personal license renewal as specified under subsection (A)(2) plus \$30 for delinquent renewal for every two years or a portion of two years that the license is inactive~~ expired to a maximum of five years
 - ~~Personal license by reciprocity or universal recognition license: \$60.00~~ \$60
 - Instructor license by examination, reciprocity, or universal recognition; renewal: \$60
 - ~~Delinquent instructor license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years~~
 - ~~5-7. Establishment initial license: \$110.00~~ \$110
 - ~~6-8. Establishment license renewal: \$50.00~~ \$50 annually
 - ~~7-9. Establishment delinquent~~ Delinquent establishment license renewal: \$80.00 \$30 for every year or portion of a year that the license is expired
 - ~~8-10. School license: \$600.00~~ \$600
 - ~~9-11. School license renewal: \$250.00~~ \$250
 - ~~10-12. Delinquent school license renewal: \$350.00~~ \$100 for every year or portion of a year that the license is expired
 - Cosmetology multistate license: \$90
 - Cosmetology multistate license renewal: \$90
- B. Barbering. Under the specific authority provided by A.R.S. § 32-328 ~~32-507~~, and subject to R4-10-103, the Board establishes and shall collect the following fees:
- Barber
 - ~~License~~ Personal license by reciprocity or universal recognition: \$175
 - ~~Initial~~ Personal license: \$40
 - ~~Renewal valid for two years~~ Personal license renewal: \$80
 - ~~Delinquent personal license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years~~
 - Instructor
 - ~~Initial~~ Instructor license: \$50
 - ~~License~~ Instructor license by reciprocity or universal recognition: \$175
 - ~~Renewal valid for two years~~ Instructor license renewal: \$60
 - ~~Delinquent instructor license renewal: \$30 for every two years or portion of two years that the license is expired to a maximum of five years~~
 - Establishment
 - ~~Application and initial inspection~~ Establishment license: \$150
 - ~~Change of location or ownership: \$85~~ Establishment license renewal: \$50 annually
 - ~~Renewal: \$50 annually~~ Delinquent establishment license renewal: \$30 for every year or portion of a year that the license is expired
 - Late renewal fee for any license issued under subsections (B)(1) through (3)

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- a. First time in a five-year period: \$25 plus the renewal fee
 - b. Second time in a five-year period: \$50 plus the renewal fee
 - e. Third time in a five-year period: \$75 plus the renewal fee
- 5-4. School
- a. Application ~~School license~~ and initial inspection: \$1,000
 - b. Change of location or ownership: \$500
 - e-b. Renewal School license renewal: \$400 annually
 - d-c. Late renewal fee: Delinquent school license renewal: \$100 for every year or portion of a year that the license is expired
 - i. First time in five-year period: \$50 plus the renewal fee
 - ii. Second time in five-year period: \$100 plus the renewal fee
 - iii. Third time in five-year period: \$150 plus the renewal fee
- C. Eyelash technology. Under the specific authority provided by A.R.S. § 32-507; and subject to R4-10-103, the Board establishes and shall collect the following fees:
- 1. ~~Initial personal~~ Personal registration: \$45
 - 2. Personal registration renewal: \$45
 - 3. Delinquent personal registration renewal: ~~\$45 for personal registration renewal as specified under subsection (C)(2) plus \$30 for delinquent renewal for every two years or a portion of two years that the registration is inactive~~ expired to a maximum of five years
 - 4. Approval of an eyelash technician training program: \$250
 - 5. Eyelash technician training program renewal: \$100
 - 6. Delinquent eyelash technician training program renewal: \$40 for every year or portion of a year that the approval is expired
- D. An applicant for licensure by examination shall pay directly to the national professional organization with which the Board contracts the amount charged to administer and grade the written and practical examinations.
- E. The Board shall collect the following charges for the services provided:
- 1. Board administered educational classes: ~~\$25.00~~ \$25
 - 2. Certification of licensure or hours: ~~\$30.00~~ \$30
 - 3. ~~Service~~ As authorized by A.R.S. § 35-101(8), a service charge for use of a credit or debit card: ~~\$3.00~~ \$3 per transaction
 - 4. For copying public documents: 50¢ per page
 - 5. For audiotapes, videotapes, computer discs, or other media used for recording sounds, images, or information: \$15 per tape, disc, or other medium
 - 6. For a list of licensees' names and mailing addresses: a maximum of ~~25¢~~ 10¢ per name
 - 7. Issuing an updated license following receipt of a notice of establishment-suite change: \$20
- F. As authorized by A.R.S. § 44-6852, the Board shall charge a service fee of ~~\$20.00~~ \$20 for the return of a dishonored check or the failure of any other means of payment to be honored plus the actual charges assessed by the financial institution dishonoring the check or other means of payment.
- G. The Board shall consider a fee payment timely only if the fee is received in the correct amount, in the form specified in R4-10-103(B), and:
- 1. The Board receives the fee on or before the date due, or
 - 2. The fee is postmarked or electronically submitted on or before the date due.

R4-10-103. Payment of Fees

- A. A fee is not considered paid until the Board receives the amount required in the form specified in subsection (B). The Board shall not provide services, administer examinations, or issue licenses or registrations until it receives the required fee.
- B. Form of payment. The Board shall accept:
 - 1. A credit card, money order, or cashier's check as payment of licensing fees for ~~an establishment or a school~~;
 - 2. A credit card, cashier's check, business check, or money order as payment of a civil penalty; and
 - 3. A credit or debit card as payment of all other fees and service charges.
- C. If any payment for a renewal is returned because it to the Board is dishonored, including a chargeback, the renewal license or registration application is incomplete and any license or registration renewal issued is void effective the date the Board provides written notice to the licensee or registrant that the license or registration is void.
- D. An applicant, licensee, or registrant whose fee payment to the Board is dishonored is not entitled to a further service, license, or registration until the Board receives the following:
 - 1. The amount of the fee for which the payment was dishonored;
 - 2. The service charge provided in R4-10-102 (F); and
 - 3. If applicable, the delinquent fee for each year or part of a year the license or registration was ~~inactive or~~ expired.
- E. Fees are nonrefundable except if A.R.S. § 41-1077 applies.
- F. The Board shall not refund fees tendered for fewer than \$5.00 over the amount specified in R4-10-102, except the Board shall refund fees paid over the amount specified as the maximum fee in A.R.S. §§ ~~32-328 or 32-507~~, as applicable.

R4-10-106. Time Frames

- A. The overall, administrative completeness, and substantive review time frames described in A.R.S. § 41-1072 for each type of license, registration, or approval granted by the Board are listed in ~~Tables Table 1 A1 and B1, as applicable~~. The applicant and Executive Director of the Board may agree in writing to extend the overall time frame. The substantive review time frame may not be extended by more than 25 percent of the overall time frame.
- B. The administrative completeness review time frame begins when the Board receives an application ~~packet~~.

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1. If an application packet is incomplete because an incorrect document is submitted, the Board shall ~~send~~ notify the applicant a ~~written notice specifying the missing document or incomplete information.~~ The administrative completeness review time frame and the overall time frame are suspended from the date of the notice until the date the Board receives ~~a complete application packet~~ the correct document from the applicant.
 2. If an application packet is complete, the Board shall send a written notice of administrative completeness to the applicant.
 3. If the Board grants a license, registration, or approval during the administrative completeness time frame, the Board ~~shall not~~ may issue a separate written notice of administrative completeness.
- C. The substantive review time frame begins on the date of notice of administrative completeness.
1. As part of the substantive review for a license to operate a school, the Board shall conduct an inspection that may require more than one visit to the school.
 2. During the substantive review time frame, the Board may make one comprehensive written request for additional information or documentation. If the applicant ~~has~~ has applied for licensure by examination, the Board may request evidence ~~of passing the applicant passed all required examination examinations.~~ The time frame for the Board to complete the substantive review is suspended from the date of the comprehensive written request for additional information or documentation until the Board receives the additional information or documentation.
 3. If an applicant does not meet the requirements of A.R.S. Title 32, Chapter ~~3 or 5, as applicable,~~ and this Chapter, the Board shall send a written notice denying a license, registration, or approval to the applicant. The Board shall include in the notice of denial the basis for the denial and an explanation of the applicant's right to appeal under A.R.S. Title 41, Chapter 6, Article 10.
- D. The Board shall consider an application withdrawn if within 90 days ~~from the application submission~~ after the date on which the applicant submitted the application, the applicant fails to supply the missing information under comply with subsection (B)(1) or (C)(2).
- E. An individual shall not practice as an aesthetician, cosmetologist, hairstylist, instructor, nail technician, barber, or eyelash technician until the individual receives and posts the license or registration issued by the Board at the individual's place of employment.

R4-10-111. Display of Licenses, Registrations, and Signs

- A. An establishment or school licensee shall ensure the name on the establishment's or school's sign, advertising, and publications is the same as the name on the license to operate the establishment or school issued by the Board. The establishment's or school's sign shall be prominently posted in view of the public.
- B. A school licensee shall:
1. Display the licenses of the school licensee and all instructors near the school entrance, visible to the public; and
 2. Ensure that if "accredited," "approved," or a similar term appears in the school catalog, publication, or advertisement, the name of the accrediting or approving organization is provided.
- C. An establishment licensee shall:
1. Prominently post the current license of the establishment licensee in view of the public, and
 2. Ensure ~~that~~ the personal license or registration of each licensee or registrant performing services in the establishment is posted at the licensee's or registrant's workstation.
- D. A licensee or registrant performing mobile services shall prominently display, in view of the public and in the area where mobile services are provided:
1. A duplicate of the licensee's or registrant's personal license or registration, and
 2. A duplicate of the Board-issued license to operate an establishment.
- E. A copy of R4-10-112 shall be prominently posted in each establishment and school.
- F. If applicable, an establishment licensee shall prominently post a sign, in view of the public, that reads: "These services are not regulated by the Arizona Barbering and Cosmetology Board" and include a list of services provided but not regulated.
- G. Display of barber pole.
1. Under A.R.S. § ~~32-355(A)(4)~~ 32-543(B), it is unlawful to display a sign or advertise as being engaged in the practice or business of barbering without being licensed under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter.
 2. ~~The Board has trademarked through the Office of the Secretary of State the barber pole as a sign of the barbering business.~~
 3. ~~2.~~ A business shall not display a barber pole unless a barber licensed under A.R.S. Title 32, Chapter ~~3~~ 5, and this Chapter is available to provide barbering services during the business hours the barber pole is displayed.

R4-10-112. Infection Control and Safety Standards

- A. The holder of an establishment or school license issued under A.R.S. Title 32, Chapter ~~3 or 5,~~ and this Chapter, shall ensure the establishment or school has and maintains the following minimum equipment and supplies:
1. Non-leaking, solid-side waste receptacles with liners, which are emptied, cleaned, and disinfected daily;
 2. Ventilated, covered, containers for soiled linens including towels and capes;
 3. Covered, clean containers or cabinets to hold clean linens including towels and capes;
 4. Covered, wet disinfectant container that:
 - a. Is set up with disinfectant solution at all times the establishment or school is open, and
 - b. Is changed as determined by the manufacturer's instructions or when visibly cloudy or contaminated; and
 5. An EPA-registered bactericidal, virucidal, or fungicidal, disinfectant effective against HIV and human hepatitis B virus, which shall be mixed and used according to manufacturer's directions on all tools, instruments, and equipment.
- B. Procedure for disinfecting non-electrical equipment. A licensee, registrant, or student shall disinfect non-electrical equipment by:
1. Cleaning with soap or detergent and warm water, rinsing with clean water, and patting dry; and
 2. Totally immersing in the wet disinfectant required under subsection (A)(5) following manufacturer's recommended directions.
- C. Procedure for storing tools and instruments. A licensee, registrant, or student shall:

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1. Place a tool or instrument that has been used on a client or soiled in any manner in a covered receptacle that is labeled “dirty”; and
 2. Place a disinfected instrument in a disinfected, dry, covered container that is labeled “ready to use” and isolate the disinfected instrument from contaminants.
- D.** Procedure for disinfecting electrical equipment, which shall be in good repair, before each use. A licensee, registrant, or student shall disinfect electrical equipment by:
1. Removing all foreign matter from the equipment;
 2. Cleaning and spraying or wiping with an EPA-registered bactericidal, virucidal, or fungicidal disinfectant, compatible with electrical equipment, as required in subsection (A)(5), ensuring the electrical equipment is in contact with the disinfectant for the time specified on the disinfectant label;
 3. Storing the disinfected electrical equipment in a clean place separated from cords for the electrical equipment; and
 4. If the electrical equipment has removable parts, disinfecting the removed parts as described in subsection (B).
- E.** Tools, instruments, and supplies. A licensee, registrant, or student shall:
1. Dispose of all tools, instruments, or supplies that come into direct contact with a client and cannot be disinfected (for example, cotton pads, sponges, porous emery boards, and neck strips) by placing them in a waste receptacle immediately after use;
 2. Not store or carry disinfected tools and instruments in a leather or cloth pouch or pocket;
 3. Dispose of a sharp tool or instrument by sealing the tool or instrument in a rigid, puncture-proof container and disposing in a manner that keeps licensees, registrants, students, clients, and sanitation workers safe;
 4. Not place clips or other tools and instruments in the mouth, pocket, or other holder that cannot be cleaned and disinfected;
 5. Sharpen pencil cosmetics before each use and clean and disinfect the sharpener after each use; and
 6. A client’s personal tools and instruments that are brought into and used in the establishment shall comply with these rules.
- F.** If there is exposure to blood or other body fluids during a service, a licensee, registrant, or student shall stop the service and:
1. If the wound is on the licensee’s, registrant’s or student’s hand, the licensee, registrant, or student shall:
 - a. Clean the wound with an antiseptic solution;
 - b. Cover the wound with a sterile bandage; and
 - c. Cover the wounded area with a glove or finger cover;
 2. Discard all blood-stained tissue or cotton or other blood-contaminated material;
 3. Disinfect all equipment, tools, and instruments that came in contact with blood or other body fluids as discussed in subsections (A)(5) and (B); and
 4. Disinfect electrical equipment as discussed in subsection (D).
- G.** An establishment or school licensee shall ensure all circulating and non-circulating tubs or spas are cleaned as follows:
1. After each client or service, complete the following:
 - a. Drain the tub; and
 - b. Remove and discard a used tub liner and replace the used tub liner with a new, unused tub liner; or
 - c. Clean the tub according to manufacturer’s instructions, taking special care to remove all film, especially at the water line, rinse the tub and fill with disinfectant listed in subsection (A)(5), and allow the disinfectant to stand or circulate for the time specified in the manufacturer’s instructions.
 2. At the end of the day, complete all of the following:
 - a. Drain the tub;
 - b. Remove all filters, screens, drains, jets, and other removable parts;
 - c. Scrub all removed parts with a brush and soap or detergent until free from debris;
 - d. Rinse the removed parts;
 - e. Completely immerse the removed parts in the disinfectant listed under subsection (A)(5);
 - f. Rinse the tub;
 - g. Replace the disinfected parts;
 - h. Fill the tub with clean water and the amount of disinfectant proper for the volume of water;
 - i. Circulate the water and disinfectant for the full contact time listed on the manufacturer’s label. If the tub does not have jets, allow the water and disinfectant to stand for the full contact time listed on the manufacturer’s label; and
 - j. Drain the tub.
- H.** Personal cleanliness. A licensee, registrant, or student shall:
1. Thoroughly wash his or her hands with soap and warm water or any equally effective hand sanitizer immediately before providing services to each client, before checking a student’s work on a client, or after smoking, eating, or using the restroom;
 2. Wash a client’s skin on which services will be performed with soap and warm water or wipe the skin with waterless hand sanitizer approved for use on skin before a nail technology service, including a pedicure service, is provided; and
 3. Wear clean, fluid-proof, single-use, protective gloves while performing any service if any bodily discharge is present from the licensee, registrant, student, or client or if any discharge is likely to occur from the client because of services being performed. Discard gloves immediately after use.
- I.** Disease and infestation. A licensee, registrant, or student shall not perform a service on an individual who:
1. ~~Who has~~ Has a contagious disease that may be transmitted by the performing of the service on the individual; or
 2. ~~Who is~~ Is exhibiting a sign of infection such as reddened, erupted, or open skin.
- J.** Client protection. A licensee, registrant, or student shall:
1. Protect a client’s clothing from direct contact with shampoo bowls or headrests by using clean linens, capes, robes, or protective neck strips;
 2. Maintain infection control and perform services safely;

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3. Use bracing when performing a service around a client's eyes, ears, lips, fingers, and toes; and
 4. When applicable, provide a client a pre- and post-analysis that includes appropriate instructions for follow-up.
- K.** Care and storage of linens including towels, robes, and capes. An establishment licensee shall ensure:
1. Clean linens are provided for each client and laundered after each use;
 2. Soiled linens are stored in a ventilated receptacle;
 3. Laundering includes washing linens using detergent and bleach; and
 4. Clean linens are stored in covered containers or closets.
- L.** Care and storage of products including liquids, creams, oils, gels, antiseptics, clay, ointments, waxes, powders, cosmetics, chemicals, and disinfectants. An establishment licensee shall ensure:
1. All products are stored in a container that is clean and free of corrosion, labeled to identify contents, and in compliance with state and local laws and manufacturer's instruction;
 2. All products containing poisonous substances are distinctly marked;
 3. When only a portion of a product is to be used, the portion is removed from the container in a way that does not contaminate the remaining product; and
 4. Once dispensed, a product is not returned to the original container.
- M.** Prohibited hazardous substances and use of products. An establishment licensee shall ensure:
1. No products containing hazardous substances banned by the U.S. Food and Drug Administration (FDA) for use in products on clients, including liquid methyl methacrylate monomer and methylene chloride, are on the establishment premises;
 2. All products are used only in a manner approved by the FDA, EPA, or other regulatory agency; and
 3. Instructions on the manufacturer's label are followed at all times.
- N.** Care of headrests, shampoo bowls, and treatment tables. An establishment licensee shall ensure:
1. Headrests of chairs and treatment tables are disinfected at least daily;
 2. Treatment tables are covered with a clean linen or paper sheet for each client;
 3. Shampoo bowls and neck rests are cleaned with soap and warm water or other detergent and disinfected after each use and kept in good repair; and
 4. Shampoo neck rests are disinfected with a solution listed under subsection (A)(5) before each use.
- O.** Prohibited devices, tools, or chemicals; invasive procedures. An establishment licensee shall ensure:
1. Except as provided in this subsection and subsection (O)(2), all of the following devices, tools, or chemicals are not present in or used in an establishment:
 - a. A device, tool, or chemical designed or used to pierce the dermis; and
 - b. A low-frequency, or low-power ultrasonic, or sonic device except one intended for skin cleansing, exfoliating, or product application.
 2. A licensee or registrant that provides an invasive procedure, using a device, tool, or chemical described in subsection (O)(1), that is otherwise allowed under Arizona law, complies with statutes and rules governing the procedure, training, or supervision as required by the relevant, regulatory authorities.
- P.** Skin peeling. A licensee shall:
1. Except as provided in subsection (O)(2), remove only the non-living, uppermost layer of skin, known as the epidermis, by any method or means and only for the purpose of beautification;
 2. Not use a skin removal technique or practice that affects the dermal layer of the skin;
 3. Not mix or combine skin removal products except as required by manufacturer instructions and approved by the FDA; and
 4. Use only commercially available products for the removal of epidermis for the purpose of beautification.
- Q.** Restricted use tools and instruments. A licensee shall use:
1. Nippers only to remove loose cuticles; and
 2. Pre-sterilized, disposal lancets only to dilate follicles and release sebaceous debris from the follicle.
- R.** Lash use and storage. A cosmetology or aesthetics licensee or eyelash technician registrant shall:
1. Have at the lashing workstation a covered, wet disinfectant container large enough to submerge tools completely;
 2. Clean hands between clients;
 3. Perform all lash services using clean or clean-gloved hands;
 4. Store lashes in the original tray or jar in a covered container that is free from debris or contaminants;
 5. Dispense lashes from the original tray or jar using only a disinfected tool;
 6. Not return a lash to the original tray or jar after the lash is dispensed from the original tray or jar;
 7. Spray and wipe the lash workstation with an EPA-registered disinfectant after each client;
 8. Disinfect all cutting implements after use and store the disinfected cutting implements in a covered container that is free from debris or contaminants;
 9. Keep tape dispensers inside a labeled, clean, closed drawer; and
 10. Disinfect lash tweezers, adhesive stones, lash tiles, lash pallets, lash cases, and other items between clients.
- S.** An establishment licensee shall maintain cleanliness and repair of the establishment according to the following guidelines:
1. Discard ~~hair and nail~~ all clippings immediately after each client;
 2. Clean and disinfect shampoo bowls using a disinfectant listed under subsection (A)(5) and ensure drains are free running;
 3. Disinfect counters and all work areas after each client by using a disinfectant ~~discussed in~~ listed under subsection (A)(5).
- T.** An establishment licensee, including the licensee of an establishment in a residence, shall ensure compliance with the following building standards:
1. There is an entrance into the establishment from the outside. If the establishment is in a residence, the entrance may be through living quarters;

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2. Except for an establishment in a residence, an establishment shall not be used for residential or other living purposes;
 3. The establishment has a restroom open and available for employees' and clients' use during business hours. The restroom has a wash basin, running water, liquid soap, and disposable towels; is kept clean and sanitary at all times; and is in close enough proximity to the establishment to ensure safety for procedures during use;
 4. Extra material stored in the establishment restroom is locked in a cabinet;
 5. The establishment, including a mobile unit, has sufficient hot and cold running water; and
 6. The establishment has natural or mechanical ventilation and an air filtration system that provides free flow of air to each room, prevents the build-up of emissions and particulates, keeps odors and diffusions from chemicals and solutions at a safe level, and provides sufficient air circulation and oxygen.
- U. An establishment licensee shall ensure compliance with the following general requirements.
1. A first-aid kit that contains, at a minimum, bandages, gauze, antiseptic, and antibiotic cream is present in the establishment and easily accessible;
 2. No animals except fish in aquariums and service animals are allowed in the establishment; and
 3. The establishment complies with federal and state requirements.

R4-10-113. Establishment and School Management

- A. An establishment or school licensee shall ensure:
1. Licenses, notices, and the Board's most recent inspection sheet are prominently displayed in view of the public;
 2. All licensees or registrants in the establishment, school, or a mobile service area have current licenses or registrations;
 3. Infection control and safety standards are maintained; and
 4. If the establishment or school closes, the licensee or authorized representative notifies the Board within 10 days by completing a form that is available on the Board's website; or
 5. If the school closes, the licensee or authorized representative notifies the Board within five days by completing a form that is available on the Board's website.
- B. The Board shall hold the establishment or school licensee responsible for all violations of requirements in subsection (A) that occur within the establishment or school.
- C. If an establishment licensee rents or leases space within the establishment to a person who obtains a separate license to operate an establishment, the Board shall hold the second licensee responsible for all violations of requirements in subsection (A) that occur within the portion of the establishment the second licensee is licensed to operate.

R4-10-114. Board Inspection

- A. A licensee or manager of an establishment or school shall permit a Board inspector or representative to inspect the premises of the establishment or school regardless of whether the establishment or school has been identified in a complaint. If the Board inspector or representative leaves the establishment or school without completing the inspection because of aggressive behavior, threats, or violence by the licensee or manager, the licensee or manager of the establishment or school shall be subject to disciplinary action under A.R.S. § 32-572.
- B. A Board inspector or representative may inspect:
1. The premises of a location alleged to be operating as an establishment or school without a license from the Board;
 2. The premises of each establishment at least once during every two years; and
 3. An establishment or school at any time allowed under A.R.S. §§ ~~32-304(B), 32-325, 32-542, and 32-562.~~
- C. Inspection procedure. According to the requirements of A.R.S. Title 32, ~~Chapters 3 and Chapter 5,~~ and this Chapter, the Board inspector or representative shall document that:
1. The establishment or school complies with R4-10-111(C) through (G);
 2. All required equipment and implements necessary to provide services are present, clean, in good working order, and in appropriate quantity to the number of establishment employees;
 3. All procedures, including those in R4-10-112, are followed by establishment and school employees; and
 4. All applicable statutes and rules are followed.
- D. Inspection findings. The Board inspector or representative shall provide a copy of a completed inspection report to the licensee or manager of the establishment or school and the Board.
- E. Disciplinary action. The Board shall follow disciplinary procedures established under A.R.S. §§ ~~32-352 through 32-356 or 32-571 through 32-576~~ for any inspection finding indicating a violation of any provision of A.R.S. Title 32, ~~Chapters 3 or Chapter 5,~~ or this Chapter.

PART A. BARBERING REPEALED

R4-10-A101. Definitions Repealed

The following definitions apply to this Chapter unless the context otherwise requires:

~~"Barbering implement" means any tool or device used for barbering.~~

~~"Domestic administration," as used in A.R.S. § 32-321, means a licensee performs barbering on the licensee or another person to whom the licensee is related by blood, marriage, or state action.~~

~~"One year's experience as a licensed barber," as used in A.R.S. § 32-322(C), means that during 12 consecutive months, an individual maintained a valid license issued under A.R.S. § 32-322, and engaged in barbering at least 1,500 hours.~~

~~"Practiced barbering for at least two years," as used in A.R.S. § 32-323(B), means that during 24 consecutive months, an individual engaged in barbering at least 1,500 hours during each 12-month consecutive period.~~

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“Tool drawer” means an ultraviolet electrical sanitizer or a clean, dust-proof cabinet, drawer, or other container that is disinfected with an EPA-registered disinfecting agent and used exclusively to store disinfected barbering implements.

Table A1. Time Frames (in days) Repealed

License	Authority	Overall Time Frame	Administrative Time Frame	Time to Respond	Substantive Time Frame	Time to Respond
Barber	A.R.S. §§ 32-322; 32-327	28	21	90	7	30
License by reciprocity or universal recognition	A.R.S. §§ 32-328; 32-4302	28	21	90	7	30
Instructor	A.R.S. §§ 32-323; 32-327	28	21	90	7	30
School	A.R.S. §§ 32-325; 32-327	90	30	30	60	60
Establishment	A.R.S. §§ 32-326; 32-327	90	30	30	60	60

PART B. COSMETOLOGY REPEALED

Table B1. Time Frames (in days)

Type of Approval	Statutory Authority	Overall Time Frame	Administrative Completeness Time Frame	Substantive Review Time Frame
License by Examination; Instructor License	A.R.S. §§ 32-510, 32-511, 32-512, 32-512.01, 32-512.02 32-531, 32-532	90	60	30
Registration as Eyelash Technician	A.R.S. § 32-519	45	15	30
License by Reciprocity or Universal Recognition; Multistate License	A.R.S. §§ 32-513, 32-532, 32-583, 32-4302	60	30	30
School License	A.R.S. § 32-551	90	30	60
Approval of an Eyelash Technician Training Program	A.R.S. § 32-519	60	20	40
License or Registration Renewal	A.R.S. §§ 32-517, 32-519, 32-535, 32-544, 32-564, 32-583	75	45	30
Establishment License	A.R.S. §§ 32-541, 32-542	90	30	60
Establishment or School Renewal	A.R.S. §§ 32-544, 32-564	30	15	15
License or Registration Reactivation	A.R.S. §§ 32-518, 32-519	30	15	15

ARTICLE 2. PERSONAL LICENSURE OR REGISTRATION

R4-10-201. Application for Personal License by Reciprocity; Application for License by or Universal Recognition; Application for Multistate License

- A. License by reciprocity.** An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber, or instructor license by reciprocity shall submit the applicable fee required in R4-10-102 and all of the following to the Board:
1. An application form available on the Board’s website licensing portal that contains:
 - a. The applicant’s name, full mailing, physical, and email addresses, telephone number, Social Security number, and birth date;
 - b. If previously licensed by the Board, the type of license; and license number, license expiration date, and name used on the license;
 - c. A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or barber, or instructor license suspended or revoked in any state of the United States or foreign country; and
 - d. The applicant’s signature and verification verifying the information provided is true and correct;
 2. A passport-style photo of the applicant;
 3. A list of states in the United States or foreign countries in which the applicant is or was previously licensed or authorized to practice barbering, hairstyling, nail technology, aesthetics, or cosmetology. One of the following:
 - a. If currently licensed in another state, a certification from the licensing state indicating the license requires education that is substantially equivalent to the requirements of this state and is active and satisfactory evidence of an active license or authorization in good standing; and or
 - b. If currently licensed in a foreign country that:

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- i. Has a governmental regulatory agency providing disciplinary or judicial oversight, translated evidence demonstrating the license requires education that is substantially equivalent to the requirements of this state and is active and in good standing; or
 - ii. Has no governmental regulatory agency providing disciplinary or judicial oversight, a passing score on both a theory and practical examination.
- 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- ~~B.~~ In addition to the requirements in subsection (A), under A.R.S. § 32-322, an applicant for a barber or barber instructor license by reciprocity shall:
 - ~~1. If licensed in another state of the United States, submit evidence of compliance with A.R.S. § 32-322(C); or~~
 - ~~2. If licensed or otherwise authorized to practice barbering by a foreign country, submit evidence of compliance with A.R.S. § 32-322(D).~~
- ~~C.~~ In addition to the requirements in subsection (A), under A.R.S. § 32-532, an applicant for a cosmetology, aesthetics, nail technology, or hairstyling instructor license by reciprocity shall submit evidence of the experience required under A.R.S. § 32-532(2).
- ~~D.B.~~ License by universal recognition. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, ~~or barber, or instructor~~ license who meets the requirements specified at A.R.S. § 32-4302 is eligible for licensure by universal recognition. To apply for licensure by universal recognition, an applicant shall submit the applicable fee required in R4-10-102 and all of the following to the Board:
 - 1. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing, ~~physical~~, and email addresses, telephone number, Social Security number, and birth date; and
 - b. The applicant's signature ~~and verification~~ verifying the information provided is true and correct;
 - 2. A passport-style photo of the applicant;
 - 3. A list of all states in which the applicant is currently and has been licensed for at least one year and certification from the licensing states that the applicant's license is in good standing; and A certification from the state in which the applicant is licensed indicating the license requires education that is substantially equivalent to the requirements of this state and is active and in good standing;
 - 4. Proof the applicant has been licensed for at least one year;
 - 5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law; and
 - ~~4-6.~~ Proof of Arizona residency.
- C. Multistate license. An applicant for a cosmetology multistate license who meets the requirements specified at A.R.S. § 32-583 may apply for a multistate license by submitting an application form available on the Board's licensing portal and paying the fee required in R4-10-102.

R4-10-202. Application for a Personal Cosmetology, Aesthetics, Hairstyling, Nail Technology, or Barber License by Examination

- A. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber license by examination shall submit to the Board:
 - 1. The fee required for an initial personal license in R4-10-102;
 - 2. A passport-style photo of the applicant; and
 - 3. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing and ~~physical addresses~~, email ~~address~~ addresses, telephone number, Social Security number, and birth date;
 - ~~b. The name and address of each licensed school attended by the applicant;~~
 - ~~c. The name of course completed, the name of the school where completed, and the starting date and date of graduation;~~
 - ~~d.b.~~ If previously licensed by the Board, type of license; ~~and~~ license number; ~~license expiration date, and the name used on the license;~~
 - ~~e.c.~~ A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or barber license suspended or revoked in any state of the United States or foreign country; and
 - ~~f.d.~~ The applicant's signature verifying the information provided is true and correct; and
 - 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B. In addition to complying with the requirements in subsection (A), an applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber license by examination shall:
 - 1. Comply with A.R.S. § 32-322, 32-510, 32-511, 32-512, ~~or 32-512.01, or 32-512.02~~ by being at least 18 years old or, if younger than 18, by submitting documentation of two years of high school or its equivalent;
 - 2. Comply with A.R.S. § 32-322, 32-510, 32-511, 32-512, ~~or 32-512.01, or 32-512.02~~ by submitting ~~a copy of one of the following:~~
 - a. If the applicant graduated from a course presented by a school licensed by the Board, a copy of the certificate of graduation required under R4-10-305(E);
 - b. ~~If the applicant attended more than one school in Arizona, a copy of a certificate of hours from each school attended, as required under R4-10-305(E)~~ Proof of passing all required examinations;

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- c. If the applicant completed an apprenticeship program described under A.R.S. §§ 32-322, 32-510(A)(2)(e), 32-511(A)(3)(e), 32-512(A)(3)(e), or 32-512.01(A)(3)(e) 32-510(3)(c)(ii), 32-511(3)(c)(ii), 32-512(3)(c)(ii), 32-512.01(3)(c)(11), or 32-512.02(B)(2)(c) a notice of completion from the Department of Economic Security; and
- d. If the applicant graduated from a course presented by a school in another state or country, evidence the school's requirements at the time the applicant graduated were substantially the same as equivalent to those required by the Board; and
- e. Comply with R4-10-102 regarding examination fees.

R4-10-203. Personal License; Instructor License, or Registration Renewal

An aesthetician, cosmetologist, hairstylist, nail technician, barber, or instructor licensee or an eyelash technician registrant shall ~~electronically submit through the Board's licensing portal~~ an application for renewal to the Board on or before the licensee's or registrant's birthday every two years. A renewal application consists of:

- 1. A form ~~provided by the Board~~ that ~~contains~~ confirms the licensee's or registrant's name, address, email address, Social Security number, and signature;
- 2. If the documentation submitted at the time of initial licensure or registration did not establish citizenship in the United States or was ~~not a non-expiring~~ an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the licensee's or registrant's presence in the United States continues to be authorized under federal law;
- 3. A statement of whether the licensee or registrant has changed the licensee's or registrant's name since the previous application and, if the name has changed, a copy of a legal document, such as a marriage license, divorce decree, or driver license showing the name change; and
- 4. The fee required in R4-10-102; and
- 5. Every four years, a passport-style photo.

R4-10-204. Reactivating an Inactive or Expired License or Registration

- A. A cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration that has been inactive or expired for fewer than two years may be reactivated by paying the delinquent renewal fee.
- B. A cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration that has been inactive or expired for more than ~~two~~ three years, but fewer than five years, may be reactivated by the inactive or expired licensee or registrant paying the delinquent renewal fee fees, as described in R4-10-102, ~~and paying for~~ and completing the infection protection class and law review class requirements, ~~offered~~ specified by the Board.
- C. If a cosmetology, hairstyling, nail technology, aesthetics, barbering, or instructor license or eyelash technician registration has been inactive or expired for more than five years, the inactive or expired licensee or registrant shall pay five years of delinquent renewal fees and comply with all application requirements in R4-10-202, R4-10-A202, R4-10-B201, or R4-10-B202 ~~as applicable~~, R4-10-207 before practicing or teaching barbering, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology in Arizona.

PART A. BARBERING REPEALED

R4-10-A201. Examinations Repealed

Required examinations:

- 1. ~~Except for an applicant for licensure by reciprocity or universal recognition, an applicant for a barber or instructor license shall pass an examination covering the topics listed in A.R.S. § 32-324(A); and~~
- 2. ~~As authorized under A.R.S. § 32-322(A)(2) and A.R.S. § 32-323(A)(2), the Board shall ensure that applicants for licensure by reciprocity and universal recognition possess necessary qualifications by requiring:~~
 - a. ~~All applicants for licensure by reciprocity or universal recognition to pass an examination regarding A.R.S. Title 32, Chapter 3 and this Chapter; and~~
 - b. ~~Applicants for licensure by reciprocity or universal recognition as an instructor to pass an examination regarding procedures the Board uses to measure the practical skills of barbering students.~~

R4-10-A202. Application for a Barber Instructor License by Examination Repealed

- ~~A. An applicant for licensure by examination as an instructor shall attach the following to the application form required under subsection (B):~~
 - 1. ~~Proof the applicant is at least 19 years old;~~
 - 2. ~~Proof the applicant has a high school diploma or its equivalent;~~
 - 3. ~~Proof the applicant has practiced barbering for at least one year. The proof shall contain the notarized signature of the barber or barbers where the work was performed;~~
 - 4. ~~Documentation specified under A.R.S. § 41-1080(A) that the applicant's presence in the U.S. is authorized under federal law;~~
 - 5. ~~A photograph of the applicant that is passport style and suitable for use on an identification card; and~~
 - 6. ~~The applicable fee specified in R4-10-102. Unless exempt under A.R.S. § 32-323(C), the applicant shall also pay the examination fee as directed under R4-10-102.~~
- ~~B. An applicant for licensure as an instructor by examination shall submit an application form, which is available on the Board's website, and provide the following information:~~
 - 1. ~~Full name;~~
 - 2. ~~Other names, if any, by which the applicant has been known;~~
 - 3. ~~Full mailing and physical addresses and email address;~~
 - 4. ~~Telephone number;~~
 - 5. ~~Social Security number;~~
 - 6. ~~Birth date;~~

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7. Current Arizona barber license number;
8. If the applicant attended an Arizona school for training as a barber instructor, a copy of the certificate of graduation required under R4-10-305(E);
9. A statement regarding whether the applicant:
 - a. Has ever been licensed as a barber instructor in Arizona and if so, when;
 - b. Has ever been a licensed barber instructor in any other country or state and if so, the country or state and dates of licensure as a barber instructor; and
 - c. Has had a former instructor license suspended or revoked in the five years before the date of application and if so, a complete explanation of the circumstances;
10. Any other information required by the Board; and
11. The applicant's signature and verification that the information provided is true and correct.

PART B. COSMETOLOGY REPEALED

~~R4-10-B201~~R4-10-205. Renumbered Application for an Instructor License by Examination

- A. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by examination shall submit to the Board:
 1. The fee required for an initial personal license in under R4-10-102;
 2. A passport-style photo of the applicant; and
 3. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing and physical addresses, email address addresses, telephone number, Social Security number, and birth date;
 - b. The name and address of each licensed school attended by the applicant;
 - c. The name of course completed, the name of the school where completed, and the starting date and date of graduation;
 - d. If previously licensed by the Board, type of license; and license number; license expiration date; and the name used on the license;
 - e. A statement of whether the applicant has ever had an instructor license suspended or revoked in any state of the United States or foreign country; and
 - f. The applicant's signature verifying the information provided is true and correct; and
 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B. In addition to complying with the requirements in subsection (A), an applicant for an instructor license by examination shall:
 1. Comply comply with A.R.S. § 32-531 by submitting the following:
 - a. 1. Documentation, as specified in subsection (B)(3), of required work experience Proof the applicant is at least 16 years old and has a high school diploma or the equivalent of a high school diploma or is at least 18 years old;
 - b. 2. Proof of current licensure, in good standing, in the discipline in which work experience was gained the applicant is applying for an instructor license;
 - c. 3. Proof of licensure during the period work experience was gained passing both the written and practical instructor examinations; and
 - d. 4. Proof of being at least 18 years old; or completing the infection protection and law review requirements specified by the Board;
 - e. Proof of graduation from high school or its equivalent.
 2. Comply with A.R.S. § 32-531(3) by submitting a copy of one of the following documents:
 - a. 5. If the applicant graduated from a course presented by a school licensed by the Board, a copy of the certificate of graduation required under R4-10-305(E);
 - b. If the applicant attended more than one school in Arizona, a copy of a certificate of hours from each school attended, as required under R4-10-305(E);
 - c. If the applicant completed an apprenticeship program as described under A.R.S. §§ 32-510(A)(2)(c), 32-511(A)(3)(c), 32-512(A)(3)(c), or 32-512.01(A)(3)(c), a notice of completion from the Department of Economic Security;
 - d. 6. If the applicant graduated from a course presented by a school in another state or country, evidence the school's requirements at the time the applicant graduated were substantially the same as equivalent to those required by the Board; and
 7. Documentation of at least one year of practice in the discipline for which the applicant is applying for an instructor license. The documentation shall be on a form supplied by the Board and signed by the owner or manager of an establishment or an individual with knowledge of the applicant's practice based on direct observation.
 3. Submit documentation of the work experience required by A.R.S. § 32-531, which shall be signed by an owner or manager of an establishment, an individual, or a supplier of cosmetology products with knowledge based on actual observation of the applicant's licensed experience in the discipline for which the applicant seeks an instructor license. The person providing the documentation verifying the applicant's experience shall also indicate the following:
 - a. Discipline in which applicant gained the experience;
 - b. Starting and ending dates of applicant's experience in the discipline;
 - c. Name of licensed establishment and address where applicant gained experience in the discipline; and
 - d. License number and name of the licensed individual completing the form; or
 - e. Name, address, and telephone number of the individual providing the information.

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R4-10-206. ~~Renumbered~~Application for an Instructor License by Reciprocity or Universal Recognition

- A.** License by reciprocity under A.R.S. § 32-532(1). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity under A.R.S. § 32-532(1) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
1. An application form available on the Board's licensing portal that contains:
 - a. The applicant's name, full mailing and email addresses, telephone number, Social Security number, and birth date;
 - b. If previously licensed by the Board, the type of license and license number;
 - c. A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, barber, or instructor license suspended or revoked in any state of the United States or foreign country; and
 - d. The applicant's signature verifying the information provided is true and correct;
 2. A passport-style photo of the applicant;
 3. Certification from the state in which the applicant is licensed as an instructor that the applicant's license is current and in good standing; and
 4. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.
- B.** License by reciprocity under A.R.S. § 32-532(2). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity under A.R.S. § 32-532(2) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
1. The documents required under subsections (A)(1), (A)(2), and (A)(4);
 2. Certification from the state in which the applicant is licensed as an aesthetician, cosmetologist, hairstylist, nail technician, or barber that the applicant's license is current and in good standing; and
 3. Proof the applicant has at least one year of instructor experience in another state or country in aesthetics, cosmetology, hairstyling, nail technology, or barbering or any combination of these disciplines.
- C.** License by reciprocity under A.R.S. § 32-532(3). An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license by reciprocity who does not qualify under subsection (A) or (B) shall submit the applicable fee required in R4-10-102 and all the following to the Board:
1. The documents required under subsections (B)(1) and (B)(2);
 2. Proof the applicant is at least 16 years old and has a high school diploma or the equivalent of a high school diploma or is at least 18 years old;
 3. Proof of five years of licensed experience in aesthetics, cosmetology, hairstyling, nail technology, or barbering or any combination of these disciplines within the ten years immediately preceding application;
 4. Proof of graduating in another state or country from an instructor training program that has educational requirements substantially equivalent to those of this state; and
 5. Proof of passing both the written and practical instructor examinations required for an instructor license.
- D.** License by universal recognition. An applicant for an aesthetics, cosmetology, hairstyling, nail technology, or barber instructor license who meets the requirements specified at A.R.S. § 32-4302 is eligible for licensure by universal recognition. To apply for instructor licensure by universal recognition, an applicant shall submit the applicable fee required in R4-10-102 and all of the following to the Board:
1. An application form available on the Board's licensing portal that contains:
 - a. The applicant's name, full mailing and email addresses, telephone number, Social Security number, and birth date; and
 - b. The applicant's signature verifying the information provided is true and correct;
 2. A passport-style photo of the applicant;
 3. Certification from a state in which the applicant is licensed as an instructor that the applicant's license is active and in good standing;
 4. Proof the applicant has been licensed for at least one year;
 5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law; and
 6. Proof of Arizona residency.

~~R4-10-B202.~~R4-10-207. ~~Renumbered~~Application for an Eyelash Technician Registration

An applicant for an eyelash technician registration shall submit to the Board:

1. The fee for an initial personal registration required in R4-10-102;
2. A passport-style photo of the applicant;
3. An application, on a form available on the Board's ~~website~~ licensing portal, that provides:
 - a. The applicant's name, full mailing and ~~physical~~ addresses, email ~~address~~ addresses, telephone number, Social Security number, and birth date;
 - b. For a licensed cosmetologist or aesthetician, one of the following:
 - i. If the applicant was licensed by the Board as a cosmetologist or aesthetician before October 30, 2023, the license number; or
 - ii. A copy of the ~~provisional registration required under A.R.S. § 32-519(A)(3) verifying successful completion of a Board-approved eyelash technician training program;~~
 - e.b. For an individual not previously licensed by the Board, one of the following:
 - i. A copy of any eyelash extension training certificate of completion received before October 30, 2023; or

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- ii. A copy of the provisional registration required under A.R.S. § 32-519(A)(3) verifying successful completion of a Board-approved eyelash technician training program;
- ~~d.c.~~ A statement of whether the applicant has ever had an aesthetics, cosmetology, hairstyling, nail technology, or instructor license suspended or revoked in any state of the United States or foreign country; and
- ~~e.d.~~ The applicant's signature verifying the information provided is true and correct;
- 4. ~~Documentation~~ As required under A.R.S. § 32-519, documentation of being at least 18 years old or if not, documentation of completing two years of high school or its equivalent as defined at R4-10-101; and
- 5. Documentation specified under A.R.S. § 41-1080 indicating the applicant's presence in the United States is authorized under federal law.

ARTICLE 3. SCHOOLS; EYELASH TECHNOLOGY TRAINING PROGRAM

R4-10-301. License to Operate a School

- A. A license to operate a school is not transferrable.
- B. To continue to operate a school, a school licensee shall apply for a new license and pay the fee specified under R4-10-102 when:
 - 1. The physical address of the school changes;
 - 2. The name of the school changes; or
 - 3. There is a any change of ownership of the school.
- C. The school licensee shall submit the application and fee required under subsection (B) within 10 days after a change specified under subsection (B) occurs.
- D. The school licensee shall ensure a Board-issued license to operate the school, indicating the correct name, physical location, and ownership of the school, is posted in the school before the school is opened for business.

R4-10-302. Application for a License to Operate a Barber, Cosmetology, Aesthetician, Hairstyling, or Nail Technology School

- A. An applicant for a license to operate a barber, cosmetology, aesthetician, hairstyling, or nail technology school shall submit:
 - 1. An application, on a form available on the Board's website licensing portal, which is ~~signed by the applicant and~~ provides the following information:
 - a. The applicant's name, full mailing, physical, and email addresses, federal tax identification number, and telephone number;
 - b. If the applicant is an individual or sole proprietor, the applicant's Social Security or federal tax identification number;
 - ~~b.c.~~ If the applicant is a partnership, each partner's name, address, and an identification of whether each is a limited or general partner;
 - ~~e.d.~~ If the applicant is a corporation, the ~~state of incorporation and~~ name, title, ~~and address~~ mailing and email addresses, and telephone number of ~~at least two officers each officer~~ of the corporation and the statutory agent;
 - ~~d.e.~~ If the applicant is a limited liability company, name, ~~and address~~ mailing and email addresses, and telephone number of each member, manager, and statutory agent;
 - ~~e.f.~~ If the applicant is an Arizona school district or community college:
 - i. Office address of the school district or community college, and
 - ii. Number of the school district and name of the superintendent, or
 - iii. Name of the community college dean;
 - ~~f.g.~~ Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of ~~all individuals owning at least 10 percent of the applicant~~ the individual specified under subsection (A)(1)(b) is authorized under federal law;
 - ~~g.h.~~ The name and Board-issued license number of the instructor in charge of the school;
 - ~~h.~~ If a change of ownership, the date the applicant will be assuming ownership;
 - ~~i.~~ If a change of location, both the old and new physical addresses of the school;
 - ~~j.i.~~ If a new school, the The scheduled date for opening the school; and
 - ~~k.j.~~ A statement signed attestation by the applicant verifying the information provided is true and correct;
 - 2. A Certificate of Good Standing from the Arizona Corporation Commission, if applicable.
 - 3. A signed ~~statement~~ attestation that the school has the equipment required by statute and rule;
 - 4. An unexecuted student-school contract form, as required under R4-10-305;
 - 5. An operating schedule that includes the hours of each day and each day of a calendar week during which the school will be open for instruction;
 - 6. A proposed schedule of courses to be taught at the school;
 - 7. The name, full mailing address, email address, and telephone number of ~~a the~~ the bonding company, ~~as required under A.R.S. § 32-325(C) or 32-551, as applicable, the number and expiration date of the bond, and a copy of the bond required under A.R.S. § 32-551;~~
 - 8. A copy of all school policies and procedures;
 - 9. A school catalog that contains the information required under A.R.S. § 32-559 and:
 - a. The number of days during course enrollment necessary to complete the course hours;
 - b. The days and hours of operation, vacation periods, and holidays; and
 - c. Policies regarding leaves of absence, refunds, and vacation approval for students; ~~and~~
 - 10. A copy of the Certificate of Graduation required under R4-10-305(E) that will be given to students who successfully complete the course of study; and
 - ~~10-11.~~ The fee required in R4-10-102.

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- B.** Demonstrate compliance with A.R.S. Title 32, Chapter 3 or 5, as applicable, and this Chapter through a school inspection conducted by the Board. The Board shall schedule the inspection only after the applicant has submitted a complete application. The applicant shall not open a school until the inspection is completed and the Board determines the school complies with all requirements.

R4-10-303. Application to Renew a License to Operate a School

A school licensee shall annually submit to ~~through the Board~~ the Board's licensing portal an ~~electronic~~ application for renewal on or before the license renewal date. A renewal application consists of:

1. ~~A renewal application consists of:~~
 - a. A form provided by the Board that contains:
 - i. ~~The~~ the school's name; and
 - ii. ~~The~~ the licensee's license number; and
 - iii. ~~If the licensee is an individual or partnership, the signature and tax identification number of the licensee or if the licensee is a corporation or limited liability company, the signature of the authorized signer and the tax identification number of the corporation or limited liability company;~~
2. A statement that indicates:
 - a. Any modifications, additions, or deletions to the previously submitted catalog;
 - b. Any changes that have occurred regarding the school's accrediting or approving organization; and
 - c. The school continues to maintain all equipment required by statute and rule;
3. A subject description for each new course, if applicable;
4. The name, full mailing and ~~physical addresses, and email address addresses, and telephone number~~ of a new statutory agent if the statutory agent will change beginning with the new license year;
5. The name and license number of the instructor in charge of the school;
6. The name, full mailing ~~address, and email address addresses, and telephone number~~ of the bonding company, the bond number, expiration date of the bond, and a copy of the bond required under A.R.S. § ~~32-325 or~~ 32-551;
7. If the school licensee is an individual or sole proprietor:
 - i. Who has not previously submitted to the Board proof of citizenship or lawful presence in the United States, documentation specified under A.R.S. § 41-1080 that the school licensee's presence in the United States is authorized under federal law; or
 - ii. ~~If the documentation submitted at the time of initial licensure was not a non-expiring~~ Who previously submitted an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the school licensee's presence in the United States continues to be authorized under federal law; and
8. The fee required in R4-10-102.

R4-10-304. Notification of Changes

- A.** A school licensee shall send written notice and updated information to the Board within 10 days if the school licensee:

1. Amends the school catalog or school policies,
2. Stops offering a course or offers a new course,
3. Appoints a new statutory agent,
4. Changes the number of instructional hours devoted to a course,
5. Changes the hours during which instruction is provided,
6. Changes the school supervisor,
7. Enters a new contract regarding management of the school, or
8. Establishes an offsite training facility ~~in an establishment~~.

- B.** A change listed under R4-10-301 requires the school licensee to apply for a new license.

R4-10-304.1 School Closure

- A.** The Board shall consider a school to be closed if the school licensee fails for five consecutive school days to ensure instruction is provided in accordance with the schedule of operations on file with the Board.

1. The school licensee shall notify all enrolled students and employees in writing of a pending closure at least five calendar days before closure of the school, unless the time of closure could not have been anticipated. A copy of the notice shall be sent to the Board at the time the notice is delivered to students and employees.
2. The licensee of a closed school shall release students' and employees' personal belongings, including equipment, tools, and instruments at the time of closure.
3. The licensee of a closed school shall provide students with written information regarding how to make a claim against the bond required under A.R.S. § ~~32-325(C)(6) or~~ 32-551(A)(2), ~~as applicable~~.
4. The licensee of a closed school shall electronically deliver or otherwise send the following student records to the Board within 10 business days after the school closes:
 - a. Copies of hour sheets documenting all student hours and the current time cards or time records received by the student after the last monthly report before the school closed;
 - b. A copy of the file of each student who was enrolled the last school day before closure. If a teach-out was arranged with another school, the licensee of the closed school shall transfer the student's file to that school; and
 - c. A written statement signed by each enrolled student verifying the school licensee's compliance with all provisions of this Section that apply to students.

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- B. The Board shall consider failure to comply with subsection (A) as possible grounds for refusal to issue a school license to an owner, or the licensee of the school at the time of closure.

R4-10-305. School Records; Student Certificates

- A. A school licensee shall maintain a student's records at the school where the student is enrolled. The Board may inspect the records at any time the school is open.
- B. A school licensee shall ensure that when a student withdraws or transfers from one school to another, the school from which the student is transferring or withdrawing:
1. Keeps a copy of the student's transcript, and
 2. Forwards ~~one a~~ copy of the student's certificate of hours, required under subsection (E), to the student ~~and another copy to the Board~~ within three days of the date of transfer or withdrawal; ~~and~~
 3. ~~Removes the student from the school records and monthly report submitted to the Board in the month following the transfer or withdrawal.~~
- C. A school licensee shall ensure the following are maintained:
1. A complete and accurate record of the time devoted by each student to the enrolled course of study, including hours devoted to alternative learning and field trips;
 2. A complete and accurate record that shows the basis for certification of the student hours. A school licensee shall certify only hours of training the student receives at the licensee's school or transfer hours the school licensee accepts from another licensed school in Arizona or another state or country;
 3. A complete and accurate individual student file for each student enrolled containing:
 - a. Executed student-school contract;
 - b. ~~Financial aid transcript;~~
 - e-b. Proof of being at least 16 years old and or having two years of high school or its equivalent for a student enrolled in an aesthetics, cosmetology, hairstyling, nail technology, or barbering course or proof of high school diploma or its equivalent or 18 years of age for a student enrolled in an aesthetics, cosmetology, hairstyling, or nail technology, or barber instructor course ~~or 19 years of age for a student enrolled in a barbering instructor course;~~
 - d-c. Proof of licensed work experience an active license in good standing in the discipline for which a student instructor is enrolled:
 - i. ~~Under A.R.S. § 32-531, one year for aesthetics, cosmetology, hairstyling, or nail technology; and~~
 - ii. ~~Under A.R.S. § 32-323, two years for barbering;~~
 - e-d. A statement signed by a school administrator and the student that provides a list of the supplies contained in the training kit provided to the student; and
 - f-e. A record of transfer and crossover hours, if applicable; and
 4. Complete and accurate academic transcripts and attendance and hour records or time cards.
- D. A school licensee shall keep a complete and accurate monthly report, containing the following information:
1. Only for each student enrolled since the prior monthly report:
 - a. Name;
 - b. Enrollment date;
 - c. Mailing, physical, and email addresses;
 - d. Telephone number;
 - e. Transfer hours accepted, if applicable;
 - f. Crossover hours accepted, if applicable; and
 - g. Birth date.
 2. The discipline in which each student is enrolled;
 3. The name and license number of the instructor in charge of the school and name of the custodian of records;
 4. The name and license number of each instructor employed by the school licensee;
 5. The signature of the instructor who prepares and certifies the report is correct;
 6. The name, scheduled attendance, and Board-issued license number for each student instructor;
 7. For each demonstration given, the name of the demonstrator, name of the observing instructor, name of the process or product demonstrated, number of students in attendance, and name of the course in which the demonstration was given;
 8. Hours received by each student for the prior month, the current month, and total cumulative hours. The school licensee shall not amend total hours without satisfactory proof of error;
 9. The school licensee's certification of the students who meet graduation requirements, including the day, month, and year of graduation; and
 10. The notation "transferred," "withdrawn," or "leave of absence" for students who discontinue training, and the day, month, and year training was discontinued.
- E. A school licensee shall provide the following certificates to each student:
1. Certificate of graduation. When a student successfully completes the course of study offered by the school licensee, the school licensee shall provide the student with a certificate of graduation that includes the following information:
 - a. Name of the school;
 - b. License number of the school licensee;
 - c. Name of the graduating student;
 - d. Discipline in which the student completed the course of study;
 - e. Hours of study completed at the school;

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- f. Transfer hours accepted by the school licensee, if applicable;
 - g. Crossover hours accepted by the school licensee, if applicable;
 - h. Grand total of the hours under subsections (E)(1)(e) through (g);
 - i. The dates on which the student started and ended the course of study at the school; and
 - j. Dated signature of the school licensee or authorized representative.
 - 2. Certificate of hours. When a student withdraws or transfers from one school to another, the school licensee shall provide the student with a certificate of hours that includes the following information:
 - a. Name of the school;
 - b. License number of the school licensee;
 - c. Name of the withdrawing or transferring student;
 - d. Discipline in which the student was enrolled;
 - e. Hours of study completed at the school;
 - f. The date on which the student started the course of study at the school and the date on which the student withdrew or transferred; and
 - g. Dated signature of the school licensee or authorized representative.
 - F. A school licensee shall credit a student with additional hours earned after graduation if the student completes the required hours for graduation, registers for the required examination, and stays in school until the date of the examination.
 - G. A school licensee ~~is not required to maintain a student file for licensed individuals~~ shall ensure records of student hours, transcripts, withdrawal forms, copies of certificates of graduation, and copies of certificates of hours are maintained for at least 25 years.
- R4-10-306. General Barber, Cosmetology, Aesthetics, Hairstyling, or Nail Technology School Requirements**
- A. The licensee of a barber, aesthetics, cosmetology, hairstyling, or nail technology school shall ensure the school complies with R4-10-112 and has the following minimum facilities, equipment, supplies, and materials:
 - 1. An area of instruction for students;
 - 2. Sufficient instructional fixtures and facilities for instructor and student use;
 - 3. A board on which to write or post materials during instruction;
 - 4. A secured area for personal items of students and instructors;
 - 5. A sink area for every 50 students in attendance for preparing, mixing, and dispensing supplies and chemicals, and for disinfecting small tools or instruments;
 - 6. At least one restroom that meets the requirements of R4-10-112; and
 - 7. Separate receptacles for garbage and soiled linens.
 - B. The school licensee shall furnish equipment, tools, instruments, materials, and supplies needed to perform assignments and for instructional purposes, except each student may be required to furnish small tools or instruments. The school licensee shall ensure all equipment, tools, and materials are establishment quality and maintained in good repair at all times.
 - C. The school licensee shall ensure students have access to the following materials whether in a school library or electronically:
 - 1. Standard dictionary;
 - 2. Medical dictionary;
 - 3. Anatomy chart on bones, muscles, nerves, hands, arms, nails, veins, arteries, circulatory system, hair, and skin;
 - 4. ~~Current instruction manuals or textbooks for aesthetics, barbering, cosmetology, hairstyling, or nail technology instruction manuals or textbooks, as applicable to that adhere to curriculum and examination requirements for the disciplines taught at the school; and~~
 - 5. Current Board statutes and rules.
 - D. The school licensee may allow a student to satisfy theory curriculum requirements by participating in virtual learning.
 - E. The school licensee shall maintain at the school a complete file on all current curriculum requirements.
 - F. The school licensee shall not pay an enrolled student for time while the student is taking courses or receiving credit. Under A.R.S. § 32-557(C), an employee who is enrolled in a school for the purpose of becoming an instructor may be paid for work done as an employee.
 - G. The school licensee may offer a postgraduate or advanced continuing education barber, aesthetics, cosmetology, hairstyling, or nail technology course to currently licensed individuals without a licensed instructor present and to students currently enrolled in the school with a licensed instructor present. The school licensee shall not report postgraduate credit hours to the Board or apply the hours toward graduation.
 - H. The school licensee shall not allow enrolled students to perform services on a person without a licensed instructor present.
 - I. A school licensee may enroll an individual licensed by the Board in the school for a refresher course as a current student.
 - J. A school licensee shall establish a periodic grading schedule and ensure student transcripts are kept current.
 - K. A school licensee shall ensure each student is evaluated for progress and suggestions are provided to the student for remediating deficiencies.
 - L. A school licensee shall schedule a minimum of four hours of theory courses each week for each full-time student and a minimum of two hours of theory courses each week for each part-time student.
 - M. A school licensee shall ensure safety and infection control measures relating to each subject are taught in conjunction with that subject.
 - N. A school licensee shall not solicit students for enrollment at other school sites.
 - O. A school licensee shall ensure that while teaching, instructors wear a tag indicating the instructor's name and disciplines taught.
 - P. A school licensee shall ensure compliance with the following:
 - 1. A student does not attend school more than 56 hours in any one week;

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2. A student operates only safe equipment in good repair;
 3. A student of barbering, aesthetics, cosmetology, hairstyling, or nail technology performs services within the enrolled course, on the public or fellow students, only in the presence of a licensed instructor and, except for shampooing, only after completing the specified hours applicable to the student:
 - a. 120 hours of aesthetics training;
 - b. 300 hours of barbering, cosmetology, or hairstyling training; or
 - c. 80 hours of nail technology training;
 4. The school licensee does not receive remuneration for clinical services a student performs for the public until the student has completed the applicable hours specified in subsection (P)(3);
 5. A student is not prevented or discouraged from making a complaint to the Board;
 6. A student is not dismissed from a scheduled theory instruction or written or practical examination to perform clinical services for the public;
 7. While in school, each student wears a tag indicating the student's name and the course in which the student is enrolled; and
- Q.** The school licensee shall ensure a nonreturnable student training kit, containing at least the following, is provided to each enrolled student:
1. One disinfected, covered container to store disinfected tools and instruments as specified under R4-10-112; and
 2. One container for contaminated tools and instruments as specified under R4-10-112.

PART A. BARBERING

R4-10-A301. Barbering School Operations

- A.** A barbering school licensee shall ~~file the school's operating schedule with the Board at the time of the initial inspection~~ comply with R4-10-306.
- B.** The barbering school licensee shall ensure all equipment provided under this Chapter is establishment quality and maintained in good repair.
- C.** ~~Unless a student who is studying barbering possesses the equipment listed under this subsection at the time of enrollment, the~~ The barbering school licensee shall provide the each student with a non-returnable training kit that includes the following equipment, all of which are new:
1. Course textbooks,
 2. One mannequin for barbering practice,
 3. Twelve combs and four brushes,
 4. One hair dryer,
 5. One straight razor with interchangeable blades,
 6. One pair of haircutting shears with at least six-inch blades,
 7. One pair of thinning shears,
 8. One clipper with interchangeable blades sizes 1 and .000 or an adjustable clipper,
 9. One neck duster, and
 10. One copy of the current statutes and rules governing the Board.
- D.** As provided under R4-10-307~~(D)~~(E), a student instructor shall not teach students until the student instructor has received 80 hours of training in methods of teaching.
- E.** ~~The barbering school licensee shall ensure a student wears a name tag that includes the student's name and status as a student whenever the student is at the barbering school.~~

R4-10-A302. Barbering School 1200-hour Curriculum Requirements

In addition to complying with the minimum requirements under A.R.S. § ~~32-325~~ 32-551, ~~the~~ a barbering school licensee shall include instruction in the following:

1. Professional ethics;
 2. Establishment management;
 3. At least 250 hours of instruction regarding:
 - a. The fundamentals of barbering;
 - b. Hygiene;
 - c. Bacteriology;
 - d. Histology of the hair, skin, muscles, and nerves;
 - e. Structure of the head, face, and neck;
 - f. Elementary chemistry relating to sterilization and antiseptics; and
 - g. Diseases of the skin, hair, and glands;
 4. At least 950 hours of instruction regarding:
 - a. The practice and study of massaging and manipulating muscles of the scalp, face, and neck;
 - b. Hair cutting;
 - c. Shaving; and
 - d. Chemical work relating to permanent waves, hair straightening, coloring, and bleaching; and
- ~~3-5.~~ Regulatory provisions prescribed under A.R.S. Title 32, Chapter 3 5, and this Chapter.

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R4-10-A303. Offsite Training Facility

- A. A barbering school licensee may operate an offsite training facility ~~in an establishment that complies with the provisions of Article 4, Part A of this Chapter, and portions of R4-10-306 applicable to the instruction provided at the offsite training facility, R4-10-A302(D)(5), and R4-10-A303(B).~~
- B. In addition to the requirements of subsection (A), a barbering school licensee operating an offsite training facility shall:
- ~~1. Clearly indicate to the public the specific portion of the establishment designated as an offsite training facility;~~
 - ~~2.1. Post a sign indicating that barbering services at the offsite training facility are provided by students,~~
 - ~~3.2. Require a student to give oral notice of status as a student to each client, and~~
 - ~~4. Restrict student barbering to the portion of the establishment designated as an offsite training facility;~~
 - ~~5.3. Ensure a student receives no more than 50 25 percent of the student's training at the offsite training facility.~~

PART B. COSMETOLOGY

R4-10-B305. Distant Classrooms

If an aesthetics, cosmetology, hairstyling, or nail technology school has a distant classroom, the school licensee shall ensure the equipment in the distant classroom is the same as that required under R4-10-305 and R4-10-306; and:

1. Private postsecondary and public educational facilities do not extend beyond Arizona boundaries;
2. A copy of the Board-issued license to operate the school ~~or Board-issued, wallet-size license card to operate the school~~ is posted in each distant classroom;
3. ~~Duplicate instructor licenses are not required~~ A copy of the Board-issued license for each instructor providing instruction in the distant classroom is posted in a the distant classroom; and
4. No clinic or public services are provided in the distant classroom.

R4-10-B306. Approval of an Eyelash Technician Training Program

- A. Board approval of an eyelash technician training program is non-transferable.
- B. To obtain Board approval of an eyelash technician training program, an applicant shall submit the following to the Board:
1. An application form available on the Board's website licensing portal that contains:
 - a. The applicant's name, full mailing, ~~and physical addresses,~~ and email address addresses, federal tax identification number, and telephone number;
 - b. Name of person responsible for the eyelash technician training program if different from the applicant;
 - c. Name of the instructor who will be in charge of the approved training program and evidence the instructor meets the qualifications specified in R4-10-B307(B);
 - d. An outline of the training program including the topics to be addressed, hours devoted to each topic, and evidence the training program will comply with the standards specified in R4-10-B307(C), (D), and (E); and
 - e. A verification signed by the applicant indicating the training program has the equipment and supplies listed in R4-10-B307(A); and
 2. A copy of the provisional registration, required under A.R.S. § 32-519, which will be completed and provided to each student to verify the student successfully completed the training program. A completed provisional registration shall include:
 - a. Name of the trainee,
 - b. Name of the approved training program,
 - c. Registration number of the approved training program,
 - ~~e-d.~~ Name of the person responsible for the approved training program,
 - ~~d-e.~~ Address of the approved training program,
 - ~~e-f.~~ Name of the instructor in charge of the approved training program,
 - ~~f-g.~~ Total number of hours of training completed, and
 - ~~g-h.~~ Dates of training completed.

R4-10-B307. Requirements of an Eyelash Technician Training Program

- A. The person responsible for an eyelash technician training program shall ensure the training program:
1. Complies with R4-10-112;
 2. Has the following minimum equipment and supplies:
 - a. Sufficient instructional fixtures and facilities for instructor and student use;
 - b. Covered, wet disinfectant container;
 - c. EPA-registered disinfectant;
 - d. Sufficient sinks with hot and cold running water;
 - e. Separate receptacles for garbage and soiled linens;
 - f. One chalkboard or whiteboard;
 - g. Functioning time display;
 - h. A wall mirror; and
 - i. Sufficient mannequins;
 3. Furnish establishment-quality equipment, tools, instruments, materials, and supplies for instructional purposes and for students to perform assignments except a student may be required to furnish small tools and instruments; and
 4. Maintain all equipment, tools, instruments, materials, and supplies in good repair.
- B. The person responsible for an eyelash technician training program shall ensure the instructor in charge of the training program is qualified. An instructor in charge is qualified if the instructor in charge:

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1. Is a cosmetologist or aesthetician licensed by the Board before the effective date of this Section or an eyelash technician registered by the Board;
 2. Provides a notarized letter from an individual licensed or registered by the Board who has personal knowledge of the instructor's work and can verify that the instructor has practiced as an eyelash technician for at least 30 hours a week for two years; and
 3. Provides a statement indicating whether the instructor has ever had an aesthetics, cosmetology, hairstyling, nail technology, or instructor license or eyelash technology registration suspended or ~~revoke~~ revoked in any state of the United States or a foreign country.
- C. The person responsible for an eyelash technician training program shall ensure the training program includes the following minimum curriculum:
1. Ten hours of preclinical theoretical instruction in:
 - a. Eye structure,
 - b. Function and disorders of the eye and orbital areas,
 - c. Eyelash growth cycles,
 - d. Contraindications and allergic reactions,
 - e. Infection control,
 - f. Eye shapes and eyelash evaluation,
 - g. Product ingredients,
 - h. Health and safety, and
 - i. Board statutes and rules; and
 2. Twenty hours of clinical instruction in the practical application of eyelash extensions including:
 - a. Client consultation,
 - b. Design,
 - c. Cleansing the eye area,
 - d. Applying eyelash extensions, and
 - e. Removing eyelash extensions.
- D. As part of the clinical instruction specified under subsection (C)(2), the person responsible for an eyelash technician training program shall ensure each student is required to complete clinical service exercises in:
1. Applying eyelash extensions,
 2. Removing eyelash extensions, and
 3. Conducting a patch test before eyelash extension service.
- E. The person responsible for an eyelash technician training program shall ensure:
1. All training is provided by the qualified instructor in charge, and
 2. No training is provided by a guest presenter or on a field trip.

ARTICLE 4. ESTABLISHMENTS

R4-10-401. ~~Changes Affecting a License to Operate an Establishment; Establishment Changes~~

- A. A license to operate an establishment is not transferrable.
- ~~B.~~ An establishment suite is an establishment to which all provisions of this Article are applicable.
- ~~B-C.~~ Except as provided in subsection (E) ~~(G)~~, an establishment licensee shall apply for a new license and pay the fee specified under R4-10-102 when:
1. The physical address of the establishment changes;
 2. The name of the establishment changes;
 3. ~~Ten percent or more of the ownership~~ There is any change in ownership of the establishment ~~changes~~; or
 4. If the establishment licensee is a corporation, limited liability company, or partnership, a corporate officer, partner, or statutory agent changes.
- ~~C-D.~~ The When a change under subsection (C) occurs but the establishment licensee continues to operate the establishment, the establishment licensee shall submit the application and fee required under subsection (B) within 10 days after a the change; specified under subsection (B) occurs:
1. An establishment closure form, which is available on the Board's licensing portal;
 2. The license application specified under R4-10-402; and
 3. The fee specified under R4-10-102.
- ~~E.~~ When an establishment is sold to a new owner, the establishment licensee shall comply with subsection (D)(1) and the new owner shall comply with subsections (D)(2) and (D)(3).
- ~~D-E.~~ The establishment licensee shall ensure a Board-issued license to operate the establishment, indicating the correct name, physical location, and ownership of the establishment, is posted in the establishment before the establishment is opened for business.
- ~~E-G.~~ If the only change to the physical address of an establishment is the suite number, the establishment licensee shall:
1. Apply to update the establishment license by submitting a suite change application using a form available on the Board's licensing portal; and apply for an updated license rather than a new license and pay
 2. Pay the fee specified at under R4-10-102.

R4-10-402. ~~Application for a License to Operate a Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash an Establishment~~

- An applicant for a license to operate a ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ an establishment shall submit:
1. An application on a form available on the Board's ~~website~~ licensing portal, and provide the following information:

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- a. The applicant's name, full mailing, physical, and email addresses, telephone number, and federal tax identification number;
 - b. If the applicant is a partnership, each partner's name, full mailing and physical email addresses, telephone number, and an indication of whether each is a limited or general partner;
 - c. If the owner applicant is an individual or sole proprietor, the person's applicant's Social Security or federal tax identification number;
 - d. If the applicant is a corporation, the state of incorporation and name, title, and mailing address and email addresses, and telephone number of each officer of the corporation and the statutory agent;
 - e. If the applicant is a limited liability company, name, and mailing address and email addresses, and telephone number of each member, manager, and statutory agent;
 - f. Documentation specified under A.R.S. § 41-1080(A) that the presence in the U.S. of the applicant and anyone owning at least 10 percent of the applicant individual specified in subsection (1)(c) is authorized under federal law; and
 - g. If the location of the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment is changing, both the old and new physical addresses;
 - h. If a change of ownership is occurring, the date the applicant will assume ownership;
 - i. A history of the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment including:
 - i. If the location was previously licensed by the Board, the name of the previous barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment;
 - ii. The name of each business operating at the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment address; and
 - iii.g. A statement of whether a barber, cosmetology, aesthetics, hairstyling, or nail license or eyelash technician registration of the applicant or any partner, corporate officer, or member or manager of the applicant has ever been suspended or revoked by any state or foreign country; and
 - j. A statement of the kind of establishment to be operated: barber, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology.
2. A Certificate of Good Standing from the Arizona Corporation Commission, if applicable.
 3. The applicant's signature and verification that the information provided is true and correct and the barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment is in compliance with A.R.S. Title 32, Chapters 3 and Chapter 5, and this Chapter and has all basic equipment required to be in a barber, cosmetology, aesthetics, hairstyling, nail, or eyelash an establishment.
 4. The fee required in R4-10-102.

R4-10-403. ~~Barber, Cosmetology, Aesthetics, Hairstyling, Nail, or Eyelash~~ Establishment Requirements and Minimum Equipment

- A. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment licensee shall ensure all services performed at the establishment for the public are consistent with the type of license issued to the licensee. A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee shall ensure that, except as provided in R4-10-B402 R4-10-408, all services are performed for the public by an individual who holds a Board-issued license or registration.
- B. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee shall ensure the establishment has enough equipment, materials, supplies, tools, and instruments to control infection and protect the safety of the public and employees.
- C. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ An establishment licensee shall ensure the establishment has:
 1. A workstation for each licensee or registrant using space within the ~~barber, cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment;
 2. If licensees using space in the establishment are performing barbering, cosmetology, or hairstyling services, at least one shampoo bowl and one hair dryer, which may be a blow dryer; and
 3. If licensees or registrants using space in the establishment are performing aesthetics, nail technology, or eyelash technology services, at least one sink in addition to the restroom.
- D. ~~A barber, cosmetology, aesthetics, hairstyling, nail, or eyelash establishment licensee shall ensure licensed barbers, aestheticians, cosmetologists, hairstylists, nail technicians, and eyelash technicians have enough equipment, materials, supplies, tools, and instruments to provide services, control infection, and disinfect between clients.~~

R4-10-404. Renewal of an Establishment License

An establishment licensee shall annually submit to the Board an ~~electronic~~ application for renewal on or before the license renewal date.

1. ~~If the license renewal date falls on a Saturday, Sunday, or legal holiday, the licensee may file the application on the next business day following the license renewal date.~~
2. A renewal application consists of:
 - a.1. A form available on the Board's website licensing portal that contains:
 - i.a. The establishment's name; and
 - ii.b. The licensee's license number; and
 - iii. ~~If the licensee is an individual or partnership, the signature and tax identification number of the licensee or if the licensee is a corporation or limited liability company, the signature of the authorized signer and the tax identification number of the corporation or limited liability company;~~
 - b.2. ~~If the establishment licensee is an individual or sole proprietor:~~
 - i.a. Who has not previously submitted to the Board proof of citizenship or lawful presence in the United States, documentation specified under A.R.S. § 41-1080 that the establishment licensee's presence in the United States is authorized under federal law; or

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- b. ~~the documentation~~ Who previously submitted at the time of initial licensure was not a non-expiring an expiring work authorization, documentation specified under A.R.S. § 41-1080 that the establishment licensee's presence in the United States continues to be authorized under federal law; and
- e.3. The fee required in R4-10-102.

R4-10-405. Establishment Supervision

- A. An establishment licensee shall designate an individual licensed under this Chapter as manager to directly supervise the establishment during all hours of operation. If the establishment licensee has a personal license issued under Article 2 of this Chapter, the establishment licensee may directly supervise the establishment.
- B. The establishment licensee or manager shall ensure:
 - 1. Every individual, whether an employee or independent contractor, who practices barbering, cosmetology, aesthetics, hairstyling, nail technology, or eyelash technology in the establishment has a current license or registration issued by the Board;
 - 2. Each required license, registration, and the most recent Board inspector's record are printed and displayed in a manner visible to establishment clients; and
 - 3. Each licensee and registrant complies with all applicable provisions of A.R.S. Title 32, Chapter 3 ~~or~~ 5, and this Chapter.
- C. The Board shall hold the establishment licensee responsible for any violation of an applicable provision of A.R.S. Title 32, Chapter 3 ~~or~~ 5, or this Chapter.

PART A. BARBERING REPEALED

~~R4-10-A401. Renumbered~~

~~R4-10-A401.~~R4-10-406. Barbering Establishment Mobile Units

- A. To operate a mobile unit as a ~~barbering an~~ establishment, the owner of the mobile unit shall apply for a license under ~~R4-10-A401~~ R4-10-402.
- B. The Board shall issue a license to operate a mobile unit as a ~~barbering an~~ establishment only if:
 - 1. The mobile unit is self-contained;
 - 2. The mobile unit meets all requirements for a ~~barbering an~~ establishment specified under A.R.S. Title 32, Chapter 3 5, and this Chapter; and
 - 3. The owner of the mobile unit agrees to provide the Board with written or oral notice at least 15 days before the mobile unit is placed in a location or moved to a new location.

PART B. COSMETOLOGY REPEALED

~~R4-10-B401. Renumbered~~

~~R4-10-B401.~~R4-10-407. Mobile Services

- A. If a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash an~~ establishment licensee provides mobile services as an extension of the establishment, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee shall advertise the mobile service using the name of the establishment on the Board-issued license. The ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure mobile services comply with Board statutes and rules.
 - 1. A ~~cosmetology, aesthetics, hairstyling, nail, or eyelash An~~ establishment licensee providing mobile ~~cosmetology, aesthetics, hairstyling, nail technology, or, eyelash technology~~ services shall ensure licenses are posted as required under R4-10-111.
 - 2. A ~~cosmetology, aesthetics, hairstyling, nail, or eyelash An~~ establishment licensee providing mobile services shall ensure client appointments are made through the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment using an appointment book that lists the appointments and locations where services are performed.
 - 3. Mobile services are subject to inspection by the Board at any time.
 - 4. If a retrofitted motor vehicle is used to provide mobile services, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure the vehicle has the same equipment as specified under ~~R4-10-B402~~ R4-10-403 and complies with safety and infection control requirements specified under R4-10-112.
 - 5. If mobile services are provided in a location other than a retrofitted motor vehicle, the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment licensee and manager shall ensure equipment is disinfected before use and stored as specified under R4-10-112.
- B. If a retrofitted motor vehicle is used exclusively as a mobile facility dispatched from a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash an~~ establishment address, the establishment licensee and manager of the mobile facility shall:
 - 1. Comply with all ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment requirements, including infection control and equipment requirements, specified in this Chapter;
 - 2. Maintain a complete and current list of appointment locations at the ~~cosmetology, aesthetics, hairstyling, nail, or eyelash~~ establishment address and ensure the list is displayed as specified in the application for a license to operate a ~~cosmetology, aesthetics, hairstyling, nail, or eyelash an~~ establishment and available to an inspector at all times when the retrofitted motor vehicle is open for business; and
 - 3. Comply with Board statutes and rules.

~~R4-10-B402. Renumbered~~

~~R4-10-B402.~~R4-10-408. Shampoo Assistants

- A. A ~~cosmetology or hairstyling An~~ establishment licensee may hire an individual who is not licensed by the Board as a shampoo assistant to shampoo and apply conditioner to an individual's hair, comb the hair to remove tangles, and remove rollers.

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- B. Cosmetology or hairstyling.** An establishment licensee shall ensure a shampoo assistant does not:
1. Apply hair color or permanent wave solution or neutralizer; or
 2. Remove rods, tint, relaxers, or chemical solutions from the hair.

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TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

File Number: R26-165

PREAMBLE

1. **Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
July 15, 2025 and July 9, 2026
2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R4-30-284	Amend
R4-30-301	Amend
R4-30-305	New Section
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. §§ 32-106 and 32-121
Implementing statute: A.R.S. §§ 32-101 and 32-122.01
4. **The effective date of the rule:**
November 1, 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. 2638; Issue Date: August 8, 2025; Issue Number: 32; File Number: R25-181
Notice of Proposed Rulemaking: volume 31 A.A.R. 4335; Issue Date: November 14, 2025; Issue Number: 46; File Number: R25-255
Notice of Supplemental Proposed Rulemaking: 32 A.A.R. 1033; Issue Date: May 15, 2026; Issue Number: 20; File Number: R26-64
6. **The agency's contact person who can answer questions about the rulemaking:**

Name:	Kurt Winter
Title:	Deputy Director
Address:	1110 W. Washington St., Suite 240 Phoenix, AZ 85007
Telephone:	(602) 364-4883
Fax:	(602) 364-4931
Email:	Kurt.winter@azbtr.gov
Website:	www.azbtr.gov

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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 needs to update its rules to be consistent with industry standards. The industry is experiencing a fundamental shift in professional expectations. Rather than relying on rigid, outdated numerical formulas, the industry is moving toward a highly structured, contractually accountable, and technologically modern framework. These updates will ensure that land surveyors are complying with industry requirements regarding how land surveys are completed in Arizona.

Summary of differences between the current 2001 BSMS and the proposed standards in R4-30-305.

1. Definitions and Terminology

- Old Standards: Defined "Arizona Boundary Survey" broadly under four activities (marking boundaries, locating appurtenances, determining monument positions, or presenting drawings).
- New Standards (R4-30-305): Replaces this with a highly structured set of 11 distinct definitions. New terms with precise definitions include "Coordinates," "Parol evidence," "Supplemental surveying work," "Original," "Retracement," and "Basis of bearings".

2. Accuracy and Measurement Standards

- Old Standards: Enforced a strict mathematical ceiling for measurement accuracy, stating that relative positional tolerance could not exceed 0.25 feet plus 100 parts per million (PPM) at a 95% confidence level.
- New Standards: Removes the explicit 0.25 feet + 100 PPM limit. Instead, it adopts a "standard of care" approach, requiring that the survey's accuracy meet the professional standard for the time and location, and be consistent with the technology and methods utilized.

3. Triggers for Recording a "Record of Survey"

- Old Standards: Mandated filing a survey drawing if a monument was set/found but undocumented, if a new division of land occurred, or if measured distances between monuments differed from the record distance by more than 0.25 feet + 100 PPM.
- New Standards: Eliminated the distance-discrepancy metric as a filing trigger. It establishes new triggers, including when a monument is placed to mark/witness a corner, an existing monument is rejected, a found monument has no identifying marks, or physical boundary evidence does not match other records. It also adds a trigger if an existing boundary controls "Supplemental Surveying Work" and found monuments do not match recorded subdivision maps.

4. Scope of Work and Document Retention

- Old Standards: Generally required that "a scope of services" be determined for every engagement and that documentation be retained for unrecorded surveys.
- New Standards: Mandates a formal, written scope of work that must include services provided, deliverables, dated signatures from both the client and the surveyor, and all associated fees. Furthermore, it introduces a strict 10-year record retention policy for analysis summaries, conclusions, field notes, and non-public reference documents.

5. Conflict Resolution and Setting Monuments

- Old Standards: Required the land surveyor to make and document reasonable efforts to contact another registrant in the event of a disagreement over measurements or monumented corners.
- New Standards: Significantly strengthens this rule. If a surveyor's opinion conflicts with existing boundary evidence, they must refrain from setting any monuments until they have documented their efforts to contact the prior surveyor to resolve the issue. It also requires the surveyor to notify clients of evidence that might lead to alternate positions and inform them of resolution options without expressing a legal opinion.

6. Monument Material and Magnetic Detection

- Old Standards: Allowed new/replacement monuments to be made of "metal or other such durable material". They had to be at least 16 inches long, 1/2 inch in diameter, and "magnetically detectable".

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- New Standards: Mandates that the body of the monument be exclusively made of metal suitable for the environment. It specifies exact physical methods to attach the registration cap (compression fit, epoxy, or wire). For magnetic detection, it explicitly adds that if non-ferromagnetic metals are used, a magnet must be incorporated into or buried alongside the monument.

7. Expanded Record of Survey Map Requirements

- The new standards add several detailed elements that must be depicted on the final Record of Survey map:
- Adjacency & Ownership: Must include recording information for adjacent properties and the surveyed property owner's name.
- Justifications: If a surveyor rejects an existing monument, they must provide a detailed explanation justifying the rejection.
- Physical Evidence: The location and description of additional physical evidence (such as fences, buildings, hedges, or walls) used to determine the boundary must be shown.
- Strict Coordinate Reporting: If coordinates are shown, the map must provide highly detailed parameters to allow unambiguous reproduction, specifying the reference epoch, realization/version name, projection zone, and geoid model.
- Mandatory Legal Certification: The map must display a specific, mandatory compliance statement: "This map, or plat, and the survey on which it was based, were made in accordance with the Arizona Boundary Survey Minimum Standards in Arizona Administrative Code R4-30-305." (Replacing the old requirement to state that the survey was performed under the surveyor's direct supervision).
- Dates: Requires both the date range of the field survey and the date of the completed Record of Survey.

8. Written Property Descriptions and Curve Assumptions

- Old Standards: Standardized description formatting into a caption, body, and qualifying clauses, and required non-tangent curves to be noted.
- New Standards: Clarifies that curves in a description are presumed to be circular tangent curves unless stated otherwise. It also introduces a requirement for transition (spiral) curves to include enough parameters for a surveyor to reconstruct them unambiguously.

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:

The Arizona Professional Land Surveyor Association (APLS) developed the current boundary survey minimum standards (BSMS), which were incorporated by reference into the Arizona Administrative Code (AAC) in 2002, making it nearly 25 years old. APLS has updated its standards since then, most recently in 2014.

In 2019, the Board formed an AD-HOC committee that updated the BSMS based, in part, on the Findings of Facts 2000-2019 report compiled by then land surveyor and Board member, Jason Foose. In March 2021, the Board moved to request an exemption from the governor's rule moratorium to open a rule package to update the BSMS and the governor's office denied the Board's request.

Over the course of the last two years, APLS continued to review and revise the updated BSMS as initially proposed by the AD-HOC committee. After APLS exhausted their review and provided their feedback, a town hall meeting was held for the APLS membership to review and discuss proposed revisions and updates to the BSMS. Following this review and feedback process, the APLS Board of Directors voted unanimously to approve the revised and updated BSMS. APLS then requested that the Board include the revised and updated BSMS in rules.

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

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

The rules will broadly benefit consumers, small businesses, and the land surveying profession by modernizing Arizona's Boundary Survey Minimum Standards to align with contemporary industry practices. By integrating these standards directly into the administrative rules rather than relying on a 2002 document incorporated by reference, the Board significantly reduces regulatory ambiguity and enhances its mission to protect the public's health, safety, and welfare.

Consumers and property owners will benefit from the strict mandate that surveyors use highly durable, permanent metallic monuments to mark boundaries. This ensures long-term protection of property lines and reduces the likelihood of costly future boundary disputes. Additionally, the final rules introduce a critical consumer protection mechanism regarding boundary disputes: surveyors are now required to notify clients of alternate boundary positions and conflict resolution options "without expressing a legal opinion." This ensures consumers are fully informed without inadvertently relying upon unauthorized legal advice from technical professionals.

The amendments to R4-30-301 and R4-30-305 directly benefit land surveyors and surveying firms, a substantial portion of which operate as small businesses, by explicitly clarifying baseline requirements. Administrative updates are nominal and reflect modern best practices, such as requiring a written scope of work with associated fees and dated signatures, and establishing a definitive 10-year retention period for field notes and analytical summaries (replacing a previously vague retention requirement).

To ensure small businesses do not face unnecessary financial or administrative burdens, the Board specifically removed a proposed mandate that would have required recorded surveys for public works engineering design projects. Furthermore, the amendment to R4-30-284 benefits land surveyor candidates and educational programs by providing unambiguous regulatory certainty regarding the required sequence of professional examinations.

The Board anticipates that the rulemaking will yield a positive overall economic impact. The costs associated with compliance—such as updating records management policies to meet the 10-year retention rule and utilizing proper metallic monumentation (including magnets for non-ferromagnetic materials) are minimal. These nominal costs are vastly outweighed by the economic benefits of increased regulatory clarity, the prevention of property boundary disputes, and the deliberate removal of burdensome recording requirements for supplemental design surveys.

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

Following the Board's January 6, 2026, directive, an ad hoc committee of land surveyors and civil engineers was formed to review public feedback regarding proposed updates to Arizona's boundary minimum standards. The committee met on March 11 and March 31 to finalize its recommendations. At its April 20, 2026 meeting, the Board approved these recommendations and directed staff to submit a supplemental rule package. Key substantive changes introduced in that supplemental notice included minor technical edits throughout the document, the removal of section R4-30-305(B)(1)(f), and clarifying amendments to sections R4-30-305(C) and (H)(3)(a). The supplemental package also included an amendment to R4-30-284 to clarify that, per A.R.S. § 32-122.01(B)(2), land surveyor candidates must take and pass all required professional examinations. The Board updated R4-30-301(13) by replacing "according to section R4-30-305" with "pursuant to section R4-30-305," which constitutes a non-substantive change under A.R.S. § 41-1025. The Board adopted the rules exactly as published in the supplemental notice; therefore, there are no changes between the supplemental proposed rulemaking and this final rulemaking.

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

Physical Survey Markers: Many commenters focused on the physical materials used to mark boundaries. There is a strong push to ban easily degradable materials, as they quickly deteriorate in the local environment and fail to provide long-term protection for the public. These professionals advocated for mandating highly durable, permanent materials for all markers. One commenter on the supplemental rulemaking wished to add language mandating that a land surveyor include a proposed schedule and disclosure regarding whether the surveyor currently maintains a policy of professional liability insurance as part of the written scope of work. Commentors: Ron Barbala (11-19-2025), Stan Dickey Jr. (11-19-2025), and Jerry C. Wier (12-4-2025)

Agency Response: The Board agrees with the importance of using durable, permanent materials to protect the public interest. In response to these comments, the Board amended R4-30-305(H)(3)(a) to explicitly mandate that the body of new or replacement boundary monuments "shall be made of metal as determined by the Surveyor, suitable for the environment". Furthermore, the rule now requires the registrant's number to be stamped, cast, or scribed into a metallic surface, and mandates the incorporation of a magnet if non-ferromagnetic metals are used. Regarding the proposed language mandating that a land surveyor include a proposed schedule and disclosure about whether the surveyor currently maintains a policy of professional liability insurance as part of the written scope of work, land surveyor Board

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member Dana Klett commented at the Board's April 20, 2026, meeting that the public comments received after the supplemental rulemaking were minor and did not warrant an additional supplemental rulemaking or review by the rulemaking ad-hoc committee.

Recording Requirements for Related Work: A major debate surfaced between different professional disciplines regarding surveys that support design or construction but are not traditional boundary surveys. Some professionals argue that requiring these related surveys to be formally recorded will introduce unnecessary administrative burdens, costs, and project delays. In contrast, others defend the recording requirement, arguing that whenever a design relies on boundary information, it must be documented to protect the public and prevent future disputes. Commentors: Daniel Miller (12-3-2025), Dan Francetic (12-12-2025), and Chris Bridges (on behalf of the American Council of Engineering Companies of Arizona - ACEC-AZ) (12-16-2025)

Agency Response: The Board acknowledges the concerns regarding the administrative burden, costs, and potential delays associated with formally recording surveys that strictly support design or construction. To alleviate this, the Board did not adopt the initially proposed R4-30-305(B)(1)(f). Engineering design surveys performed to document existing conditions in support of public works projects are no longer explicitly required to generate a recorded Record of Survey under that subsection.

Business Practices and Dispute Handling: Reviewers suggested modernizing the rules governing surveyor-client contracts to accommodate standard digital communications rather than requiring physical signatures. Additionally, several commenters expressed concern over proposed guidelines for handling boundary conflicts, warning that the rules might inadvertently force surveyors to provide legal advice or mediate disputes, which falls outside their professional scope. Commentors: Michael Wier (11-25-2025 and 5-18-2026), Jerry C. Wier (12-4-2025), and Doug Schneider (5-23-2026)

Agency Response: The Board understands the critical boundary between a surveyor's technical expertise and the unauthorized practice of law. To ensure surveyors are not forced outside their professional scope when handling boundary conflicts, the Board amended R4-30-305(C)(2). The revised language clarifies that surveyors should notify clients of alternate positions "without expressing a legal opinion," and should simply inform clients of their options to resolve the identified conflicts rather than acting as mediators. Regarding contract signatures, the Board retained the requirement for "dated signatures" under R4-30-305(B)(2)(a), as current state regulations and contract laws already accommodate the use of valid digital or electronic signatures.

Terminology and Technical Corrections: A portion of the feedback was dedicated to administrative clean-up. Commenters recommended aligning certain legal terms with established industry vocabulary, clarifying how the new standards interact with existing state statutes, and correcting various typographical errors found in the draft. Commentors: Stan Dickey Jr. (11-20-2025), Jerry C. Wier (12-4-2025), R L Lawrence Jr. (12-6-0225), and William Barnes (12-16-2025)

Agency Response: Following the review of public feedback by the ad hoc committee, the Board adopted minor technical edits throughout the document to clean up typographical errors and align vocabulary with current industry standards. Additionally, the Board introduced an amendment to R4-30-284 to ensure the rules explicitly clarify and interact correctly with A.R.S. § 32-122.01(B)(2) regarding the required sequence of professional examinations.

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:**
Not applicable. The rules establish professional conduct and boundary survey minimum standards for existing registrants; they do not establish a new permit requirement.
- 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. There is no corresponding federal law applicable to the minimum standards for state boundary land surveys or this specific professional conduct.
- 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. No such analysis was submitted to the Board.

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

Not applicable

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- 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 30. BOARD OF TECHNICAL REGISTRATION

ARTICLE 2. REGISTRATION PROVISIONS

Section

R4-30-284. Land Surveyor Registration

ARTICLE 3. REGULATORY PROVISIONS

Section

R4-30-301. Rules of professional conduct

R4-30-305. ~~Repealed~~ Arizona Boundary Survey Minimum Standards

ARTICLE 2. REGISTRATION PROVISIONS

R4-30-284. Land Surveyor Registration

The candidate shall first successfully complete the fundamentals of surveying examination. Second, the candidate shall successfully complete the professional land surveyor ~~examination~~ examinations provided by the National Council of Examiners for Engineers and Surveyors. Third, the candidate shall successfully complete the Arizona State Specific Examination provided by the Board.

ARTICLE 3. REGULATORY PROVISIONS

R4-30-301. Rules of professional conduct

All registrants shall comply with the following rules of professional conduct:

1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with an application for registration or certification, or in response to a subpoena.
2. A registrant shall not engage in fraud, deceit, misrepresentation, or concealment of material facts in advertising, soliciting, or providing professional services to members of the public.
3. A registrant shall not commit bribery of a public servant as proscribed in A.R.S. § 13-2602, commit commercial bribery as proscribed in A.R.S. § 13-2605, or violate any federal statute concerning bribery.
4. A registrant shall comply with state, municipal, and county laws, codes, ordinances, and regulations pertaining to the registrant's area of practice.
5. If a registrant violates any state or federal criminal statute, the Board may take action against a registrant's license or certificate if a violation of the law is reasonably related to a registrant's area of practice.
6. A registrant shall apply the technical knowledge and skill that would be applied by other qualified registrants who practice the same profession in the same area and at the same time.
7. A registrant shall not accept an engagement if the duty to a client or the public would conflict with the registrant's personal interest or the interest of another client without making a full, written disclosure of all material facts of the conflict to each person who might be related to, or affected by, the engagement.
8. A registrant shall not accept compensation for services related to the same engagement from more than one party without making a full, written disclosure of all material facts to all parties and obtaining the express, written consent of all parties involved.
9. A registrant shall make full disclosure to all parties concerning:
 - a. Any transaction involving payments to any person for the purpose of securing a contract, assignment, or engagement, except payments for actual and substantial technical assistance in preparing the proposal; or
 - b. Any monetary, financial, or beneficial interest the registrant holds in a contracting firm or other entity providing goods or services, other than the registrant's professional services, to a project or engagement.
10. A registrant shall not solicit, receive, or accept compensation from material, equipment, or other product or services suppliers for specifying or endorsing their products, goods, or services to any client or other person without full, written disclosure to all parties.
11. If a registrant's professional judgment is overruled or not adhered to under circumstances where a serious threat to the public health, safety, or welfare may result, the registrant shall immediately notify the responsible party, appropriate building official, or agency, and the Board of the specific nature of the public threat.
12. If called upon or employed as an arbitrator to interpret contracts, to judge contract performance, or to perform any other arbitration duties, the registrant shall render decisions impartially and without bias to any party.
13. To the extent applicable to the professional engagement, a registrant shall conduct a land survey engagement in accordance with the ~~April 12, 2001 Arizona Professional Land Surveyors Association (APLS)~~ Arizona Boundary Survey Minimum Standards;

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available at www.azpls.org. The Board of Technical Registration adopted the standards on June 15, 2001, and incorporated them into this subsection by reference. This incorporation by reference does not include any later amendments or editions and is available at the office of the Board of Technical Registration, pursuant to Section R4-30-305.

14. A registrant shall comply with any subpoena issued by the Board or its designated administrative law judge.
15. A registrant shall update the registrant's address, email and telephone number of on record with the Board within 30 days of the date of any change.
16. A registrant shall not sign, stamp, or seal any professional documents not prepared by the registrant or a bona fide employee of the registrant.
17. Except as provided below and in subsections (18) and (19), a registrant shall not accept any professional engagement or assignment outside the registrant's professional registration category unless:
 - a. The registrant is qualified by education, technical knowledge, or experience to perform the work; and
 - b. ~~the~~ The work is exempt under A.R.S. § 32-143.
18. A registered professional engineer may accept professional engagements or assignments in branches of engineering other than that branch in which the registrant has demonstrated proficiency by registration, but only if the registrant has the education, technical knowledge, or experience to perform such engagements or assignments.
19. Except as otherwise provided by law, a registrant may act as the ~~prime professional~~ Project Prime Professional for a given project and select collaborating professionals; ~~however~~ However, the registrant shall perform only those professional services that the registrant is qualified by registration to perform and shall seal and sign only the work prepared by the registrant or by the registrant's bona fide employee.
20. A registrant who is designated as a responsible registrant shall be responsible for the firm or corporation. The Board may impose disciplinary action on the responsible registrant for any violation of Board statutes or rules that is committed by a non-registrant employee, firm, or corporation.
21. A registrant shall not enter into a contract for expert witness services on a contingency fee basis or any other arrangement in a disputed matter where the registrant's fee is directly related to the outcome of the dispute.

R4-30-305. ~~Repealed Arizona Boundary Survey Minimum Standards~~

A. The following definitions apply to Arizona Boundary Surveys:

1. "Basis of bearings" means a description of the method used for orienting a survey that uniquely defines how the measured bearings were determined with sufficient information for Retracement. The Basis of Bearings can be from any one of several sources, including ties to the National Spatial Reference System, Global Navigation Satellite System positioning, previous surveys, astronomical observations, or other sources and methods.
2. "Boundary survey" means a land survey that locates the boundary of real property, that is dependent on the location of a boundary of real property, or that recovers, rehabilitates, or places Monuments that mark or control the location of real property.
3. "Coordinates" means values that specify the horizontal and/or vertical location of points on, above, or below the Earth's surface. The values shall consist of any or all of the following: northing (y) and easting (x) pairs; elevations; orthometric heights; latitude and longitude pairs; or ellipsoid heights. Coordinates may be with respect to official government datums, reference frames, or map projections, or they may be based on an established local system.
4. "Documents" means pertinent records that identify the location of boundary lines and the Monuments controlling those lines, including the following:
 - a. Publicly recorded deeds;
 - b. Surveys;
 - c. Subdivision maps held by county recorders;
 - d. County Engineer's records;
 - e. Arizona Department of Transportation records;
 - f. Private Surveyor's records;
 - g. Railroad company records;
 - h. Mining company records;
 - i. Utility company records;
 - j. United States Public Lands Survey records;
 - k. Title reports;
 - l. Title opinions; and
 - m. Other relevant County, State, Municipal, or Federal Agency records.
5. "Monument" means an object that permanently marks the location of a boundary corner, including witness corners or reference objects that identify the boundary corner's location. The first object placed to mark a boundary corner is an Original Monument.
6. "Original" means a survey on the ground that marks the corners and lines of an initial subdivision, re-subdivision, split, or division of land under common ownership, and may include a Retracement of all or a portion of the boundary of the parent parcel.
7. "Parol evidence" means extrinsic evidence about the location of a property corner or line obtained by means other than direct observation by the Surveyor or from existing Documents.
8. "Record of Survey" means an annotated, graphical depiction of a Boundary Survey that a registered Surveyor signed and sealed.
9. "Retracement" means a survey to recover the Original lines and corner location markers previously run and, when necessary, to set new markers as nearly as possible at the location of the Original marker.
10. "Supplemental surveying work" means work that is not a Boundary Survey as defined in these standards, and where boundary Monuments are not set or marked in the field as property corners. Supplemental Surveying Work includes, but is not limited to,

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control surveys, topographic surveys, easement surveys, construction staking, and engineering design surveys, as well as work performed to provide site information based on previously performed surveys;

- B.** All Surveyors shall comply with the following minimum standards when making a Boundary Survey:
- 1.** Create a Record of Survey and record the Record of Survey with the county recorder of the county in which the property is located if any of the following occur:
 - a.** A Monument is placed to mark, reference, or witness a property corner;
 - b.** An existing Monument is rejected;
 - c.** An accepted boundary Monument does not have identifying markings or is not uniquely identified in recorded Documents;
 - d.** A found corner Monument or other physical evidence of the boundary does not match the description of the Monument or boundary evidence in other Documents; or
 - e.** An existing boundary is depicted as controlling or an integral part of Supplemental Surveying Work, and the corner Monuments found do not match those described in an existing subdivision map or Record of Survey.
 - 2.** In conducting a Boundary Survey:
 - a.** Create a written scope of work to include the services provided by the Surveyor, the specific information the Surveyor shall provide to the client, dated signatures of the client and the Surveyor, and all fees associated with the scope of work;
 - b.** Gather and review the relevant Documents that provide evidence of the location of the boundary the Surveyor is surveying;
 - c.** Perform a field investigation of the property the Surveyor is surveying and search for physical evidence that could aide in determining the location of new boundary lines and corners or existing boundary lines, corners, and Monuments;
 - d.** Gather and document Parol Evidence;
 - e.** Analyze the data gathered and reach a professional opinion as to the location of the boundary of the property;
 - f.** Monument the corners of an Original survey or replace missing corner Monuments of a Retracement survey; and
 - g.** For at least 10 years, retain a summary of the analysis and the conclusions the Surveyor reached, a list of the Documents the Surveyor utilized in the Surveyor's analysis, field notes, and copies of any Documents the Surveyor utilized in the Surveyor's analysis that are not public records.
- C.** If the Surveyor forms an opinion in conflict with some evidence of the boundary location, including prior surveys, existing Monuments, or evidence of occupation, the Surveyor shall refrain from setting Monuments until the conflict is resolved and:
- 1.** Make a documented effort to contact the Surveyors who performed the prior surveys in an effort to resolve the conflict if the conflicting evidence is part of previous surveys, and the Surveyor contacted shall respond and make a reasonable effort to resolve the conflict and document the effort; and
 - 2.** Notify clients of evidence that, by reasonable analysis, might result in alternate positions of lines or points and without expressing a legal opinion, inform clients of their options to resolve identified boundary conflicts.
- D.** New, replaced, and rehabilitated Monuments set or rehabilitated by the Surveyor in conjunction with a Boundary Survey shall bear the Surveyor's registration number.
- E.** Found Monuments accepted as marking a corner of the surveyed boundary or used to locate a corner of the surveyed boundary that are not uniquely identified in a recorded Document shall have the Surveyor's registration number affixed to them when practical or be uniquely identified in the Record of Survey.
- F.** A Surveyor shall make all measurements according to the following specifications:
- 1.** The Surveyor shall ensure that any equipment used is in proper repair and in good working order;
 - 2.** The Surveyor shall ensure the survey achieves an accuracy that meets the standard of care for the time and location where the Surveyor performed the survey and is consistent with the measurement technology and methods the Surveyor used to execute the survey; and
 - 3.** The Surveyor shall specify the lengths and directions of the measured lines so that mathematical closure is achieved, with allowance for rounding error.
- G.** A Surveyor shall ensure the Record of Survey is filed according to A.R.S. § 33-105(A) and includes at a minimum, the following items:
- 1.** The county recorder's recording information for the property the Surveyor surveyed and adjacent properties, and the surveyed property owner's name;
 - 2.** The scale, indicated by a graphic and numeric representation. The Basis of Bearings represented by a north arrow or some other means specifying the orientation with respect to the measured bearings, along with an indication or statement as to how the Basis of Bearings was established;
 - 3.** The dimensions of the boundary being surveyed as measured in the current survey, and the relevant record dimensions or references to Documents;
 - 4.** The Monuments marking the location of the corners the Surveyor relied upon to determine the location of the boundary of the property being surveyed and whether the Monuments are set, found, rehabilitated, or replaced;
 - 5.** An accurate description of the physical characteristics and markings of the Monuments in sufficient detail for unique identification;
 - 6.** Pertinent facts and dimensions the Surveyor used in the determination of the Boundary Survey, including relevant controlling corners with Monuments and calculated corner positions;
 - 7.** If a Surveyor rejects a Monument, the description of the Monument shall include the physical properties of the Monument, and a detailed explanation justifying the rejection of the Monument;
 - 8.** The location and description of additional evidence the Surveyor used to determine the boundary, including fences, buildings, hedges, walls, or other evidence;

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9. A minimum of three curve parameters for all curves, together with a chord bearing, radial bearing, or tangent bearing for non-tangent curves. Curves are assumed to be tangent to the incoming and outgoing lines unless otherwise noted;
 10. A list of the Documents and recording information that influenced the Surveyor's determination of the boundary location;
 11. The Coordinates identified as follows:
 - a. If the Surveyor identifies horizontal and/or vertical Coordinates, the Surveyor shall provide sufficient information to reproduce them, including their specific units of measure;
 - b. If the Surveyor identifies Coordinates based on an official government datum, reference frame, or map projection, the Surveyor shall include the name of each of these coordinate system elements. The Surveyor shall also provide any additional information needed to unambiguously show how the Surveyor derived the Coordinates. This includes, but is not limited to, the following:
 - i. Reference epoch,
 - ii. Realization or version name,
 - iii. Projection system zone, and
 - iv. Geoid model;
 - c. If an existing government projection was scaled to ground, the Surveyor shall provide the scale factor and the Coordinates where the Surveyor applied it. The Surveyor shall document other modifications, such as rotations and translations, sufficiently to allow unambiguous reproduction;
 - d. If a Surveyor uses Coordinates based on an arbitrary system or other local system that is not part of the public record, the Surveyor shall include sufficient information to reproduce the coordinate system, including:
 - i. Parameters for non-government map projections, even if the projection is referenced to an official government datum or reference frame;
 - ii. The Surveyor shall fully define other methods that affect the coordinate values, including rotation, translation, and scaling of the projected values of horizontal Coordinates; and
 - iii. For elevations and heights, the Surveyor shall also document any vertical shifts and/or tilted planar corrections;
 12. The firm name, the Surveyor's registration number and contact information, and the name of the owner of record;
 13. The following language: "This map, or plat, and the survey on which it was based, were made in accordance with the Arizona Boundary Survey Minimum Standards in Arizona Administrative Code R4-30-305."
 14. The date range of the field survey and the date of the completed Record of Survey;
 15. The Surveyor's signed and dated seal; and
 16. An explanation, table, or legend of all symbology and abbreviations the Surveyor used.
- H.** Monuments the Surveyor sets to mark, reference, or witness the location of a boundary corner shall meet the following requirements:
1. If the Monument is set at either a Public Land Survey System section or 1/4-section corner, refer to applicable state statutes relative to setting Monuments at those positions.
 2. All new Monuments, including the Surveyor's Arizona registration number thereon, shall provide a degree of permanency, consistent with that of adjacent terrain and physical features.
 3. Whenever and wherever practicable, new or replacement boundary Monuments, and witness Monuments set on corners shall satisfy the following minimum criteria:
 - a. Be at least one-half inch in diameter, at least 16 inches long, and the body of the monument shall be made of metal as determined by the Surveyor, suitable for the environment. The Registrant's number shall be stamped, cast, or scribed into a metallic surface as determined by the Surveyor, suitable for the environment. The metal the Surveyor's number is on, if not on the body of the Monument itself, shall be affixed either by compression fit to the body of the Monument, epoxied to it, or attached by a wire as determined by the Surveyor, suitable for the environment. In situations where not all the metals used are ferromagnetically detectable, a magnet shall be incorporated into or buried alongside the Monument;
 - b. Reference Monuments and witness Monuments shall bear markings identifying their purpose and be described in detail in the Record of Survey; and
 - c. In the event local subdivision regulations allow for the recording of a subdivision plat without having all of the survey Monuments set, the Surveyor shall place all the exterior boundary Monuments at the time of the filing of the preliminary plat and recording of a Record of Survey. The Surveyor shall set interior property corner Monuments as soon as completion of the infrastructure and improvements make it practical to do so. If the Monuments placed differ from those described on the final plat, the Surveyor shall record a Record of Survey showing the differences. All Monuments set shall bear the registration number of the Surveyor of record. If the Surveyor of record is not available to supervise the setting of the interior property corner Monuments, then the Monuments set shall bear the registration number of the Surveyor responsible for setting the Monuments at the time the Monuments were set, and the Surveyor shall record a Record of Survey.
- I.** When created by a Surveyor, a written property description of a surveyed tract of land shall provide information to properly locate the property and distinctly set it apart from all other property.
- J.** When the surveyed property's dimensions, boundaries, and area are in substantial agreement with an existing recorded, written description, then that existing, recorded description shall be used.
- K.** New property descriptions shall contain the following:
1. Where applicable, a caption, a body, and qualifying clauses;
 2. As an additional description of the existing, precedent aliquot description, a metes, a bounds, or a metes and bounds description of the existing aliquot description that is noted as an additional description;
 3. Every Public Land Survey System aliquot description shall contain the applicable county, meridian, township, range, and sectional information;

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4. Every platted subdivision lot description shall contain the lot, block, unit, if applicable, name of the subdivision, city, if applicable, county, and recorder's document number;
5. When based on a current survey, a written property line boundary description shall contain the applicable portions of the following:
 - a. The first part, called the caption, shall contain the applicable information from subsections (K)(3) and/or (K)(4); and
 - b. The second part, called the body, shall contain all of the following attributes that apply:
 - i. A clearly stated Basis of Bearings, referencing two controlling Monuments, which were physically existing at the time the Surveyor surveyed the property;
 - ii. All controlling Monuments, including their physical description, and whether the Surveyor found, set, or replaced the Monument;
 - iii. Sufficient data to enable a mathematical verification of the property being described in the body and a mathematical tie from the Basis of Bearing to the point of beginning;
 - iv. Where described, curved property boundaries shall contain sufficient information to allow verification of the data by mathematical analysis;
 - v. Curves are presumed to be circular tangent curves unless otherwise stated. Non-tangent curves shall also include the radial bearing or chord bearing in the description. Spiral (transition) curves shall include enough parameters for a Surveyor to reconstruct the curves unambiguously.
6. Complete citations to maps, plats, Documents, and other matters of record, which are to be incorporated into and made a part of the description by reference; and
7. The Surveyor's stamp and dated signature.

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TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 11. DEPARTMENT OF ENVIRONMENTAL QUALITY WATER QUALITY STANDARDS

File Number: R26-166

PREAMBLE

1. **Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:**
September 29, 2025, January 5, 2026, and July 17, 2026
2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R18-11-112	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. § 49-104(B)(4)
Implementing statute: A.R.S. §§ 49-203(A)(1), 49-221, 49-222
4. **The effective date of the rule:**
November 2, 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. 4051; Issue Date: October 17, 2025; Issue Number: 42; File Number: R25-238
Notice of Proposed Rulemaking: 32 A.A.R. 391; Issue Date: February 13, 2026; Issue Number: 7; File Number: R26-05

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

Name: Jonathan Quinsey
Title: Legal Specialist
Division: Water Quality
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-8193
Email: quinsey.jonathan@azdeq.gov
Website: <https://azdeq.gov/rulemaking/upper-verde-oaw>

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

A. Background and Justification of Rulemaking

In this Notice of Final Rulemaking (NFRM), the Arizona Department of Environmental Quality (ADEQ) is finalizing changes to Arizona Administrative Code (A.A.C.) R18-11-112(G) that will designate specified portions of the upper Verde River and Sycamore Creek (referred to as "the nominated reaches" throughout this NFRM) as Outstanding Arizona Waters (OAWs). Designating these surface waters as OAWs is the highest level of protection that ADEQ assigns to surface waters. The OAW designation ensures the long-term preservation of the existing high water quality within the upper Verde River and Sycamore Creek, safeguarding the extraordinary ecological, recreational, and cultural values these surface waters provide to local communities, recreational users, and threatened and endangered species.

ADEQ's authority to establish and enforce water quality standards is established in Arizona law and tied to federal requirements under the Clean Water Act (CWA). Arizona Revised Statutes (A.R.S.) § 49-221(A) authorizes the ADEQ Director to adopt water quality standards by rule, while A.R.S. § 49-222 requires those standards to assure protection of navigable waters consistent with the CWA. ADEQ implements the antidegradation policy required by the CWA through its surface water quality standards in A.A.C. R18-11-107 and R18-11-112. These rules establish procedures to maintain existing water quality, protect high-quality waters, and designate OAWs for Tier 3 protection, ensuring consistency with 40 C.F.R. § 131.12.

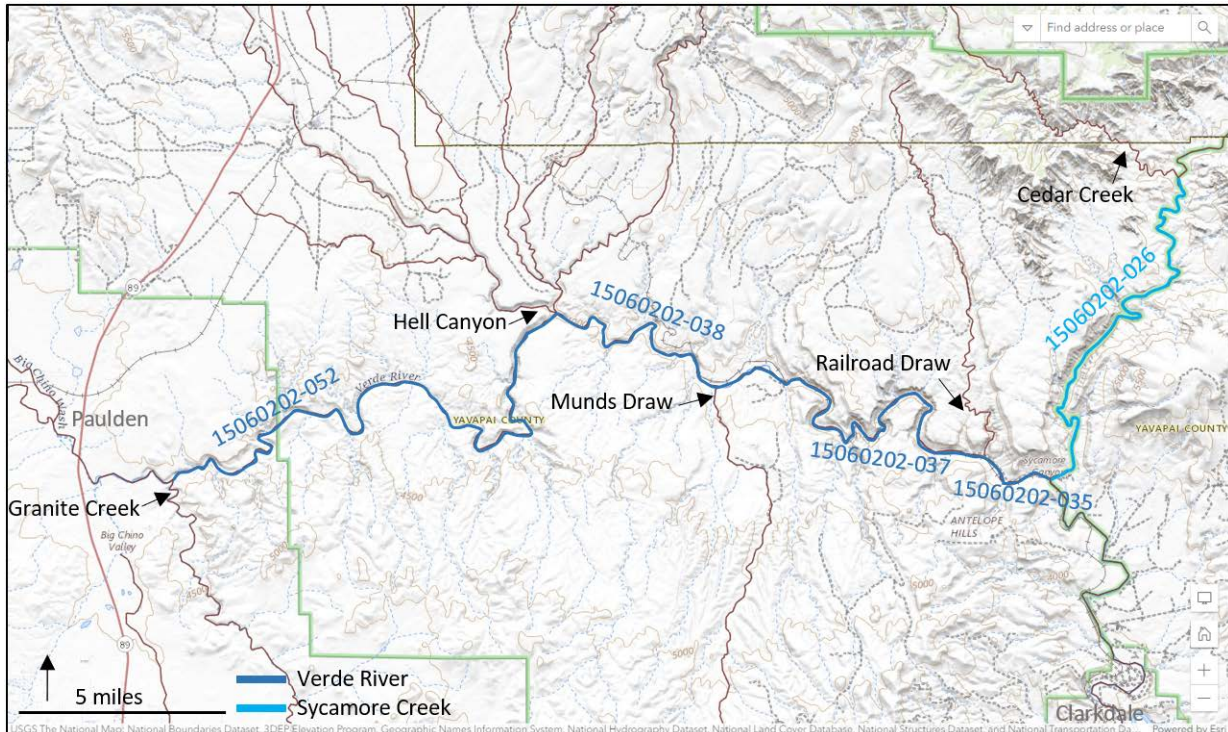
The CWA antidegradation regulation in 40 C.F.R. § 131.12 establishes three tiers of water quality protection. Tier 1 provides fundamental protection of existing uses by requiring that water quality be maintained and protected. Tier 2 safeguards "high-quality" waters whose conditions are better than the minimum standard. In these waters, any lowering of water quality is tightly restricted and may only be allowed if it is shown to be necessary for important economic or social development. Tier 3 is the most stringent protection, reserved for waters of exceptional ecological or recreational significance.

Under federal law, Tier 3 waters are called Outstanding National Resource Waters (ONRWs), whereas Arizona designates them as OAWs pursuant to R18-11-112. An OAW receives the highest level of antidegradation protection - Tier 3. The water quality of an OAW must be preserved at existing levels and cannot be lowered, except for short-term, temporary impacts. The OAW designation ensures that the existing excellent water quality of designated surface waters is preserved at its current high baseline and protected against future degradation.

A.A.C. R18-11-112(C) allows any person to nominate a surface water for OAW status by submitting a nomination packet to the ADEQ Director. On November 22, 2023, the Sierra Club Grand Canyon Chapter submitted the nomination for the upper Verde River and Sycamore Creek. The nomination packet included all required components: (1) a map and description of the river segment proposed for designation; (2) a written statement supporting the nomination with specific references to the OAW criteria in the rule; (3) evidence demonstrating that the nominated reaches meet those criteria; and (4) available water quality data establishing the river's baseline water quality.

For the purpose of evaluating Arizona surface waters, ADEQ segments surface waters into reaches and assigns each segment a unique Waterbody Identification (WBID). On the Verde River, the nominated WBIDs include 15060202-052, 15060202-038, 15060202-037, and 15060202-035 from the Granite Creek confluence to the Sycamore Creek confluence. The nominated WBID on Sycamore Creek is 15060202-026 from the Cedar Creek confluence to the terminus at the Verde River. The nomination covers 35.93 miles of the upper Verde River and 11.71 miles of Sycamore Creek. The map below shows the nominated reaches and WBIDs:

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ADEQ initiated a thorough review process upon receiving the nomination. The Department first verified that the nomination was complete and that the nominated reaches fell within the scope of waters eligible for OAW consideration. ADEQ's evaluation of the nominated reaches eligibility for OAW designation was conducted pursuant to the criteria and procedures established in A.A.C. R18-11-112. Under R18-11-112(D), the Director may classify a surface water as an OAW only if specific criteria are met. Those criteria require that the nominated surface water:

1. Be a perennial or intermittent water;
2. Be in a free-flowing condition;
3. Have "good water quality;" and
4. Meet at least one of the following special significance tests:
 - a. The surface water is of exceptional recreational or ecological significance due to unique attributes such as its geology, flora, fauna, water quality, aesthetic value, or wilderness character; or
 - b. The surface water supports an endangered or threatened species, where the existing high water quality is essential to that species' survival, or the water provides critical habitat for a threatened/endangered species.

ADEQ's technical review confirmed that the nominated reaches satisfy all the above criteria for OAW designation:

1. The segments of the upper Verde River and Sycamore Creek nominated by the Sierra Club are perennial or intermittent reaches fed by spring discharge near the river's headwaters. The nominated reaches are largely spring-fed and flow year-round, providing continuous aquatic habitat.
2. The nominated reaches are in a free-flowing state and there are currently no dams or major impoundments on the reaches, nor have the channel or banks in this area been subject to significant structural modifications. The surface water flows through natural, undeveloped canyons and valleys, thereby meeting the rule's definition of "free-flowing condition."
3. ADEQ's water quality assessment shows that the nominated reaches currently attain all applicable surface water quality standards. The surface waters are not identified as impaired or "not attaining" on Arizona's 2024 and 2026 CWA § 303(d) reports, which list impaired waters. Available water quality data indicate that the nominated reaches' water quality is quantifiably "good." Parameters such as dissolved oxygen, pH, temperature, and nutrient levels meet standards for supporting aquatic life and recreational uses. In designating an OAW, ADEQ establishes the baseline water quality conditions to ensure that no degradation is allowed from those levels. The nominated reaches' good water quality must be maintained under the Tier 3 antidegradation protections that accompany OAW status.

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4. ADEQ found that the nominated reaches possess ecological and recreational significance. The nominated reaches support multiple threatened or endangered species, thereby meeting the requirements of R18-11-112(D)(4). The nominated reaches support significant biodiversity, scenic beauty, and outdoor recreation opportunities. The water and its riparian corridor harbor diverse plant and animal life, representing a rare intact river ecosystem in an otherwise arid region. The upper Verde River provides critical habitat for at least six native fish species of great conservation concern, including several protected under the Endangered Species Act (ESA). Notably, the river is home to or designated critical habitat for the spinedace, loach minnow, and razorback sucker, all of which are federally listed endangered or threatened fish. The nominated reaches are also prime habitat for other native fishes such as the roundtail chub and two native sucker species, the desert sucker and the Sonora sucker, that are important to the river's ecology. In addition, the riparian environment in both nominated reaches supports threatened and endangered bird species like the southwestern willow flycatcher and the yellow-billed cuckoo, as well as the threatened northern Mexican gartersnake, among others. The presence of these species and the requirement to maintain high water quality for their survival underscore the nominated reaches' eligibility under the "endangered or threatened species associated" criterion of the OAW rules.

Beyond its ecological attributes, the nominated reaches offer exceptional recreational values that are unique in Arizona. The surface water's clear, perennial flows and scenic canyon vistas provide opportunities for fishing, wildlife watching, hiking, kayaking, and backcountry camping. Sycamore Creek is commonly accessed for swimming in spring-fed pools by hiking Parsons Trail. Communities and outdoor enthusiasts in the region have long recognized the nominated reaches' value. To illustrate, stretches of the upper Verde River have been found eligible and suitable for federal Wild and Scenic River designation by the U.S. Forest Service due to their remarkable character and wilderness values. Approximately 37 miles of the upper Verde River were deemed eligible for Wild and Scenic status, a national-level recognition of the river's high quality.

Eligibility for Wild and Scenic River designation underscores that the nominated reaches' recreational, scenic, geological, and ecological features are significant, not just locally but nationally. Designating these surface water segments as OAWs is consistent with these ongoing conservation efforts. It is also noteworthy that other tributaries of the Verde River have already been classified as OAWs, such as Oak Creek and Fossil Creek. Adding the nominated reaches to the OAW list will extend similar protections to a connected, high-value reach of the watershed.

In making the decision to proceed with rulemaking, ADEQ also complied with R18-11-112(F), which requires the Director to consider several additional factors beyond the basic eligibility criteria. These factors include:

1. Whether the surface water and its watershed can be managed to maintain and protect the existing water quality;
2. The social and economic impact of applying Tier 3 antidegradation protection;
3. The public comments received in support or opposition;
4. The timing of the nomination relative to the triennial review;
5. Consistency of the OAW designation with any applicable water quality management plans; and
6. Whether the surface water is located within any special protected area (such as a national or state park, wilderness area, etc.) or has another special designation.

ADEQ recommended the OAW designation after evaluating the nominated reaches against these criteria, as noted below:

1. The ability to manage and protect the nominated reaches' water quality is very feasible. Most of the lands along the nominated reaches are publicly owned and already managed for conservation purposes, including areas within the Prescott National Forest and state lands, and there are currently no major point-source dischargers (i.e. Arizona Pollutant Discharge Elimination System (AZPDES) permittees) in these reaches. With OAW status, new or expanded point-source discharges to the nominated reaches would be prohibited unless they meet stringent exceptions, which is not expected to pose an economic burden because such discharges are not presently occurring and are unlikely in this largely rural, undeveloped area. Nonpoint source pollution controls will continue to be pursued through voluntary and collaborative means.
2. In terms of social and economic impacts, ADEQ has determined that Tier 3 protection for the nominated reaches will help safeguard drinking water supplies and sustain the recreational economy in the region, with minimal negative impact since few, if any, current industrial or municipal activities will be restricted.
3. Public and stakeholder comments received as part of this OAW nomination have largely been in favor of designation.
4. ADEQ recently completed a triennial review in 2023 and will complete review of water quality standards again in 2026.
5. ADEQ reviewed water quality management plans in the area during the evaluation of the proposed OAW segments and concluded that the OAW segment is consistent with any existing plans.
6. The proposed OAW segments are not within any specially protected area such as a national or state park and this potential OAW designation does not interfere with any potential Wild and Scenic River designation.

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In summary, ADEQ has concluded that all the R18-11-112(F) factors either support or present no barrier to the OAW designation. ADEQ determined that the environmental and public benefits associated with the designation are significant while anticipated regulatory costs are limited. Stakeholder feedback was predominantly supportive, and the action is timely and in harmony with other conservation designations.

In accordance with A.A.C. R18-11-112(E), ADEQ held a community meeting on November 19, 2025, in the local area of the nominated reaches to present the nomination and gauge public opinion. Additionally, ADEQ granted an extended comment period for this rulemaking and a public hearing on April 10, 2026. These public meetings, the extended comment period, and additional outreach performed by ADEQ has provided significant opportunities for local stakeholders to ask questions and voice their support or concerns. Stakeholder input from these venues has been carefully considered in the development of this rule ensuring alignment with the federal and state public hearing mandates.

B. Explanation of the Specific Rule Change

The specific change in this NFRM is an amendment to A.A.C. R18-11-112(G), which is the subsection that lists all surface waters in Arizona currently classified as OAWs. Paragraph (G) of the rule presently enumerates 22 OAW designated stream segments across the state. This NFRM adds two new entries to this list for both the upper Verde River and Sycamore Creek. The new listings clearly delineate the upstream and downstream boundaries of the designated OAW segment of the nominated surface waters.

The exact boundaries in the rule correspond to the portion of the river evaluated by ADEQ and nominated by the Sierra Club. Based on the nomination packet and ADEQ's analysis, the Verde River OAW reach is approximately the upper 35.93 mile stretch in Yavapai County, beginning at the Granite Creek confluence and extending downstream to its confluence with Sycamore Creek. The stretch of Sycamore Creek covers 11.71 miles from its confluence with Cedar Creek to the terminus at the Verde River. ADEQ has defined these stretches using the agency's publicly available WBID system that uses the confluence with nearby surface waters as the marker for delineating the OAW segments versus using survey coordinates or river mile markers which do not match strictly with the WBID system. The adopted OAW for the Verde River is WBIDs 15060202-052, 15060202-038, 15060202-037, and 15060202-035 from the Granite Creek confluence to the Sycamore Creek confluence. The OAW segment on Sycamore Creek is WBID 15060202-026 from the Cedar Creek confluence to the terminus at the Verde River.

C. Effectiveness of this Rule

After this rulemaking to update Article 1 is complete, ADEQ must submit all changes to EPA within 30 days of the date of the filing of the final rules with the Office of the Secretary of State and publication in the Arizona Administrative Register. At that time, EPA will review the rules to determine whether they are consistent with the requirements of the CWA. EPA must either approve or disapprove ADEQ's modifications within a set amount of time established in the CWA and implementing rules. See CWA § 303(c)(3) and 40 C.F.R. § 131.21(a) for more information. If EPA approves this update to Article 1, EPA must do so by notifying ADEQ within 60 days of receiving an administratively complete submission. If EPA disapproves of the updates in this rulemaking, it must do so within 90 days of receiving the administratively complete submission. If EPA disapproves, it must notify ADEQ specifying:

1. Why the state standards are not in compliance with the CWA, and
2. The revisions ADEQ must make to its standards to assure compliance with the CWA before EPA could fully approve the standards. See 40 C.F.R. § 131.21.

Pursuant to CWA § 303(c)(3) and its implementing regulations at 40 C.F.R. § 131.21, these newly adopted state water quality standards do not take effect for Clean Water Act purposes until approved by the EPA. ADEQ will submit this NFRM and supporting materials to the EPA for approval upon publication in the *Arizona Administrative Register*.

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:

Relevant water quality data and ADEQ's internal evaluation report and economic impact statement used in preparation for publishing this NFRM are available for public review at <https://azdeq.gov/rulemaking/upper-verde-oaw>. Additionally, ADEQ used an Audubon study regarding the economic impact of water-related outdoor recreation in order to generate the economic impact statement (EIS) for this rulemaking. That study is cited as - Audubon Arizona. (2026). *Economic Impact of Water-Related Outdoor Recreation in Yavapai County*. Copies of the Audubon study have been included with the EIS.

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

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

ADEQ has produced a full economic, small business, and consumer impact statement (EIS) that addresses each of the elements required for an EIS under A.R.S. § 41-1055, which is available on the website for this rulemaking at <https://azdeq.gov/rulemaking/upper-verde-oaw>. The following section summarizes the findings in that document.

A. Identification of the Proposed Rulemaking

The rulemaking adds regulatory measures to prevent the degradation of existing water quality from point source discharges. Notably, the rule does not establish new regulatory measures for nonpoint source pollution, which ADEQ continues to address through voluntary cooperation and existing best management practices.

B. Cost-Benefit Analysis

The rule change is expected to result in minimal economic costs for state agencies, political subdivisions, businesses, and private persons. It does not create new fees or regulatory compliance costs for existing landowners or permittees.

1. Impact on Public Entities

ADEQ: Costs are considered negligible as the agency will implement the designation using existing staff, infrastructure, and budget. Benefits include an enhanced regulatory framework for protecting high-value waters and reduced long-term risks associated with water quality remediation.

Other State Agencies and Political Subdivisions: No additional costs, mandates, or reporting requirements are imposed on other agencies or local governments. These entities benefit from the protection of watershed integrity, which supports regional tourism and reduces the risk of future remediation costs.

2. Impact on Private Landowners and Businesses

Costs: There are no new regulatory obligations or fees for existing businesses or landowners because the rule governs point source discharges rather than land use. The primary economic impact is a potential opportunity cost for future facilities that might seek a new direct discharge to these segments.

Benefits: Private entities benefit from the preservation of water quality for irrigation and recreation, as well as the improved quality of life and business attractiveness associated with scenic and ecological preservation.

3. Impact on Tourism and Consumers

Costs: The rule is not expected to affect consumer prices, product availability, or access to recreational services.

Benefits: A 2026 study led by Audubon Arizona found that water-related outdoor recreation in Yavapai County generates approximately \$720.4 million in annual economic output and supports roughly 4,500 jobs. The OAW designation helps sustain this demand by protecting the ecological integrity of the region.

4. Impact on Small Businesses

Small businesses are defined under A.R.S. § 41-1001 as independently owned firms with fewer than 100 full-time employees or less than \$4 million in gross annual receipts.

Existing Small Businesses: No additional administrative or compliance costs are incurred. In Yavapai County, where 92.2% of businesses meet the small business definition, many tourism and hospitality firms may benefit indirectly from enhanced water quality protection.

Small Business Relief: Relief methods under A.R.S. § 41-1035 are not necessary because the rule does not impose new requirements on existing small businesses.

Future Applicants: Any prospective small business seeking a new AZPDES permit would be subject to the same exemption criteria as any other applicant, which are based on environmental standards rather than business size.

5. Impact on Public and Private Employment

The rulemaking is not expected to have a measurable impact on public or private employment.

Public Sector: ADEQ will manage the new designations within its current staffing framework.

Private Sector: Since no existing businesses currently hold AZPDES permits for direct discharge to these segments, no current positions are at risk. While the tourism sector may see sustained or modestly increased employment over the long term, such changes are likely to be small relative to broader economic trends.

6. Impact on State Revenues

The proposed rulemaking is not expected to have a direct impact on state revenues. It does not create new fees, licenses, or penalties, and existing fee structures for AZPDES permits remain unchanged. Indirect benefits to state revenues may occur through sustained tourism and recreation-related economic activity.

C. Analysis of Alternative Methods

ADEQ evaluated three options and determined the proposed OAW designation to be the least costly and least intrusive.

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sive method to achieve its statutory objectives.

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

Not applicable. No changes were made between the NPRM and this NFRM.

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

A. Individual Letters of Support

The Department received a high volume of formal comments during this rulemaking, nearly all of which expressed strong support for the OAW designations. A vast majority of these comments were submitted through a program called "KnowWho" on behalf of individuals associated with Sierra Club. Some of the comments submitted through this program contained formatting errors or unclear senders which may have affected ADEQ's ability to categorize the individual supporting the designation or the reasoning behind their support. Some commenters submitted multiple letters of support either on their own or through the automated commenting program. ADEQ has aggregated a repository of the public comments submitted during this rulemaking and will make them available upon request. Additionally, the public hearing regarding this rulemaking was recorded and filed alongside any written comments. ADEQ has aggregated a list of commenters who provided written support and included them in the table below:

Name	Location	Name	Location
Linda Brady	Prescott, AZ	Janet Grossman	Prescott, AZ
Jhane Mareello	Prescott, AZ	Elaine Chambers	Prescott, AZ
Barb Wood	Prescott, AZ	Mary Kennedy Ice	Oro Valley, AZ
Seth Hendershot	Prescott, AZ	Jessica Locicero-Walsh	Flagstaff, AZ
Elizabeth Wilkening	Tucson, AZ	Eric Spragett	Cottonwood, AZ
Rivko Knox	Phoenix, AZ	Lynn DeMuth	Chandler, AZ
John Benschoter	Phoenix, AZ	Anita Mcnamara	Tucson, AZ
Maureen Sullivan	Sun City, AZ	Holly Jaleski	Camp Verde, AZ
Barbara Mathes	Rio Rico, AZ	Stuart Schupack	Cottonwood, AZ
Kristen Law	Prescott, AZ	Jeanne Weir	Scottsdale, AZ
Jay Ross	Paradise Valley, AZ	Vania Black	Phoenix, AZ
Jeffrey Blackman	Tucson, AZ	Nancy Santori	New River, AZ
Fred Leonard	Tucson, AZ	Brit Rosso	Vail, AZ
Joseph Gonzalez	Mesa, AZ	Bettina Bickel	Glendale, AZ
Kathleen O'Connor-Masse	Chino Valley, AZ	Judy Whitehouse	Phoenix, AZ
Kathryn Streer Seidler	Tucson, AZ	Linda Paul	Tucson, AZ
James & Patricia Jayson	Phoenix, AZ	Tim Storer	Tucson, AZ
Brian Billings	Mesa, AZ	Jennifer Becker	Tucson, AZ
Elisa Rios	Cottonwood, AZ	Candace Hughes	Apache Junction, AZ
Sierra Thomas	Fort McDowell, AZ	Rebekah Wilce	Flagstaff, AZ
Holly Ross	Phoenix, AZ	Jim Sumler	Dolan Springs, AZ
Lena Stiffarm	Fort McDowell, AZ	Susan Brandes	Tucson, AZ
Shapre Honyumtewa	Fort McDowell, AZ	Sherry Massie	Tucson, AZ
Emmalee Shenah	Fort McDowell, AZ	Heather Babb	Peoria, AZ
Alicia Beckman	Fort McDowell, AZ	Roseann Santangelo	Chino Valley, AZ
Laura Medina	Fort McDowell, AZ	Michael Fiflis	Scottsdale, AZ
Amy Lou Metiva	Dewey Humboldt, AZ	Margaret Verellen	Flagstaff, AZ
Beth Ballmann	Cave Creek, AZ	Robert Racine	Mesa, AZ
Kim Cruickshank	Prescott, AZ	Tom Cantlon	Paulden, AZ
Char Hoffman	Prescott, AZ	Jovita Fine	Prescott, AZ
Miché Lozano	Tucson, AZ	Mark Coryell	Phoenix, AZ
Beverly Janowitz-Price	Phoenix, AZ	Shea Richland	Prescott, AZ
Renee Neumann	Green Valley, AZ	Michelle Grubert	Prescott, AZ
Laura Smith	Phoenix, AZ	Denny Mishler	Prescott Valley, AZ

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Carol Khazai	Phoenix, AZ	Jean Motta	Camp Verde, AZ
Camille Cutler	Hockley, TX	Donna Larson	Prescott, AZ
dc katten	Cave Creek, AZ	Laura Henry	Prescott, AZ
Frank Insana	Phoenix, AZ	Claudia Garoutte	Dewey, AZ
Margaret Stein	Cottonwood, AZ	Bridget Clark-Cooper	Phoenix, AZ
Mike Snodgrass	Tempe, AZ	Robert Collis	Flagstaff, AZ
Fred Oswald	Prescott, AZ	John Peterkin	Cottonwood, AZ
Charles Ables	Prescott Valley, AZ	Jayne Knoche	Sierra Vista, AZ
Nan Saunders	Gilbert, AZ	Alisa McMahon	Scottsdale, AZ
Melinda Weisser-Lee	Thatcher, AZ	Gary Stuart	Prescott, AZ
Richard Sigler	Phoenix, AZ	Greg Ullrich	Mesa, AZ
Diana Clark	Cottonwood, AZ	Marty Swartz	Tucson, AZ
Jennifer Florence	Mesa, AZ	SARAH WORKINGER	Gilbert, AZ
Carl Englander	Tucson, AZ	Chris Fields	Camp Verde, AZ
Patrick Facht	Phoenix, AZ	Karis Petersen	Phoenix, AZ
Sabrina Peters Robinson	Peoria, AZ	Mark Precup	Chandler, AZ
Estella Percarpio	Flagstaff, AZ	Kenn Bradley	Scottsdale, AZ
Annie McMahon	Clarkdale, AZ	Dennis Nagel	Tucson, AZ
Katarina Lang	Phoenix, AZ	Paul Beier	Prescott, AZ
Thomas Catlaw	[No Location Given]		

The comments ADEQ received and categorized expressed support on a wide variety of issues and included detailed analysis on the specific regulatory points established in A.A.C. R18-11-112 that the Department utilized to evaluate the OAW designation for the upper Verde River and Sycamore Creek. Some of these submissions provided vital qualitative and scientific evidence regarding the perennial nature of the reaches, their free-flowing condition, and their exceptional ecological, recreational, and cultural significance. ADEQ has categorized the individual comments received through this program under 4 general themes for agency response:

1. Ecological Integrity and Wildlife Protection
2. Recreational and Economic Value
3. Watershed Management and Local Stewardship
4. Cultural Significance

1. ECOLOGICAL INTEGRITY AND WILDLIFE PROTECTION. In these comments, commenters emphasized the necessity of protecting the unique biodiversity and riparian habitats found within the nominated reaches. The following submissions are representative of the comments associated with this theme:

- **FRED OSWALD** (Prescott, AZ), submitted on 3/4/2026: "The Verde is a beautiful river, vital to wildlife. It deserves protection."

- **MICHELLE GRUBERT** (Prescott, AZ), submitted on 3/8/2026: "The Upper Verde River and Sycamore Creek have extraordinary ecological, recreational, and cultural significance and need long-term protection of the value these surface waters provide to local communities, recreational users, and threatened and endangered species."

- **FRED LEONARD** (Tucson, AZ), submitted on 3/11/2026: "Both the Upper Verde River and Sycamore Creek include significant wildlife, riparian habitat, and biodiversity."

- **BARBARA MATHES** (Rio Rico, AZ), submitted on 3/31/2026: "We must protect our animals, land and country!"

- **PROFESSOR JOEL BARNES (Prescott, AZ)**, submitted on 3/9/2026: "As a college professor with over 40 years of experience in the ecology, conservation, and restoration of Central Arizona rivers and watersheds, I strongly urge the designation of specific reaches of the Upper Verde River and Sycamore Creek (upstream of Clarkdale, AZ) as an OAW."

The OAW designation is essential to safeguarding the river's exceptional ecological, recreational, and cultural values. Both the Upper Verde River and Sycamore Creek support significant wildlife, riparian habitats, and biodiversity. Furthermore, these waters are economically and culturally vital to numerous regional stakeholders, including Native communities."

ADEQ Response: ADEQ appreciates the comments regarding the ecological significance of the nominated reaches. The Department considered information related to biodiversity, riparian habitat, and the presence of threatened and endangered species as part of its evaluation of the nomination under A.A.C. R18-11-112.

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2. RECREATIONAL AND ECONOMIC VALUE. Individual commenters frequently highlighted the importance of outdoor activities along the Upper Verde and their contribution to the regional economy. The following submissions are representative of the comments associated with this theme:

- **HOLLY JALESKI** (Camp Verde, AZ), submitted on 3/5/2026: "Please protect the Upper Verde River- It is life for so many. It brings recreation dollars to the local communities. It provides water for people and so many animals."

- **CANDACE HUGHES** (Apache Junction, AZ), submitted on 3/5/2026: "Our family has enjoyed hiking along this important waterway and believe it needs further protection."

- **ELIZABETH WILKENING** (Tucson, AZ), submitted on 4/6/2026: "I had the opportunity to kayak on the Verde River and its value to the community and the environment are priceless."

- **BRIAN BILLINGS** (Mesa, AZ), submitted on 4/7/2026: "The upper verde is a wonderful recreational location for Arizonans to enjoy the natural environment. Not to mention that business has been built around these opportunities!"

ADEQ Response: ADEQ appreciates the comments regarding the recreational and economic importance of the upper Verde River and Sycamore Creek. Recreational opportunities and the associated benefits to local communities were among the factors considered by the Department during its evaluation of the nomination.

3. WATERSHED MANAGEMENT AND LOCAL STEWARDSHIP. Individual commenters provided evidence of local engagement and concerns regarding future degradation. The following submissions are representative of the comments associated with this theme:

- **MARK CORYELL** (Phoenix, AZ), submitted on 3/7/2026: "I have been involved with water testing on the Verde River with the Sierra Club since 2010. I understand why we must protect this valuable riparian habitat."

- **DENNY MISHLER** (Prescott Valley, AZ), submitted on 3/8/2026: "The Upper Verde River must be protected. It is a rare lifeline for plants and animals that are under increasing pressure from surrounding growth. I participated in water measurements (water sentinel) of the Upper Verde River for four years and am very familiar with its environment and its value to our ground water supply. Please protect this area and keep the Verde green!"

- **KRISTEN LAW** (Prescott, AZ), submitted on 4/6/2026: "The Verde River is the last true perennial river remaining in our State, and as a resident of Yavapai County, I recognize its significance to our local community for walking, hiking, and recreational activities. It is essential that these resources be preserved."

- **ELISA RIOS** (Cottonwood, AZ), submitted on 4/7/2026: "I live in Cottonwood and participate in water quality testing quarterly. The Verde is integrally important to our way and quality of life in Cottonwood, and this designation will help protect this vital resource."

- **THOMAS CATLAW**, submitted on 4/10/2026: "The Upper Verde and Sycamore Creek are, truly, magical and enchanted places with extraordinary ecological, recreational, cultural, significant. They represent some of the last and finest riparian habitat in the American Southwest.... With minimal to zero additional regulatory burden or economic cost, designating these parts of the Upper Verde and Sycamore Creek as 'outstanding Arizona waters' is one important way we can ensure the remain vibrant ecological and recreational spaces for generations to come."

ADEQ Response: ADEQ acknowledges and appreciates the stewardship and community-sourced data provided by these stakeholders. These efforts support the Department's quantifiable assessment that the nominated reaches currently attain all surface water quality standards and are not impaired. ADEQ found management of the reaches feasible because most surrounding lands are publicly owned. OAW designation provides a critical regulatory buffer by prohibiting new or expanded point-source discharges.

4. CULTURAL SIGNIFICANCE. Individual commenters expressed that these surface waters are foundational to regional identity and tribal heritage. The following submissions are representative of the comments associated with this theme:

- **LINDA PAUL** (Tucson, AZ), submitted on 3/5/2026: "Please protect our sacred rivers and the peace and calm we find there."

- **JUDY WHITEHOUSE** (Phoenix, AZ), submitted on 3/5/2026: "Generations of my family have enjoyed the cool shade and water of these treasured waterways."

- **VANIA BLACK** (Phoenix, AZ), submitted on 3/5/2026: "We need to protect all the natural beauty in Arizona!"

- **SIERRA THOMAS** (Fort McDowell, AZ), submitted on 4/10/2026: "It matters to me, because it's part of home to us Kwevkapaya people, the bald eagles, and the wild animals that roam around us day to day."

ADEQ Response: ADEQ appreciates the comments regarding the cultural significance of the upper Verde River and Sycamore Creek. Information related to the historical, cultural, and community value of these waters was considered as part of the Department's review of the nomination.

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B. Letters of Support from Organizations

1. AMERICAN RIVERS, submitted by Rachel Ellis on 04/10/2026

Summary of comment letter: American Rivers submitted a comment to ADEQ that emphasized the organization's support for the OAW designation.

Comment #1: "The proposed designation of the Upper Verde River and Sycamore Creek as OAWs would be complementary to this Wild and Scenic River designation. The Upper Verde River... is an exemplar candidate for Wild and Scenic River designation with 'Outstandingly Remarkable Values' for scenery, botany, wildlife, native fish, recreation, and cultural/historic sites. These values are intrinsically connected to the river's water quality"

ADEQ Response #1: ADEQ acknowledges the support and wishes to provide further clarification. ADEQ agrees that the state OAW designation does not interfere with federal conservation programs. ADEQ wants to emphasize that while an OAW designation and a Wild and Scenic Rivers designation are similar, they are separate legal designations. An OAW designation neither supports nor precludes a Wild and Scenic Rivers designation.

Comment #2: "While Wild and Scenic River designation does require water quality to be maintained or enhanced, OAW designation offers a higher degree of water quality protection."

ADEQ Response #2: ADEQ agrees. OAW status provides Tier 3 antidegradation protection, prohibiting the lowering of existing water quality except for short-term, temporary impacts. This designation is legally distinct from any federal action under a Wild and Scenic Rivers designation and solely protects water quality.

Comment #3: State agencies play an essential role in protecting valuable waters, as federal Wild and Scenic designation requires an act of Congress.

ADEQ Response #3: ADEQ agrees. ADEQ utilizes its regulatory authority to establish and enforce water quality standards to protect Arizona's most significant surface waters separate from any federal regulatory actions.

2. GREAT OLD BROADS FOR WILDERNESS, submitted by Jenny Cobb on 04/07/2026

Summary of comment letter: The Great Old Broads for Wilderness emphasizes their two-decade history of citizen science and monitoring on the upper Verde River, asserting that OAW status is critical for the river's long-term sustainability and resilience.

Comment #1: "Further we have participated as citizen scientists in identifying the criteria outlined in the Arizona Administrative Code... including: Flow conditions; Water quality (at least meets current water quality standards); Ecological or recreational significance; Supports endangered or threatened species. These criteria also reflect the continuing work of our conservation organizations where we gather data on Flow conditions monthly since December 2006 at Perkinsville, Bear Siding, and Verde Springs"

ADEQ Response #1: ADEQ acknowledges the support and emphasizes the value of citizen science. Community-sourced data gathered by stewardship groups helped verify that the nominated reaches meet the perennial flow and "good water quality" criteria required for designation.

Comment #2: The Upper Verde River Outstanding Arizona Water Nomination is extremely important for long-term sustainability in protecting the Upper Verde Rivers ecosystem, natural resources, cultural values, recreational opportunities, and the surrounding communities for the present and future..."

ADEQ Response #1: ADEQ agrees that this rulemaking will protect the water quality in the upper Verde River.

3. NATURAL HISTORY INSTITUTE, submitted by Jennie Tutone on 04/13/2026

Summary of comment letter: The Natural History Institute supports the designation on the basis that the upper Verde River is one of Arizona's last free-flowing systems, representing an irreplaceable resource in the Mogollon Highlands.

Comment #1: "As one of Arizona's last free-flowing river systems, the Upper Verde River is a vital resource in the Mogollon Highlands Ecoregion, supporting both human and natural communities. Protecting its water quality is essential to preserving this rare and irreplaceable ecosystem."

ADEQ Response #1: ADEQ acknowledges the support. ADEQ's technical review confirmed that the nominated reaches are in a free-flowing condition, characterized by the absence of major impoundments or significant structural modifications.

Comment #2: "Designating these waters as Outstanding Arizona Waters will help preserve their ecological, recreational, and cultural values for future generations. This action is an important investment in the resilience of Arizona's landscapes and communities."

ADEQ Response #2: ADEQ agrees. OAW status ensures that the water quality of the upper Verde River and Sycamore Creek are protected so the extraordinary characteristics of these waters are preserved as a long-term investment in regional environmental and economic resilience.

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4. **SIERRA CLUB GRAND CANYON CHAPTER**, joined by **CITIZENS WATER ADVOCACY GROUP**, **CENTER FOR BIOLOGICAL DIVERSITY**, **FRIENDS OF THE VERDE RIVER**, **FRIENDS OF ARIZONA'S RIVERS**, **ARIZONA RIPARIAN COUNCIL**, **AMERICAN WHITEWATER**, **THE WILDERNESS SOCIETY**, **SUSTAINABLE WATER NETWORK**, and **MARICOPA BIRD ALLIANCE**, submitted by Jennifer Martin-Mcleod on 04/14/2026

Summary of comment letter: Representing a coalition of ten organizations, the Sierra Club Grand Canyon Chapter highlighted the river as a top-priority conservation area that provides essential habitat for multiple ESA-listed species and holds deep cultural value for the Yavapai-Apache people.

Comment #1: "The watershed provides habitat for a host of native species, including numerous species listed under the Endangered Species Act such as the spikedace, loach minnow, razorback sucker, and Southwestern willow fly-catcher. Many of these species depend directly on high water quality and intact hydrologic conditions for survival and recovery."

ADEQ Response #1: ADEQ agrees. The Department confirms that maintaining high water quality in these reaches is essential to the maintenance and propagation of these protected aquatic species.

Comment #2: "For the Yavapai-Apache people, the river and its springs remain culturally and spiritually significant. Maintaining water quality is essential to safeguarding the exceptional ecological, recreational, and cultural values of these waters."

ADEQ Response #2: ADEQ acknowledges the support. The cultural significance of the upper Verde River was a factor considered by ADEQ during the evaluation of the OAW nomination.

Comment #3: "OAW designation would reinforce these conservation commitments by ensuring that existing water quality is maintained and not lowered; the core purpose of Tier 3 antidegradation protection."

ADEQ Response #3: ADEQ agrees. Tier 3 protection is reserved for waters of exceptional significance and requires that existing water quality be preserved at its current level, except for short-term, temporary impacts.

5. **SIERRA CLUB YAVAPAI GROUP**, submitted by Gary Beverly, PhD on 04/15/2026

Summary of comment letter: The Sierra Club Yavapai Group's letter focuses on the river's status as a vital economic resource for downstream users while currently meeting all Clean Water Act standards.

Comment #1: "At this time, the water quality is very good, meeting Clean Water Act standards for full-body contact, irrigation, and stock. Designating portions of the upper Verde and Sycamore Creek as an Outstanding Arizona Water will prevent degradation of water quality."

ADEQ Response #1: ADEQ agrees. ADEQ's water quality assessment verified that the reaches attain all applicable standards and are not listed as impaired.

Comment #2: "The upper Verde, - extending from east of Paulden to the town of Clarkdale - is one of the most clean, healthy, economically important, and culturally significant living rivers remaining in Arizona. It supplies clean water for downstream users: farms, ranches, cities, and indigenous communities."

ADEQ Response #2: ADEQ agrees. OAW status ensures that the baseline "good" water quality is maintained through Tier 3 antidegradation protections.

6. **AMERICAN WHITEWATER**, submitted by Kestral Kunz on 04/14/2026

Summary of comment letter: American Whitewater argues that the "priceless" non-motorized recreational opportunities, such as paddling, are directly dependent on maintaining the river's high water quality.

Comment #1: "The proposed reaches of the Upper Verde River and Sycamore Creek... provide priceless opportunities for non-motorized recreation, such as paddling and packrafting. The river corridor supports hiking, fishing, boating, wildlife viewing, and educational opportunities that contribute meaningfully to the regional economy."

ADEQ Response #1: ADEQ acknowledges the support. The unique recreational value and wilderness character of these waters are components of the "exceptional recreational significance" finding.

7. **UPPER AGUA FRIA WATERSHED PARTNERSHIP**, submitted by Mary Hoadley on 04/14/2026

Summary of comment letter: The Partnership supports the designation as an inspiration and mentoring example for future watershed protection efforts.

Comment #1: "Our group supports the designation of 35.93 miles of the Upper Verde River and 11.71 miles of Sycamore Creek as an inspiration for future watershed protection efforts."

ADEQ Response #1: ADEQ acknowledges the support. ADEQ agrees that protecting the water quality of the designated reaches serves the broader goal of sustaining regional environmental health.

C. Letters Asking for Clarification of Rulemaking Impact

1. **THE NATURE CONSERVANCY**, submitted by Kim Schonek on 4/9/2026

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Summary of comment letter: The Nature Conservancy (TNC) submitted a letter expressing that it is generally supportive of ADEQ's efforts to protect water quality in the Verde River. However, TNC maintains reservations regarding the potential for the OAW designation to unintentionally limit future collaborative projects intended to improve river base flows through effluent and stormwater infrastructure.

Comment #1: "Thank you for the opportunity to comment on ADEQ's proposal to... designate portions of the Upper Verde River and Sycamore Creek as Outstanding Arizona Waters ('OAW')."

ADEQ response #1: ADEQ acknowledges TNC's general support and its mission to conserve Arizona's land and water. The Department agrees that protecting the water quality of these extraordinary surface waters is a shared priority.

Comment #2: "TNC also works with partners to keep Arizona's rivers flowing... [including] maintaining or increasing base flows in response to growing groundwater demand and climate change."

ADEQ response #2: ADEQ concurs that maintaining base flows is critical, particularly as trends indicate increasing hydrologic stress. The OAW designation specifically safeguards the "good water quality" of these perennial reaches, which is essential for the survival of the species and ecosystems supported by those flows.

Comment #3: "TNC has worked with many partners, including ADEQ, to evaluate projects that could use effluent to maintain and increase Verde River base flows... Section 6.1.1 of the [NACOG] plan identifies goals for increasing Verde River flows through new reclaimed water and stormwater infrastructure projects."

ADEQ Response #3: ADEQ is familiar with the Upper/Middle Verde River Watershed Effluent Generation and Stormwater Infiltration Optimization Plan (NACOG Plan). The Department notes that while the Plan identifies broad goals, such as "Enhance River Flows with Direct Discharge to the Verde River," it does not currently list any specific, permitted wastewater treatment plants (WWTPs) or stormwater projects that discharge directly into the designated OAW reaches. The Department further notes that while direct surface discharges face these strict Tier 3 limits, indirect discharges, stormwater infiltration, and upstream management remain highly viable paths forward.

Comment #4: "TNC believes ADEQ should address those effects in its analysis under A.A.C. R18-11-112(F), including 'the social and economic impact of applying Tier 3 antidegradation protection.'"

ADEQ Response #4: ADEQ has performed the analysis required by R18-11-112(F) and determined that the impact will be minimal. ADEQ considered the concerns raised regarding potential future infrastructure projects. At this time, no specific projects or permit applications have been identified within the nominated reaches that would allow for a project-specific impact analysis. Should future proposals be advanced, they would be evaluated based on the facts and circumstances of the individual project and applicable regulatory requirements. ADEQ is dedicated to working with stakeholders to maintain the water quality in the designated OAW reaches and develop projects that return flows to the watershed.

Comment #5: "Because the proposal may restrict new or expanded discharges, especially in the Upper Verde reaches, TNC believes ADEQ should address those effects... some of those projects may require AZPDES permits."

ADEQ response #5: ADEQ recognizes TNC's concern regarding future AZPDES permits. However, Tier 3 antidegradation specifically prohibits new or expanded point source discharges to the designated reaches only. ADEQ will work collaboratively with future dischargers to ensure that return flow or base flow enhancement projects are designed and permitted in a manner that maintains the existing high water quality required by the OAW status.

Comment #6: "TNC did not find specific support for those conclusions... [TNC] respectfully requests that ADEQ explain the basis for its conclusion that the social and economic impacts would be minimal."

ADEQ Response #6: The conclusion that impacts are minimal is based on the fact that most lands along the nominated reaches are publicly owned and managed for conservation. Furthermore, there are no known proposed mining operations, existing discharge permits, or pending surface water permits that would be impacted by the Tier 3 standard in these undeveloped reaches.

Comment #7: "TNC requests analysis of how the proposed designation could affect the construction and operation of near-stream effluent and stormwater recharge projects."

ADEQ Response #7: The OAW designation protects surface water quality in the designated reaches. Construction and operation of recharge projects, such as percolation basins or injection wells, are primarily regulated through the Aquifer Protection Permit (APP) program to protect groundwater quality. OAW status does not automatically prohibit these activities unless they involve a direct point-source discharge to the protected surface water.

Comment #8: "What social and economic effects would the designation have on future near-stream effluent and stormwater recharge projects located adjacent to, or upstream of, the nominated Verde River reaches, including Granite Creek?"

ADEQ Response #8: ADEQ recognizes the importance of maintaining flexibility for future watershed management

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activities. The potential applicability of Tier 3 antidegradation requirements to future projects would depend on the specific nature, location, and design of the proposed activity. Any future proposal would be evaluated consistent with applicable statutes, rules, and available technical information.

Comment #9: “How does the U.S. Supreme Court’s decision in *County of Maui* affect that analysis?”

ADEQ Response #9: The U.S. Supreme Court’s *County of Maui* decision establishes that a discharge to groundwater requires an AZPDES permit if it is the “functional equivalent” of a direct discharge to a surface water. As a general point, a hydrogeological connection alone does not automatically trigger an AZPDES permit unless it strictly meets these “functional equivalent” criteria. Because there are currently no specific, active project proposals for these reaches, ADEQ cannot perform a site-specific *Maui* analysis at this time. Future projects would be evaluated on a case-by-case basis consistent with applicable statutes, rules, and available technical information.

Comment #10: “TNC hopes the proposed OAW designations will not unintentionally limit efforts to support and improve Verde River base flows through effluent and stormwater projects.”

ADEQ Response #10: ADEQ shares the goal of protecting the Verde River’s health. The OAW designation provides a highest-level safeguard for the river’s existing high water quality, which is a fundamental component of a healthy riparian habitat. Rather than limiting improvements, this designation ensures that any future augmentation projects are built upon a foundation of clean, non-degraded water.

2. YAVAPAI-APACHE NATION, submitted by Buddy Rocha, Jr. on 04/14/2026

Summary of comment letter: The Yavapai-Apache Nation (Nation) submitted comments expressing general support for the OAW designation given the river’s profound importance to their culture and economy. However, the Nation expressed reservations regarding potential unintended regulatory consequences that might limit future projects, specifically groundwater recharge, intended to support river baseflows.

Comment #1: “Given the profound importance of the Verde River and its tributaries to the Yavapai and Apache people, our culture, lifeways and economy, the Nation generally supports ADEQ’s proposal to designate portions of the Upper Verde River and Sycamore Creek as OAWs.”

ADEQ Response #1: ADEQ acknowledges and appreciates the Nation’s support. The Department recognizes that the upper Verde River and its springs are foundational to the Nation’s permanent homeland and ancestral heritage. This designation is intended to ensure the long-term protection of the extraordinary values these waters provide.

Comment #2: “We also have a religious and cultural relationship with the many animal and native plant species that rely on the Verde River and its tributaries for our shared existence, including Bald Eagles.”

ADEQ Response #2: ADEQ’s technical review confirms that these reaches support significant biodiversity and provide critical habitat for federally listed endangered and threatened species. The Department values the Nation’s perspective on the religious and cultural importance of these species and intends for the OAW status to safeguard the high water quality essential to their maintenance.

Comment #3: “The Nation’s support is tempered by our concern with the potential unintended consequences of this designation that could impair future efforts to protect the Verde River from depletions caused by unregulated growth, development, and climate change... ““The Nation is concerned that OAW Tier 3 antidegradation protections may prohibit potential future recharge projects or other activities that may one day be needed to support flows in these OAW segments.”

ADEQ Response #3: ADEQ concurs that maintaining base flows is critical, particularly as the watershed faces compounding hydrologic stress. To the Nation’s concern regarding future flow-protection efforts, ADEQ notes that while a direct point-source discharge of effluent or stormwater into a designated OAW segment is prohibited or heavily restricted under Tier 3 rules, the broader goals for indirect recharge, stormwater infiltration, and upstream watershed management remain highly viable paths forward. Rather than impairing protection or replenishment efforts, OAW status ensures that these vital indirect augmentation projects are integrated into a system that remains protected from new point-source pollution.

Comment #4: The County of Maui “Functional Equivalent” Standard. “discharge permits are required for water discharged from point sources that travel through groundwater and daylight into surface waters... [where there is the] ‘functional equivalent of a direct discharge’”.

ADEQ Response #4: The U.S. Supreme Court’s *County of Maui* decision establishes that a discharge to groundwater requires an AZPDES permit if it is the “functional equivalent” of a direct discharge to a surface water. As a general point, a hydrogeological connection alone does not automatically trigger an AZPDES permit unless it strictly meets these “functional equivalent” criteria. Because there are currently no specific, active project proposals for these reaches, ADEQ cannot perform a site-specific *Maui* analysis at this time. However, the Department does not anticipate that typical, properly designed indirect recharge projects will run afoul of OAW requirements, and ADEQ remains com-

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mitted to evaluating future projects on a case-by-case basis as concrete plans develop.

Comment #5: “The Nation has seen little appetite on the part of the State of Arizona to regulate groundwater pumping in the watershed (outside of the Prescott AMA), even when groundwater pumping presents an obvious threat to the Verde River.”

ADEQ Response #5: ADEQ clarifies that the OAW designation is a state-level water quality protection measure under CWA. It is distinct from groundwater pumping regulations or the establishment of Active Management Areas (AMAs), which fall under the jurisdiction of the Arizona Department of Water Resources (ADWR). This rulemaking is intended to exercise ADEQ's specific authority to protect the water quality of Arizona's most exceptional surface waters.

3. SALT RIVER PROJECT (SRP), submitted by Charles Paradzick on 4/14/2026

Summary of comment letter: SRP submitted comments regarding their hydrologic and meteorological monitoring network within the Verde River watershed. SRP's primary interest is ensuring that the OAW designation does not impede their ability to access, operate, and maintain essential water-management infrastructure, such as stream gages and flumes, located within the proposed reaches.

Comment #1: “SRP must preserve the ability to access, operate, maintain, restore and upgrade [facilities] on an ongoing basis. Routine activities such as debris removal, sediment removal, equipment calibration, structural maintenance, and periodic repair are critical... SRP requests that ADEQ ensure the proposed OAW designation does not inadvertently restrict or impede SRP's ongoing operation, maintenance, or necessary improvements to these existing water-management facilities.”

ADEQ Response #1: ADEQ acknowledges the critical role that SRP's monitoring network plays in Arizona's water-supply reliability. The OAW designation will not restrict or impede SRP's ability to maintain or operate existing infrastructure. OAW status triggers Tier 3 antidegradation protection, which specifically prohibits new or expanded point source discharges of pollutants. Routine maintenance activities like debris removal, equipment calibration, and structural repairs are not point-source discharges and do not fall under the Tier 3 prohibition. Existing lawful uses and maintenance of infrastructure are protected, and ADEQ does not expect the designation to interfere with SRP's ongoing watershed operations.

Comment #2: “SRP respectfully requests that ADEQ consider clarifying how the proposed OAW designation may affect water management practices within the designated watershed area. This should include an evaluation of potential implications for permitted effluent recharge projects, particularly those intended to mitigate the impacts of groundwater pumping.”

ADEQ Response #2: ADEQ recognizes SRP's vital role in managing Arizona's water resources and shares the commitment to a resilient Verde River watershed. The Department emphasizes that an OAW designation provides Tier 3 antidegradation protection, which is focused strictly on preserving surface water quality. It does not alter water rights, regulate water quantity, or govern groundwater pumping. To address concerns regarding future water management flexibility, ADEQ notes a critical regulatory distinction: while a direct point-source discharge of effluent or stormwater into a designated OAW segment is prohibited or heavily restricted under Tier 3 rules, the broader goals for indirect discharge, stormwater infiltration, and upstream watershed management remain highly viable paths forward. OAW status ensures that these vital indirect augmentation projects are integrated into a system that remains protected from new point-source pollution.

D. Letters Opposing this Rulemaking

1. ARIZONA FARM BUREAU, submitted by Ana M. Kennedy Otto on 4/14/2026

Summary of comment letter: The Arizona Farm Bureau (AZFB) submitted comments opposing the OAW designation for the upper Verde River and Sycamore Creek. The Bureau expresses concerns regarding the impact on local landowners, potential regulatory overlap with federal designations, and the economic implications for the agricultural community.

Comment #1: “ADEQ failed to adequately notify and engage with the local landowners whose property and livelihood will be directly impacted by this designation.”

ADEQ Response #1: ADEQ disagrees with the assertion that outreach was insufficient. Prior to publishing the Notice of Proposed Rulemaking (NPRM), the Department conducted extensive outreach to the local community. This included direct mailings to specific individual landowners and entities whose property borders or is adjacent to the nominated reaches, including Tracy & Ramona Warner, James Byrd & Jeanne Cosby, Dixieland Property, L.L.C., Khan Cattle Co, L.L.C., and several members of the Perkins family (Perkins Ranch Inc and Perkins Memi Calvert/Dulcy Moore). Additionally, ADEQ held a community meeting at the Paulden Community Center on November 19, 2025, specifically to discuss the nomination with local stakeholders. ADEQ followed all statutory and regulatory procedures for soliciting public comment during this rulemaking process.

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Comment #2: “The OAW designation appears redundant as it overlaps with the proposed Federal Wild and Scenic Rivers designation, creating unnecessary layers of regulation for the same stretch of water.”

ADEQ Response #2: ADEQ emphasizes that the state-level OAW designation is separate and distinct from the Federal Wild and Scenic Rivers designation. The proposed OAW designation is a separate state action undertaken pursuant to Arizona law. While both programs recognize “outstanding” values, they operate under different legal authorities. The OAW is a state water quality protection measure under the CWA, whereas a Wild and Scenic designation is a federal land and river management status. This state action ensures protection of water quality regardless of the status or timeline of federal legislation.

Comment #3: “Applying Tier 3 protection to these reaches will impose a ‘no degradation’ standard that could effectively halt all future development or changes in land use in the area.”

ADEQ Response #3: The core purpose of Tier 3 antidegradation protection is to ensure that existing high water quality is maintained and not lowered. This protection specifically eliminates new or expanded point-source discharges in the nominated segments. It is not a broad prohibition on all development or land use. Tier 3 antidegradation protection sets a clear standard for water quality that must be maintained by any new activities requiring a point-source permit. Additionally, ADEQ notes that indirect discharges (i.e. a tributary of the OAW) are allowed in the watershed.

Comment #4: “The Bureau is concerned that this designation will be used to control or restrict traditional grazing and agricultural activities in the uplands surrounding the river corridor.”

ADEQ Response #4: ADEQ understands this concern; however, regulation of grazing activities falls outside the scope of this rulemaking. The OAW designation does not control grazing in the uplands or establish new regulatory oversight for nonpoint source activities. Traditional ranching and farming operations are typically classified as nonpoint sources and are managed through voluntary best management practices rather than the point-source discharge restrictions associated with Tier 3 antidegradation.

Comment #5: “The proposed rule fails to account for the negative economic impact on farming and ranching families who depend on the flexibility of their land use to remain viable.”

ADEQ Response #5: ADEQ does not expect this designation to have a measurable economic impact on farming or ranching in the region. There is a general lack of point-source industrial or municipal activity in the upper Verde River and Sycamore Creek that would be restricted by this rule. The designation protects existing water quality without threatening current lawful uses, it safeguards the clean water supply that downstream agricultural and municipal users rely upon.

Comment #6: “Designating these waters as OAWs without the consent of the underlying private property owners is an infringement on property rights and local control.”

ADEQ Response #6: ADEQ clarifies that OAW designation does not change land ownership or infringe upon private property rights. The designation applies strictly to the water quality within the stream reach by implementing Tier 3 antidegradation protection. This protection is limited to preventing new or expanded point-source discharges into the OAW segments. It does not regulate land-use decisions or activities on private property that do not involve a point-source discharge to the river.

Comment #7: “The stringent requirements of an OAW designation will prevent farmers and ranchers from expanding their operations if such expansion requires any changes to their water usage or discharge.”

ADEQ Response #7: As previously stated, Tier 3 protection only restricts new or expanded point-source discharges. It does not prevent the expansion of typical agricultural or ranching activities that do not involve point-source pollution. Traditional ranching and farming operations are typically classified as nonpoint sources and are managed through voluntary best management practices rather than the point-source discharge restrictions associated with Tier 3 antidegradation. The designation is designed to protect the “rare and irreplaceable” nature of these systems while allowing current lawful uses to continue.

F. Verbal Comments Submitted During Public Hearing

Six individuals provided formal verbal testimony during the hearing. All speakers expressed strong support for the proposed OAW designations.

Comment #1 - Jennifer Martin-Macleod - SIERRA CLUB GRAND CANYON CHAPTER and the Arizona Water Sentinels program. *Summary of verbal comment:* Expressed strong support for the designation of the nominated reaches of the upper Verde River and Sycamore Creek. Noted that perennial, free-flowing rivers are vanishing in Arizona due to groundwater overdraft, pollution, and diversions and that the upper Verde River represents one of the state's last intact perennial systems. Stressed the river's role as critical habitat for species listed under the Endangered Species Act, including the spikedace, loach minnow, and razorback sucker. Highlighted the deep cultural and spiritual significance of these waters to the Yavapai-Apache people.

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Comment # 2 - Rachel Ellis - AMERICAN RIVERS (Southwest River Protection Program). *Summary of verbal comment:*

Strongly supported the OAW designation as a necessary tool for protecting high-value waters. Discussed the complementarity between the state OAW designation and the proposed federal Wild and Scenic River designation. Emphasized that OAW status provides the highest tier of water quality protection (Tier 3), which is essential for safeguarding “outstanding remarkable values”.

Comment #3 - Thomas Catlaw - Individual citizen and professional field and nature sound recordist. *Summary of verbal comment:* Provided “enthusiastic support” for the rule based on extensive personal experience hiking and kayaking the river segments. Shared vivid descriptions of the river’s soundscape - flowing water, gurgling springs, and riparian wildlife - as evidence of its unique aesthetic and recreational value. Argued that these soundscapes are entirely dependent on the continued health and high quality of the water.

Comment # 4 - Kestrel Kunz - AMERICAN WHITEWATER (Southern Rockies Protection Director). *Summary of verbal comment:* Supported the designation on behalf of a national membership of roughly 7,000 river enthusiasts, many of whom reside in Arizona. Highlighted the “priceless” value of the river for non-motorized recreation, including paddling and packrafting. Reiterated the organization’s formal support for the Sierra Club’s initial nomination.

Comment # 5 - Joe Trudeau - THE WILDERNESS SOCIETY. *Summary of verbal comment:* Supported the designation both personally as a 24-year resident of the watershed and professionally as a conservationist. Described the river reaches as “national treasures” that exhibit the best characteristics of Southwestern rivers. Emphasized that support for this designation crosses the political spectrum and includes broad consensus from local governments, businesses, and community groups.

Comment # 6 Alondra Morales Sanchez - Individual citizen. *Summary of verbal comment:* Expressed generational support for the rulemaking. As “a young person who grew up in Arizona”, she emphasized the importance of protecting the state’s natural beauty and water resources for the future.

ADEQ Response to Verbal Comments: ADEQ generally agrees with the verbal comments received at the hearing and acknowledges and appreciates the support offered regarding these OAW designations. This OAW classification safeguards the chemical and physical integrity of the new OAW reaches, ensuring that their exceptional attributes remain intact as a durable contribution to the ecological and financial stability of the region.

- 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:**
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:**
The designation of an OAW is expressly authorized by 40 C.F.R. § 131.12(a)(3), which permits states to identify high-quality waters for Tier 3 protection. The proposed amendment is consistent with 40 C.F.R. Part 131, including federal antidegradation requirements, and does not exceed federal standards.
- 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:**
Not applicable

- 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:**

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TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 11. DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY STANDARDS

ARTICLE 1. WATER QUALITY STANDARDS FOR SURFACE WATERS

Section

R18-11-112. Outstanding Arizona Waters

ARTICLE 1. WATER QUALITY STANDARDS FOR SURFACE WATERS

R18-11-112. Outstanding Arizona Waters

- A.** The Director shall classify a surface water as an outstanding Arizona water (OAW) by rule.
- B.** The Director may adopt, under R18-11-115, a site-specific standard to maintain and protect existing water quality in an OAW.
- C.** Any person may nominate a surface water for classification as an OAW by filing a nomination with the Director. The nomination shall include:
 - 1. A map and a description of the surface water;
 - 2. A written statement in support of the nomination, including specific reference to the applicable criteria for an OAW classification prescribed in subsection (D);
 - 3. Supporting evidence demonstrating that the criteria prescribed in subsection (D) are met; and
 - 4. Available water quality data relevant to establishing the baseline water quality of the proposed OAW.
- D.** The Director may classify a surface water as an OAW based upon the following criteria:
 - 1. The surface water is a perennial or intermittent water;
 - 2. The surface water is in a free-flowing condition. For purposes of this subsection, “in a free-flowing condition” means that a surface water does not have an impoundment, diversion, channelization, rip-rapping or other bank armor, or another hydrological modification within the reach nominated for an OAW classification;
 - 3. The surface water has good water quality. For purposes of this subsection, “good water quality” means that the surface water has water quality that meets or is better than applicable surface water quality standards. A surface water that is listed as impaired under R18-11-604(E) is ineligible for OAW classification; and
 - 4. The surface water meets one or both of the following conditions:
 - a. The surface water is of exceptional recreational or ecological significance because of its unique attributes, such as the geology, flora and fauna, water quality, aesthetic value, or the wilderness characteristic of the surface water;
 - b. An endangered or threatened species is associated with the surface water and the existing water quality is essential to the species' maintenance and propagation or the surface water provides critical habitat for the threatened or endangered species. An endangered or threatened species is identified in “Endangered and Threatened Wildlife,” 50 CFR 17.11 (revised 2005), and “Endangered and Threatened Plants,” 50 CFR 17.12 (revised 2005). This material is incorporated by reference and does not include any later amendments or editions of the incorporated material. Copies of the incorporated material are available for inspection at the Arizona Department of Environmental Quality, 1110 West Washington Street, Phoenix, Arizona 85007 or may be obtained from the National Archives and Records Administration at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>.
- E.** The Director shall hold at least one public meeting in the local area of a surface water that is nominated for classification as an OAW to solicit public comment on the nomination.
- F.** The Director shall consider the following factors when deciding whether to classify a surface water as an OAW:
 - 1. Whether there is the ability to manage the surface water and its watershed to maintain and protect existing water quality;
 - 2. The social and economic impact of Tier 3 antidegradation protection;
 - 3. The public comments in support of, or in opposition to, an OAW classification;
 - 4. The timing of the nomination relative to the triennial review of surface water quality standards;
 - 5. The consistency of an OAW classification with applicable water quality management plans; and
 - 6. Whether the nominated surface water is located within a national or state park, national monument, national recreation area, wilderness area, riparian conservation area, area of critical environmental concern, or it has another special use designation (for example, Wild and Scenic River).
- G.** The following surface waters are classified as OAWs:
 - 1. The West Fork of the Little Colorado River, from its headwaters to Government Springs (approximately 9.1 river miles);
 - 2. Oak Creek, from its headwaters to its confluence with the Verde River (approximately 50.3 river miles);
 - 3. West Fork of Oak Creek, from its headwaters to its confluence with Oak Creek (approximately 15.8 river miles);
 - 4. Peoples Canyon Creek, from its headwaters to its confluence with the Santa Maria River (approximately 8.1 river miles);
 - 5. Burro Creek, from its headwaters to its confluence with Boulder Creek (approximately 29.5 miles);
 - 6. Francis Creek, from its headwaters to its confluence with Burro Creek (approximately 22.9 river miles);
 - 7. Bonita Creek, from its boundary of the San Carlos Indian Reservation to its confluence with the Gila River (approximately 14.7 river miles);
 - 8. Cienega Creek, from its confluence with Gardner Canyon to the USGS gaging station (#09484600) (approximately 28.3 river miles);

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9. Aravaipa Creek, from its confluence with Stowe Gulch to the downstream boundary of the Aravaipa Canyon Wilderness Area (approximately 15.5 river miles);
10. Cave Creek, from its headwaters to the Coronado National Forest boundary (approximately 10.4 river miles);
11. South Fork of Cave Creek, from its headwaters to its confluence with Cave Creek (approximately 8.6 river miles);
12. Buehman Canyon Creek, from its headwaters to its confluence with unnamed tributary at 32°24'31"/110°32'08" (approximately 9.8 river miles);
13. Lee Valley Creek, from its headwaters to Lee Valley Reservoir (approximately 1.6 river miles);
14. Bear Wallow Creek, from its headwaters to the boundary of the San Carlos Indian Reservation (approximately 4.25 river miles);
15. North Fork of Bear Wallow Creek, from its headwaters to its confluence with Bear Wallow Creek (approximately 3.8 river miles);
16. South Fork of Bear Wallow Creek, from its headwaters to its confluence with Bear Wallow Creek (approximately 3.8 river miles);
17. Snake Creek, from its headwaters to its confluence with the Black River (approximately 6.2 river miles);
18. Hay Creek, from its headwaters to its confluence with the West Fork of the Black River (approximately 5.5 river miles);
19. Stinky Creek, from the White Mountain Apache Indian Reservation boundary to its confluence with the West Fork of the Black River (approximately 3.0 river miles);
20. KP Creek, from its headwaters to its confluence with the Blue River (approximately 12.7 river miles);
21. Davidson Canyon, from the unnamed spring at 31°59'00"/110°38'49" to its confluence with Cienega Creek; and
22. Fossil Creek, from its headwaters at the confluence of Sandrocks and Calf Pen Canyons above Fossil Springs to its confluence with the Verde River (approximately 17.2 river miles).
23. Verde River, from its confluence with Granite Creek to its confluence with Sycamore Creek (approximately 35.9 river miles).
24. Sycamore Creek, from its confluence with Cedar Creek to its confluence with the Verde River (approximately 11.7 river miles).

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NOTICES OF PROPOSED EXPEDITED RULEMAKING

Volume 32, Issue 39, September 25, 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 9. HEALTH SERVICES

**CHAPTER 19. DEPARTMENT OF HEALTH SERVICES
VITAL RECORDS AND STATISTICS**

File Number: R26-167

PREAMBLE

1. **Permission to proceed with this proposed expedited rulemaking was granted under A.R.S. § 41-1039(A) by the governor on:**
June 9, 2026

2. Article, Part, or Section Affected (as applicable)	Rulemaking Action
R9-19-101	Amend
R9-19-201	Amend
R9-19-205	Amend
R9-19-206	Amend
R9-19-207	Amend
R9-19-208	Amend
R9-19-210	Amend
R9-19-211	Amend
R9-19-212	Amend
R9-19-302	Amend
R9-19-303	Amend
R9-19-310	Amend
R9-19-315	Amend
R9-19-316	Amend
R9-19-317	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)(3) and 36-136(I)(3)

Implementing statute: A.R.S. Title 36, Chapter 3, Articles 1 through 3

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 32 A.A.R. 1614; Issue Date: July 17, 2026; Issue Number: 29; File Number: R26-118

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

Name: Katina Lugo

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Title: Assistant State Registrar & Chief
Division: Director's Office
Address: Arizona Department of Health Services
Bureau of Vital Records
150 N. 18th Ave., Suite 120
Phoenix, AZ 85007

Telephone: (602) 364-1719
Fax: (602) 364-1257
Email: Katina.Lugo@azdhs.gov

or

Name: Stacie Gravito
Title: Director's Office
Division: Division of Policy and Intergovernmental Affairs
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007

Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: Stacie.Gravito@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.) § 36-136(I)(3) requires the Arizona Department of Health Services (Department) to define and prescribe reasonably necessary procedures for the use and accessibility of the different types of birth and death certificates and the completion, change, and amendment of vital records. A.R.S. Title 9, Chapter 3, specifies requirements for vital records and public health statistics, including birth and death registration and certificates. The Department has adopted rules for vital records and statistics in *Arizona Administrative Code* (A.A.C.) Title 9, Chapter 19. The Department plans to revise rules in 9 A.A.C. 19 to comply with Laws 2021, Ch. 42, related to valid identification; Laws 2021, Ch. 195, related to safe havens for newborns; Laws 2021, Ch. 374, related to certificates of birth registration; and Laws 2021, Ch. 384, related to adoption and birth certificates; and make corrections or corresponding changes throughout the Chapter. In addition, the Department plans to amend other rules to make corrections, amend language to improve grammar and clarity, make revisions to ensure the rules are clear, concise, and understandable, and implement updates identified in the 2024 Five-Year Review Report.
7. **A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
The Department did not review or rely on any study related to this rulemaking package.
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 the person listed under item #5.
Close of Record: October 26, 2026

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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 that are applicable specifically to the Department or to this rulemaking.

- 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:**
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:**
The rule is not more stringent than federal law.
- 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(l). If yes, include the analysis with the rulemaking package.**
Not applicable

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

None

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 19. DEPARTMENT OF HEALTH SERVICES
VITAL RECORDS AND STATISTICS**

ARTICLE 1. ADMINISTRATION

Section

R9-19-101. Definitions

ARTICLE 2. VITAL RECORDS FOR BIRTH

Section

R9-19-201. Information for a Birth Record
R9-19-205. Establishing a Registered Birth Record for a Foundling
R9-19-206. Establishing a Registered Record of Foreign Birth for an Adopted Individual or Refugee Minor
R9-19-207. Correcting Information in a Registered Birth Record
R9-19-208. Amending Information in a Registered Birth Record
R9-19-210. Eligibility for a Certified Copy of a Certificate of Birth Registration
R9-19-211. Requesting a Certified Copy of a Certificate of Birth Registration
R9-19-212. Requesting a Noncertified Copy of a Certificate of Birth Registration

ARTICLE 3. VITAL RECORDS FOR DEATH

Section

R9-19-302. Information for a Death Record
R9-19-303. Registration of a Deceased Individual's Death
R9-19-310. Amending Information in a Registered Death Record or a Registered Fetal Death Record
R9-19-315. Requesting a Certified Copy of a Certificate of Death Registration
R9-19-316. Requesting a Noncertified Copy of a Certificate of Death Registration
R9-19-317. Obtaining a Certificate of Fetal Death Registration or a Certificate of Birth Resulting in Stillbirth

ARTICLE 1. ADMINISTRATION

R9-19-101. Definitions

In addition to the definitions in A.R.S. § 36-301, the following definitions apply in this Chapter unless otherwise stated:

1. "Administrator" means an individual designated by the governing authority of a health care institution to have the authority and responsibility for managing the health care institution.
2. "Affidavit" means a document that is signed by an individual:
 - a. Who attests to the validity of the facts on the document, and
 - b. Whose signature is notarized.

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3. "Anatomical gift" has the same meaning as in A.R.S. § 36-841.
4. "Birth record" means the information specified in R9-19-201 that is maintained by the Department:
 - a. As a written registered certificate, or
 - b. In a database.
5. "Congenital anomaly" means an abnormality of body structure, function, or chemistry, or of chromosomal structure or composition that is present at or before birth.
6. "Custody" has the same meaning as "legal decision-making" in A.R.S. § 25-401.
7. "Death record" means the information specified in R9-19-302 that is maintained by the Department:
 - a. As a written registered certificate, or
 - b. In a database.
8. "Delivery" means the complete expulsion or extraction of a product of human conception from its mother.
9. "Document" or "documented" means in written, photographic, electronic, or other permanent form.
10. "Electronic signature" has the same meaning as in A.R.S. § 44-7002.
11. "Facility" has the same meaning as "facilities" in A.R.S. § 36-401.
12. "Fetal death record" means the information specified in R9-19-305(B) that is maintained by the Department:
 - a. As a written registered certificate, or
 - b. In a database.
13. "Funeral director" has the same meaning as in A.R.S. § 32-1301.
14. "Government-issued form of photo identification" means:
 - a. An official document issued by the U.S. government or a State or local government, such as:
 - i. U.S. Passport,
 - ii. Driver's License, or
 - iii. Non-Driver Photo Identification;
 - b. A consular identification card that meets the requirements in A.R.S. § 41-5001; or
 - c. A nonoperating identification license issued according to A.R.S. § 41-1610.03.
- ~~14-15.~~ "Guardian" has the same meaning as in A.R.S. § 14-10103.
- ~~15-16.~~ "Health professional license number" means a standard unique identifier for a health care provider assigned by the state governmental agency that regulates the health care provider.
- ~~16-17.~~ "Hospice inpatient facility" has the same meaning as in A.A.C. R9-10-101.
- ~~17-18.~~ "Hospital" has the same meaning as in A.A.C. R9-10-101.
- ~~18-19.~~ "Independent source" means a person who is not:
 - a. The individual submitting an evidentiary document; or
 - b. Related by consanguinity, adoption, or marriage to the individual submitting an evidentiary document.
- ~~19-20.~~ "Injury" means damage to a human body caused by an external source as determined by a medical examiner or tribal law enforcement authority.
- ~~20-21.~~ "Inpatient" means an individual who is receiving services in a facility as an inpatient, as determined by the facility.
- ~~21-22.~~ "Medical certifier" means a health care provider, medical examiner, or tribal law enforcement authority authorized to sign a medical certification of death as prescribed in A.R.S. § 36-325.
- ~~22-23.~~ "Medical record" has the same meaning as "medical records" in A.R.S. § 12-2291.
- ~~23-24.~~ "Medical record number" means a standard unique identifier, assigned by a licensed health care institution or a health care provider, for documentation concerning the diagnosis or treatment of a patient.
- ~~24-25.~~ "National Provider Identifier" means a standard unique number for a health care provider assigned by the Centers for Medicare and Medicaid Services.
- ~~25-26.~~ "Nursing care institution" has the same meaning as in A.R.S. § 36-401.
- ~~26-27.~~ "Organ procurement organization" has the same meaning as in A.R.S. § 36-841.
- ~~27-28.~~ "Outpatient" means an individual who is receiving services from a facility but is not an inpatient as determined by the facility.
- ~~28-29.~~ "Part" has the same meaning as in A.R.S. § 36-841.
- ~~29-30.~~ "Passport" means an official document issued by the government of a specific country that confirms the identity and citizenship of an individual and allows the individual to travel to and from the specific country.
- ~~30-31.~~ "Person" has the same meaning as in A.R.S. § 1-215 and includes a governmental agency.
- ~~31-32.~~ "Personal knowledge" means having observed an individual's mother:
 - a. In an apparent pregnant state within two months before the individual's date of birth and in a non-pregnant state after the individual's date of birth, or
 - b. Giving birth to the individual.
- ~~32-33.~~ "Plurality" means the number of fetuses carried in a mother's womb during a pregnancy.
- ~~33-34.~~ "Registered nurse practitioner" has the same meaning as "nurse practitioner" in A.R.S. § 32-1601.
- ~~34-35.~~ "Residence" means an address or location at which an individual lives.
- ~~35-36.~~ "Signature" means:
 - a. The first and last name of an individual written with his or her own hand as a form of identification or authorization;
 - b. An electronic signature; or
 - c. A mark or symbol made by an individual, representing the individual's identification or authorization, and, if not notarized, the first and last name of another individual, written with his or her own hand, who witnessed the individual make the mark or symbol.

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- 36-37. "State file number" means the official state number that is assigned to a vital record by the State Registrar or a local registrar or deputy local registrar when registering a birth, death, or fetal death.
- 37-38. "Transfer" has the same meaning as in A.A.C. R9-10-101.
- 38-39. "Transportation" means the use of an animal or vehicle for conveyance or travel from one place to another.
- 39-40. "Tribal community" means a tract of land held by an Indian tribe recognized by the Federal Bureau of Indian Affairs' Affairs Office of Federal Acknowledgement Acknowledgment under 25 CFR Part 83.
- 40-41. "WIC" means the Special Supplemental Nutrition Program for Women, Infants, and Children, a federally funded program established by the Child Nutrition Act of 1966 that provides eligible women, infants, and children with food, nutrition education, breastfeeding support, and referrals.

ARTICLE 2. VITAL RECORDS FOR BIRTH

R9-19-201. Information for a Birth Record

- A.** Except as provided in subsection (B) or R9-19-204(F) or (I), the information submitted for an individual's birth record includes all data in a manner required by the State Registrar, in accordance with A.R.S. § 36-302, the following:
1. Information for the individual's certificate of birth registration provided by the individual's mother or, if applicable, the individual's father or another family member who is of legal age:
 - a. The individual's name;
 - b. The following information about the individual's mother:
 - i. Name before first marriage;
 - ii. Date of birth;
 - iii. State, territory, or foreign country where the individual's mother was born; and
 - iv. Street address, apartment number if applicable, city or town, state, zip code, and county of the individual's mother's residence; and
 - c. If applicable according to A.R.S. § 36-334, the following information about the individual's father:
 - i. Name;
 - ii. Date of birth; and
 - iii. State, territory, or foreign country where the father was born;
 2. Other information for the individual's birth record provided by the individual's mother or, if applicable, the individual's father or another family member who is of legal age:
 - a. The individual's mother's:
 - i. Current last name;
 - ii. Social Security Number;
 - iii. Race;
 - iv. Height; and
 - v. Pre-pregnancy weight;
 - b. Whether the individual's mother:
 - i. Is of Hispanic origin and, if so, the type of Hispanic origin;
 - ii. Received food from WIC for herself during the pregnancy;
 - iii. Was ever married; or
 - iv. Was married at any time in the ten months immediately preceding the individual's birth;
 - c. Whether the individual's mother's residence is:
 - i. Inside a city's limits; or
 - ii. In a tribal community;
 - d. The following information about the individual's mother:
 - i. The highest degree or level of education completed by the individual's mother at the time of the individual's birth;
 - ii. If the individual's mother's mailing address is different from the address in subsection (A)(1)(b)(iv), the individual's mother's mailing address; and
 - iii. Date the last normal menses began;
 - e. The individual's mother's history of:
 - i. Smoking before or during the pregnancy;
 - ii. Prenatal care for this pregnancy; and
 - iii. Previous pregnancies and pregnancy outcomes;
 - f. If applicable according to A.R.S. § 36-334, the following information about the individual's father:
 - i. Social Security Number;
 - ii. Race;
 - iii. Whether the father is of Hispanic origin and, if so, the type of Hispanic origin; and
 - iv. Highest degree or level of education completed by the father at the time of the individual's birth;
 - g. If the birth occurred at a residence and was not attended by a physician, registered nurse practitioner, nurse midwife, or midwife who is willing and able to request the registration of the individual's birth, the name of the person who assisted the birth and the person's relationship to the individual's mother; and
 - h. Whether a Social Security number has been requested for the individual;
 3. Information for the individual's certificate of birth registration provided by the hospital where the individual was born or, if the individual was not born in a hospital, by the physician, registered nurse practitioner, nurse midwife, or midwife who attended the birth and is willing and able to provide the information:

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- a. The individual's sex;
- b. The individual's date and time of birth;
- c. The individual's plurality of delivery;
- d. If the plurality of delivery involves more than one, the individual's order of birth;
- e. If the individual was born in a hospital:
 - i. The name, type, and, if applicable, National Provider Identifier of the hospital where the birth occurred; and
 - ii. The city or town and county where the hospital is located;
- f. If the birth occurred at a residence and was attended by a physician, registered nurse practitioner, nurse midwife, or midwife who is willing and able to provide the information:
 - i. The street address, city or town, and county where the residence is located; and
 - ii. Whether the birth was planned to occur at the residence; and
- g. If the birth occurred at a facility other than a hospital or residence and was attended by a physician, registered nurse practitioner, nurse midwife, or midwife who is willing and able to provide the information:
 - i. The name, type, and, if applicable, National Provider Identifier of the facility where the birth occurred; and
 - ii. The city or town and county where the facility is located; and
- 4. Other information for the individual's birth record provided by the hospital where the individual was born or, if the individual was not born in a hospital, by the physician, registered nurse practitioner, nurse midwife, or midwife who attended the birth and is willing and able to provide the information:
 - a. The principal source of payment for the individual's birth;
 - b. The name of the person who assisted the individual's birth and the person's health care provider license type;
 - c. If the person specified according to subsection (A)(4)(b):
 - i. Has a National Provider Identifier, the person's National Provider Identifier; or
 - ii. Does not have a National Provider Identifier, the person's health professional license number;
 - d. The individual's mother's medical record number, assigned by the hospital, physician, registered nurse practitioner, nurse midwife, or midwife to document the diagnosis or treatment of the individual's mother;
 - e. If the individual's mother was not married at the time of the birth or at any time during the ten months preceding the birth, whether a voluntary acknowledgement of paternity was completed by the individual's father;
 - f. The individual's mother's:
 - i. Weight at the time of delivery; and
 - ii. History of cesarean deliveries;
 - g. The following information about the individual's mother:
 - i. Medical risk factors during this pregnancy;
 - ii. Characteristics of the labor and delivery; and
 - iii. Medical complications during labor or delivery;
 - h. Whether the individual's mother was transferred from a residence or other facility to another facility for a maternal medical condition or fetal medical condition before the birth;
 - i. If the individual's mother was transferred from one facility to another facility before the birth, the name or location of the facility from which the individual's mother was transferred;
 - j. The following information about the individual:
 - i. The fetal presentation at delivery;
 - ii. The individual's birth weight and length;
 - iii. An estimate of gestation by the person who performed the delivery;
 - iv. Characteristics of the individual's medical condition after delivery;
 - v. Whether the individual has any congenital anomalies and, if so, the type of congenital anomalies; and
 - vi. Information about immunizations received by the individual after delivery;
 - k. Whether the individual was transferred within 24 hours after the individual's delivery;
 - l. If the individual was transferred within 24 hours after the individual's delivery, the name of the facility to which the individual was transferred;
 - m. Whether the individual was alive at the time the information in this subsection was submitted; and
 - n. Whether the individual was being breastfed at the time the information in this subsection was submitted.
- B.** If the birth of an individual did not occur in a hospital and was either not attended by a physician, registered nurse practitioner, nurse midwife, or midwife, or was attended by a physician, registered nurse practitioner, nurse midwife, or midwife who is not willing or not able to provide the information specified in subsections (A)(3) and (4), the information submitted for an individual's birth record includes the following:
 - 1. Information for the individual's certificate of birth registration that includes:
 - a. The information in subsection (A)(1);
 - b. The information in subsections (A)(3)(a) through (d);
 - c. Whether the birth occurred at a residence and, if so, whether the birth was planned to occur at the residence;
 - d. If the birth did not occur at a residence, a description of where the birth occurred; and
 - e. The street address, city or town, and county where the birth occurred; and
 - 2. Other information for the individual's birth record that includes:
 - a. The information in subsection (A)(2);
 - b. The information in subsections (A)(4)(e) through (g), (j)(i) and (ii), and (k) through (n);
 - c. The name of the person who assisted the individual's birth and the person's relationship to the individual's mother; and

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- d. ~~Whether the individual's mother's temperature was 38° C or higher during labor.~~

R9-19-205. Establishing a Registered Birth Record for a Foundling

- A. To establish a registered birth record for a foundling, a person who has custody of the foundling, according to A.R.S. § 8-528, shall submit to the State Registrar or the local registrar or deputy local registrar of the registration district where the foundling was found:
1. The following information, in a Department-provided format:
 - a. The location where the foundling was found, including:
 - i. If the foundling is a newborn infant left with a safe haven provider according to A.R.S. § 13-3623.01, the facility where the foundling was found;
 - ii. If the foundling is not a newborn infant left with a safe haven provider according to A.R.S. § 13-3623.01, the name or a description of the place where the foundling was found;
 - iii. If applicable, the street address and the city or town; and
 - iv. The county;
 - b. The following information about the foundling:
 - i. Name given to the foundling;
 - ii. Approximate date of birth of the foundling, based on the foundling's approximate age;
 - iii. Sex;
 - iv. Approximate race of the foundling; and
 - v. If applicable, the identification number assigned to the foundling by the Department of Child Safety or a person designated by the Department of Child Safety to take custody of the foundling;
 - c. The date the foundling was found; and
 - d. The name and address of the person who has custody of the foundling;
 2. A written statement attesting to the validity of the information submitted, signed and dated by the person who has custody of the foundling; and
 3. A copy of the court order establishing custody, certified by the issuing court.
- B. No change

R9-19-206. Establishing a Registered Record of Foreign Birth for an Adopted Individual or Refugee Minor

- A. To establish a registered record of foreign birth for an adopted individual or refugee minor:
1. A state court, the adopted individual's adoptive parent, the married adopted individual, or the adopted individual of legal age shall submit to the State Registrar:
 - a. An adoption decree or other official document, finalizing the adoption from the country of the adopted individual's birth, that meets the requirements in R9-19-102, and
 - b. A copy of an IR-3 stamp in the individual's passport;
 2. If the individual's adoptive parent has completed a re-adoption process in an Arizona court, the individual's adoptive parent, Arizona Department of Child Safety, or state court shall submit to the State Registrar a copy of an IR-3 stamp in the individual's passport and:
 - a. An original state of Arizona certificate of adoption, issued by a court in this state; or
 - b. A court order of adoption issued and certified by a court in this state and:
 - i. A birth certificate from the country of the adopted individual's birth, translated into English; or
 - ii. An evidentiary document stating the date and place of the adopted individual's birth; or
 3. If the adopted individual or refugee minor does not have an IR-3 stamp in the individual's passport, the individual's adoptive parent, the married adopted individual, the adopted individual who is of legal age, Arizona Department of Child Safety, or a state court shall submit one of the following to the State Registrar:
 - a. An original state of Arizona certificate of adoption, issued by a court in this state;
 - b. A court order of adoption issued and certified by a court in this state and:
 - i. A birth certificate from the country of the adopted individual's birth that meets the requirements in R9-19-102, or
 - ii. An evidentiary document stating the date and place of the adopted individual's birth; ~~or~~
 - c. If the individual was not adopted in this state, a court order, issued by a court in this state, that recognizes the adoption; or
 - d. For a refugee minor, a court order issued and certified by a juvenile court in this state placing the refugee minor in the legal custody of the Arizona Department of Child Safety, and an evidentiary document stating the date and place of the refugee minor's birth.
- B. If the evidentiary documents submitted according to subsection (A) to establish a registered record of foreign birth for an adopted individual do not contain the following information, the person who submitted the evidentiary documents shall submit to the State Registrar:
1. The following information about the individual:
 - a. Name;
 - b. Date of birth;
 - c. Town, city, or county where the individual's birth occurred;
 - d. Sex; and
 - e. Race;
 2. The following information about the individual's adoptive mother or birth mother:
 - a. Name;
 - b. Last name before first marriage;
 - c. Date of birth;

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- d. State, territory, or foreign country where the individual's adoptive mother was born;
- e. Street address, city or town, county, and state of the individual's adoptive mother's usual residence at the time of the individual's birth;
- f. Whether the individual's adoptive mother's usual residence at the time of the individual's birth is within city limits; and
- g. Social Security Number; and
3. If applicable according to A.R.S. § 36-334, the following information about the individual's adoptive father or birth father:
 - a. Name;
 - b. Date of birth;
 - c. State, territory, or foreign country where the individual's adoptive father was born; and
 - d. Social Security Number.

R9-19-207. Correcting Information in a Registered Birth Record

- A. No change
1. No change
 2. No change
 3. No change
 4. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 5. No change
- B. In addition to the information in subsection (A), an administrator of a hospital or the person in charge of the medical records for the hospital where an individual was born, who is requesting a correction to the individual's registered birth record because of a hospital error, shall submit to the State Registrar or a local registrar:
1. The name of the hospital administrator or the person in charge of the hospital's medical records who is requesting the correction;
 2. A written statement attesting to the validity of the submitted correction, signed and dated by the hospital administrator or the person in charge of the hospital's medical records; and
 3. A copy of the:
 - a. ~~Document~~ Documentation required in R9-19-202(A), or
 - b. Part of the individual's or the individual's mother's medical record ~~containing the specific information in R9-19-201(A)(3) or (4) to be corrected.~~
- C. In addition to the information in subsection (A), a physician, registered nurse practitioner, nurse midwife, or midwife who attended an individual's birth, submitted a request for the individual's birth registration according to R9-19-203, and requests a correction to the individual's registered birth record because of the physician's, registered nurse practitioner's, nurse midwife's, or midwife's error shall submit to the State Registrar or a local registrar:
1. The name of the physician, registered nurse practitioner, nurse midwife, or midwife who attended the individual's birth and who is requesting the correction;
 2. A written statement attesting to the validity of the submitted correction, signed and dated by the physician, registered nurse practitioner, nurse midwife, or midwife who attended the individual's birth; and
 3. A copy of the:
 - a. Document required in R9-19-203(A), or
 - b. Part of the individual's or the individual's mother's medical record ~~containing the specific information in R9-19-201(A)(3) or (4) to be corrected.~~
- D. No change
1. No change
 2. No change
 3. No change
 4. No change
- E. No change
1. No change
 2. No change
 3. No change
 - a. No change
 - b. No change
 4. No change
 5. No change

R9-19-208. Amending Information in a Registered Birth Record

- A. A person requesting an amendment to an individual's registered birth record shall include in a written request to amend:
1. The individual's name currently in the individual's registered birth record;
 2. The individual's date of birth;

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3. The name before the first marriage of the individual's mother;
 4. If known, the:
 - a. Individual's sex;
 - b. State file number;
 - c. Town or city of the individual's birth;
 - d. County of the individual's birth;
 - e. Hospital where the individual was born, if applicable;
 - f. Name of the individual's father; and
 - g. Dates of birth of the individual's parents; and
 5. The specific information in the individual's registered birth record to be amended, including, as applicable or as further specified in subsections of this Section, the specific information to be deleted and the specific information to be added.
- B.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 2. No change
 3. No change
 4. No change
- C.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 2. No change
- D.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 2. No change
- E.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 2. No change
 3. No change
- F.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 2. No change
 - a. No change
 - b. No change
 3. No change
 4. No change
- G.** No change
1. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 2. No change
 3. No change
- H.** No change
1. No change

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- a. No change
- b. No change
- c. No change
 - i. No change
 - ii. No change
- 2. No change
 - a. No change
 - b. No change
- 3. No change
- 4. No change
- I. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - 2. No change
 - 3. No change
 - 4. No change
- J. To amend the date of birth or place of birth of an individual's parent in the individual's registered birth record, to change the individual's mother's marital status, to change the individual's mother's last name in the individual's registered birth record to the individual's mother's last name before the individual's mother's first marriage, or individual's mother's middle name, or to change the middle name, last name, or suffix of the individual's father in the individual's registered birth record, or the individual's suffix, the individual, if the individual is of legal age or is married, or the individual's parent or guardian shall submit to the State Registrar or a local registrar:
 - 1. A written request, in a Department-provided format, that includes:
 - a. The information in subsection (A), including the specific information in the individual's registered birth record to be amended, including the date of birth, place of birth, or name to be deleted and the date of birth, place of birth, or name to be added;
 - b. The name and mailing address of the individual or the individual's parent or guardian requesting the amendment; and
 - c. An affidavit attesting to the validity of the submitted amendment, signed, as applicable, by:
 - i. The individual;
 - ii. The individual's parent requesting the amendment, whose name is included in the individual's birth record; or
 - iii. The individual's guardian;
 - 2. One of the following evidentiary documents containing the specific information for the individual's parent to be amended in the individual's registered birth record:
 - a. A certified copy of the individual's parent's registered birth certificate;
 - b. A copy of the individual's parent's passport; or
 - c. A copy of an administrative order or court order establishing paternity, certified by the issuing entity;
 - d. A certified copy of the mother's marriage certificate
 - 3. If the person submitting the request for the amendment to the individual's registered birth record is the individual's guardian, a copy of the court order establishing guardianship, certified by the issuing court; and
 - 4. The fee in R9-19-105 for a request to amend information in a registered birth record.
- K. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
 - vii. No change
 - d. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change

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- d. No change
 - i. No change
 - ii. No change
 - 4. No change
- L. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - (1) No change
 - (2) No change
 - (3) No change
 - (4) No change
 - 3. No change
- M. To request the amendment of the registered birth record of an individual born in Arizona based on the individual's adoption, a state court, the adopted individual's adoptive parent, the married adopted individual, the adopted individual's legal guardian, or the adopted individual of legal age shall submit to the State Registrar:
 - 1. A copy of the court order of adoption, certified by the issuing court, or a certificate of adoption with a court seal, after the individual's adoption is final or if the person submitting the request for the amendment to the individual's registered birth record is the individual's guardian, a copy of the court order establishing guardianship, certified by the issuing court;
 - 2. If the document required in subsection (M)(1) does not contain the following, the person who submitted the request to amend the adopted individual's registered birth record shall submit to the State Registrar:
 - a. The information in subsection (A);
 - b. The name and mailing address of the adopted individual's adoptive parent or the adopted individual requesting the amendment;
 - c. The individual's name established by the court order;
 - d. Whether the individual's adoptive parents want the information about the individual's parents currently in the individual's registered birth record to be retained;
 - e. If the individual's adoptive parents do not want the information about the individual's parents in the individual's registered birth record before the adoption to be retained in the individual's registered birth record after the adoption, the following information:
 - i. The name and date of birth of the individual's adoptive father;
 - ii. The state, territory, or foreign country where the individual's adoptive father was born;
 - iii. The individual's adoptive father's Social Security Number;
 - iv. The name and date of birth of the individual's adoptive mother;
 - v. The individual's adoptive mother's last name before first marriage;
 - vi. The state, territory, or foreign country where the individual's adoptive mother was born;
 - vii. The individual's adoptive mother's Social Security Number;
 - viii. Street address, city or town, county, and state of the individual's adoptive mother's residence at the time of the individual's birth; and
 - ix. Street address, city or town, county, and state of the individual's adoptive mother's current residence;
 - f. If the individual's adoptive parents want the information about the individual's parents in the individual's registered birth record before the adoption to be retained in the individual's registered birth record after the adoption, the name and date of birth of each of the individual's adoptive parents;
 - g. Whether the individual's adoptive parents want the name of the hospital, facility, or street address where the individual's birth occurred to be omitted in the amended birth record;
 - h. The signature of each of the individual's adoptive parents and the date signed;
 - i. The name of the court issuing the document required in subsection (M)(1); and
 - j. The date the final order of adoption was granted;
 - 3. If the individual's adoptive parents want the information about the individual's parents in the individual's registered birth record before the adoption to be retained in the individual's registered birth record after the adoption:
 - a. A written request signed and dated by the adoptive parent or a copy of a court order, certified by the issuing court, containing a request to retain the information in the individual's registered birth record;
 - b. Either:
 - i. A written statement with the notarized signature of the individual's mother, agreeing to retain the mother's name in the individual's registered birth record; or
 - ii. If the individual's mother is deceased, a certified copy of a registered death certificate for the individual's mother; and
 - c. If a father's name is included in the individual's registered birth record, either:

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- i. A written statement with the notarized signature of the individual's father, agreeing to retain the father's name in the individual's registered birth record; or
 - ii. If the individual's father is deceased, a certified copy of a registered death certificate for the individual's father; and
- 4. The fee in R9-19-105 for a request to amend information in a registered birth record.
- N.** No change
- Q.** In accordance with A.R.S. § 36-340, at the birth parent's option, the following may be submitted in a Department-provided format:
 - a. ~~The birth parent's preference for being contacted by the adopted individual according to A.R.S. § 36-340; and~~
 - b. ~~If available, the adopted individual's medical history according to A.R.S. § 36-340(E);~~
- Q.P.** To request an amendment to an individual's registered birth record when the individual has undergone a sex change operation or has had a chromosomal count that establishes the sex of the individual as different than in the individual's registered birth record, an individual, if the individual is of legal age or is married, or the individual's parent or guardian shall submit to the State Registrar or a local registrar:
 - 1. A written request, in a Department-provided format, that includes:
 - a. The information in subsection (A), including:
 - i. The individual's sex currently in the individual's registered birth record, and
 - ii. The requested change for the individual's sex to be included in the individual's registered birth record;
 - b. The name and mailing address of the individual or the individual's parent or guardian requesting the amendment; and
 - c. An affidavit attesting to the validity of the submitted amendment, signed, as applicable, by:
 - i. The individual;
 - ii. The individual's parent requesting the amendment, whose name is included in the individual's birth record; or
 - iii. The individual's guardian;
 - 2. A written statement on a physician's letterhead paper, signed and dated by the physician, that the individual has:
 - a. Undergone a sex change operation, or
 - b. Had a chromosomal count that establishes the sex of the individual as different from that in the individual's registered birth record;
 - 3. If the person submitting the request for the amendment to the individual's registered birth record is the individual's guardian, a copy of the court order establishing guardianship, certified by the issuing court; and
 - 4. The fee in R9-19-105 for a request to amend information in a registered birth record.
- Q.Q.** The State Registrar or a local registrar shall amend an individual's registered birth record based on:
 - 1. A request for an amendment, if the State Registrar or local registrar determines, according to R9-19-103, that the information and evidentiary documents in the request for amendment supports the amendment of the individual's registered birth record; or
 - 2. Except as provided in subsection (Q), a court order.
- Q.R.** The State Registrar or a local registrar shall not amend the date of birth in an individual's registered birth record to a year later than the year in the date currently stated in the individual's registered birth record if any of the information in R9-19-201, required for registering the individual's birth, was received by the State Registrar or local registrar before the later date.
- R.S.** When the State Registrar or a local registrar amends a registered birth record, the State Registrar or local registrar shall seal the:
 - 1. Registered birth record that existed before the amendment, and
 - 2. Evidentiary documents submitted to support the amendment.

R9-19-210. Eligibility for a Certified Copy of a Certificate of Birth Registration

- A.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
- B.** The following are eligible to receive a certified copy of an individual's certificate of birth registration:
 - 1. The individual, if the individual is of legal age, ~~or is married, or meets the requirements in A.R.S. § 36-324(F);~~
 - 2. A parent of the individual;
 - 3. The individual's spouse;
 - 4. The individual's grandparent, adult child, adult grandchild, or adult brother or sister;
 - 5. The individual's guardian;
 - 6. A person designated in a power of attorney, established by the individual's parent or guardian according to A.R.S. § 14-5104 or 14-5107;
 - 7. A person appointed as the individual's conservator according to A.R.S. Title 14, Chapter 5, Article 4;
 - 8. A person designated in a court order to receive a certified copy of the individual's certificate of birth registration;
 - 9. An attorney representing:
 - a. The individual, if the individual is of legal age or married;
 - b. The individual's parent; or
 - c. The individual's guardian while acting on the individual's behalf;
 - 10. An adoption agency, licensed according to A.R.S. § 8-126, or a private attorney if:
 - a. An adoption of the individual is pending, and
 - b. The adoption agency or private attorney represents the individual's biological parents or prospective adoptive parents; and

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11. A governmental agency processing an adoption, a financial claim, a governmental benefit application, or another form of compensation on behalf of an individual, or having another official purpose for the certified copy of the individual's certificate of birth registration.

R9-19-211. Requesting a Certified Copy of a Certificate of Birth Registration

- A. A person eligible to receive a certified copy of an individual's certificate of birth registration according to R9-19-210(B)(1) through (8) may request a certified copy of the individual's certificate of birth registration by submitting to the State Registrar or a local registrar:
1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. The relationship between the individual and the person submitting the request that makes the person eligible to receive a certified copy of the individual's certificate of birth registration;
 - d. The individual's:
 - i. Name in the individual's registered birth record,
 - ii. Sex, and
 - iii. Date of birth;
 - e. The name before first marriage of the individual's mother;
 - f. If known, the:
 - i. State file number;
 - ii. Town or city of the individual's birth;
 - iii. County of the individual's birth;
 - iv. Hospital where the individual was born, if applicable;
 - v. Name of the individual's father; and
 - vi. Dates of birth of the individual's parents;
 - g. The number of certified copies of the individual's certificate of birth registration being requested; and
 - h. The dated signature of the person submitting the request, ~~either:~~
 - i. With the person's signature notarized; ~~or~~
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the person that contains the name and signature of the person; ~~or~~
 - iii. Through a Department-approved online verification system that satisfies the requirements for identity proofing as required by the National Institute of Standards and Technology (NIST) Levels 1, 2, and 3.
 2. Except for an individual who is 18 years of age or older or a parent whose name is included in the individual's registered birth record, one or more evidentiary documents demonstrating that the person is eligible to receive a certified copy of the individual's certificate of birth registration; and
 3. The fee in R9-19-105 for each certified copy of the individual's certificate of birth registration being requested.
- B. The following provides examples of documentation that meets the requirement in subsection (A)(2):
1. For the individual, if the individual is less than 18 years of age, ~~documentation that the individual is emancipated, according to A.R.S. Title 12, Chapter 15, or married;~~
 - a. Documentation that the individual is emancipated, according to A.R.S. Title 12, Chapter 15;
 - b. Documentation that the individual is married; or
 - c. A statement that the individual meets the requirements in A.R.S. § 36-324(F);
 2. For a parent whose name is not included in the individual's registered birth record, either:
 - a. A copy of a court order of adoption for the individual, certified by the issuing court, or a certificate of adoption for the individual with a court seal, including the parent's name as an adoptive parent of the individual; or
 - b. A copy of a court order, certified by the issuing court, including the parent's name as a parent of the individual;
 3. For the individual's spouse:
 - a. A copy of the marriage certificate for the individual and the spouse; and
 - b. A written document signed and dated by the individual authorizing the spouse to receive a copy of the individual's certificate of birth registration with either:
 - i. The signature notarized, or
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification that contains the individual's name and signature;
 4. For a person who is the individual's grandparent or the individual's adult child, grandchild, brother, or sister, either:
 - a. A copy of one or more certificates of birth registration or certificates of death registration that show the person's relationship to the individual or, if a parent's name is included in the individual's registered birth record, the individual's parent; or
 - b. For births or deaths registered in Arizona, information about the person or a related person whose birth or death was registered in Arizona, such as the person's name, date of birth, or parent's name and date of birth or date of death, that would enable the Department to locate the registered birth record or registered death record of the person or the related person;
 5. For the individual's guardian, a copy of the court order establishing guardianship, certified by the issuing court;
 6. For a person designated in a power of attorney, established by the individual's parent or guardian according to A.R.S. § 14-5104 or 14-5107, a copy of the power of attorney;
 7. For a person appointed as the individual's conservator according to A.R.S. Title 14, Chapter 5, Article 4, a copy of the court order establishing conservatorship, certified by the issuing court; and

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8. For a person named in a court order to receive a certified copy of the individual's certificate of birth registration, a copy of the court order, certified by the issuing court.
- C. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - i. No change
 - ii. No change
 2. No change
 3. No change
 4. No change
 5. No change
- D. An adoption agency representing an individual's biological parents or prospective adoptive parents may request a certified copy of the individual's certificate of birth registration by submitting to the State Registrar or a local registrar:
 1. A written request, on the adoption agency's letterhead paper or in a Department-provided format, that includes:
 - a. The name, license number, and address of the adoption agency;
 - b. The name of and contact information for the adoption agency's designee for the adoption, which includes a telephone number or an e-mail address;
 - c. The name of the individual's biological parents or prospective adoptive parents;
 - d. The information in subsections (A)(1)(d) through (f);
 - e. The number of certified copies of the individual's certificate of birth registration being requested; and
 - f. The dated signature of the adoption agency's designee:
 - i. With the designee's signature notarized; or
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the designee that contains the designee's name and signature;
 2. A copy of a petition to adopt that:
 - ~~i-a.~~ Complies with A.R.S. § 8-109;
 - ~~ii-b.~~ Includes the names of the individual and, as applicable, the individual's biological parents or prospective adoptive parents; and
 - ~~iii-c.~~ Has been filed with a court of competent jurisdiction; and
 3. If not included in the copy of a petition to adopt required in subsection (D)(2), a copy of a document demonstrating that the adoption agency is representing the individual's biological parents or prospective adoptive parents; and
 4. The fee in R9-19-105 for each certified copy of the individual's certificate of birth registration being requested.
- E. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - i. No change
 - ii. No change
 2. No change
 3. No change
 - a. No change
 - b. No change
 - c. No change
 4. No change
- F. No change
 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change
 - ii. No change
 - e. No change
 - f. No change

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2. No change

R9-19-212. Requesting a Noncertified Copy of a Certificate of Birth Registration

A. No change

B. Except as provided in ~~subsection (C)~~ subsection (D), a person who is conducting research may request a noncertified copy of an individual's certificate of birth registration by submitting to the State Registrar:

1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. The reason the person is requesting a noncertified copy of the individual's certificate of birth registration;
 - d. The information required in R9-19-211(A)(1)(d) through (f); and
 - e. The dated signature of the person submitting the request:
 - i. With the person's signature notarized;
 - ii. Accompanied by a copy of a valid, government-issued form of identification for the person that contains the name, date of birth, and signature of the person; or
 - iii. Through a Department-approved online ordering verification system that satisfies the requirements for identity proofing as required by the National Institute of Standards and Technology (NIST) Levels 1, 2, and 3.
2. Documentation from the Department's Human Subjects Review Board that the person is eligible to receive a noncertified copy of the individual's certificate of birth registration; and
3. The fee in R9-19-105 for the noncertified copy of the individual's certificate of birth registration.

C. An adopted individual may request a noncertified copy of the individual's original certificate of birth registration that had been sealed due to the adoption, as specified in A.R.S. § 36-340(A):

1. If the adopted individual is 18 years of age or older and was born in Arizona before June 20, 1968 or after September 28, 2021;
2. By submitting to the Department:
 - a. The following information in a Department provided format:
 - i. The name and mailing address of the adopted individual;
 - ii. Contact information for the adopted individual, which includes a telephone number or an e-mail address;
 - iii. The adopted individual's:
 - (1) Name after adoption, if different from the name in subsection (C)(2)(a)(i);
 - (2) Sex;
 - (3) Date of birth;
 - (4) Name of the adopted individual's adoptive mother; and
 - (5) Name of the adopted individual's adoptive father;
 - iv. If known, the:
 - (1) State file number;
 - (2) Town or city of the adopted individual's birth;
 - (3) County of the adopted individual's birth;
 - (4) Hospital where the adopted individual was born, if applicable; and
 - (5) Dates of birth of the adopted individual's adoptive parents; and
 - v. The dated signature of the adopted individual submitting the request;
 - b. Government-issued form of photo identification or notarized signature of the adopted individual; and
 - c. The fee in R9-19-105 for the noncertified copy of the adopted individual's certificate of birth registration.

~~C.~~D. A person who is a family member, including a niece or nephew, of an individual, who is conducting research for genealogical purposes, and who is of legal age may request a noncertified copy of the individual's certificate of birth registration by submitting to the State Registrar or a local registrar:

1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. The relationship between the individual and the person submitting the request that makes the person eligible to receive a noncertified copy of the individual's certificate of birth registration;
 - d. The information required in R9-19-211(A)(1)(d) through (f);
 - e. A statement that the person is conducting research for genealogical purposes; and
 - f. The dated signature of the person submitting the request, either:
 - i. With the person's signature notarized; or
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the person that contains the name, date of birth, and signature of the person;
2. Documentation demonstrating that the person is eligible to receive a noncertified copy of the deceased individual's certificate of birth registration that may include:
 - a. A copy of one or more certificates of birth registration or certificates of death registration that show the person's relationship to the individual or, if a parent's name is included in the individual's registered birth record, the individual's parent; or
 - b. For births or deaths registered in Arizona, information about the person or a related person whose birth or death was registered in Arizona, such as the person's name, date of birth, or parent's name and date of birth or date of death, that would enable the Department to locate the registered birth record or registered death record of the person or the related person; and

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3. The fee in R9-19-105 for the noncertified copy of the individual's certificate of birth registration.
- ~~D-E~~** A governmental agency processing an adoption, a financial claim, a governmental benefit application, or another form of compensation on behalf of an individual, or having another official purpose for the noncertified copy of the individual's certificate of birth registration may request a noncertified copy of the individual's certificate of birth registration by submitting to the State Registrar or a local registrar:
1. A written request, on the governmental agency's letterhead paper or in a Department-provided format, that includes:
 - a. The name and address of the governmental agency;
 - b. The name of and contact information for the governmental agency's designee for the request, which includes a telephone number or an e-mail address;
 - c. The information required in R9-19-211(A)(1)(d) through (f);
 - d. A description of the:
 - i. Action the governmental agency is taking on behalf of the individual, or
 - ii. Official purpose for which the governmental agency needs a certificate of the individual's birth registration;
 - e. The reason the governmental agency is requesting a noncertified copy of the individual's certificate of birth registration; and
 - f. The dated signature of the governmental agency's designee, accompanied by a copy of the designee's identification badge from the governmental agency verifying that the designee is an employee of the governmental agency; and
 2. Unless the governmental agency is an agency as defined in A.R.S. § 41-1001, the fee in R9-19-105 for the noncertified copy of the individual's certificate of birth registration.

ARTICLE 3. VITAL RECORDS FOR DEATH

R9-19-302. Information for a Death Record

- ~~A~~** The information for a deceased individual's death record includes ~~the following:~~ all data in a manner required by the State Registrar, in accordance with A.R.S. § 36-302.
- ~~1.~~ **Demographic and final disposition information for the deceased individual's certificate of death registration:**
 - ~~a.~~ The name, date of birth, and sex of the deceased individual;
 - ~~b.~~ Any other names by which the deceased individual was known, including, if applicable, the deceased individual's last name before first marriage;
 - ~~c.~~ The place of death including:
 - ~~i.~~ The county;
 - ~~ii.~~ Town or city; and
 - ~~iii.~~ Zip code;
 - ~~d.~~ If death was pronounced in a hospital, whether the deceased individual was:
 - ~~i.~~ An inpatient;
 - ~~ii.~~ An outpatient; or
 - ~~iii.~~ Dead on arrival at the hospital;
 - ~~e.~~ If death was pronounced somewhere other than a hospital, whether death was pronounced at:
 - ~~i.~~ The deceased individual's residence;
 - ~~ii.~~ A hospice inpatient facility;
 - ~~iii.~~ A nursing care institution; or
 - ~~iv.~~ Another location;
 - ~~f.~~ If death was pronounced at another location, a description of the location;
 - ~~g.~~ If death was pronounced:
 - ~~i.~~ In a health care institution, the facility name; or
 - ~~ii.~~ In a location other than a health care institution, the street address of the location;
 - ~~h.~~ The deceased individual's race;
 - ~~i.~~ Whether the deceased individual was of Hispanic origin and, if so, the type of Hispanic origin;
 - ~~j.~~ If the deceased individual was a member of a tribe recognized by the Federal Bureau of Indian Affairs' Office of Federal Acknowledgement under 25 CFR Part 83, the name of the tribe;
 - ~~k.~~ Whether the deceased individual was ever in the U.S. Armed Forces;
 - ~~l.~~ The deceased individual's age:
 - ~~i.~~ If the deceased individual was one or more years old, in years since the deceased individual's birthday;
 - ~~ii.~~ If the deceased individual was one or more days old but less than one year old, in months and days; or
 - ~~iii.~~ If the deceased individual was less than one day old, in hours and minutes;
 - ~~m.~~ The deceased individual's marital status at the time of death;
 - ~~n.~~ The name of the deceased individual's surviving spouse, if applicable, and, if different, the spouse's last name before first marriage;
 - ~~o.~~ The state, county, and city of the deceased individual's birth or, if the birth did not happen in the United States, the name of the country where the birth occurred;
 - ~~p.~~ The deceased individual's Social Security Number;
 - ~~q.~~ The deceased individual's usual occupation;
 - ~~r.~~ The address, including the street address, town or city, state, zip code, and county, of the deceased individual's usual residence;

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- s. If the deceased individual's usual residence is not in the United States, the name of the country of the deceased individual's usual residence;
 - t. The name of the deceased individual's father;
 - u. The name before first marriage of the deceased individual's mother;
 - v. The following information about the individual providing the demographic and final disposition information about the deceased individual:
 - i. The individual's name;
 - ii. Relationship to the deceased individual; and
 - iii. The individual's mailing address, including street address, city or town, state, zip code, and, if outside the U.S., country;
 - w. The anticipated final disposition of the human remains, including one or more of the following:
 - i. Burial;
 - ii. Entombment;
 - iii. Cremation;
 - iv. Anatomical gift, except for an anatomical gift of a part;
 - v. Removal from the state; and
 - vi. Other final disposition of the human remains;
 - x. If an anticipated final disposition is anatomical gift, except for an anatomical gift of a part, another anticipated final disposition other than removal from the state;
 - y. If an anticipated final disposition is removal from the state:
 - i. Whether removal from the state includes removal from the United States; and
 - ii. Another anticipated final disposition specified in subsection (A)(1)(w)(i), (ii), (iii), or (vi);
 - z. If an anticipated final disposition of the human remains is another means of final disposition, a description of the anticipated final disposition;
 - aa. The name and location where each final disposition of the human remains took place, and the date of each final disposition;
 - bb. If applicable, the name and address of the funeral establishment; and
 - cc. As applicable:
 - i. The name and license number of the funeral director in charge of the final disposition of the human remains; or
 - ii. If a funeral director is not in charge of the final disposition of the human remains, the name of the responsible person and, if the responsible person is not the individual identified in subsection (A)(1)(v), the responsible person's:
 - (1) Relationship to the deceased individual; and
 - (2) Mailing address, including street address, city or town, state, zip code, and, if outside the U.S., country;
2. Other demographic and final disposition information for the deceased individual's death record:
- a. Whether the deceased individual's usual residence was within city limits;
 - b. Whether the deceased individual's usual residence was in a tribal community at the time of death;
 - c. If the deceased individual's usual residence was in a tribal community at the time of death, the name of the tribal community;
 - d. How long the deceased individual resided in Arizona before the deceased individual's death;
 - e. The type of business or industry in which the deceased individual usually worked;
 - f. The name of the country of which the deceased individual was a citizen;
 - g. The highest educational grade completed by the deceased individual; and
 - h. If the anticipated final disposition of the deceased individual's human remains is cremation, documentation of the approval of the medical examiner of the county where the death occurred for the cremation of the human remains;
3. Medical certification information for the deceased individual's certificate of death registration:
- a. The date of death and whether the date is the actual date of death or a date determined through a death investigation conducted under A.R.S. § 11-597;
 - b. The time death was pronounced;
 - c. The conditions leading to the immediate cause of death, including the underlying causes of death;
 - d. For each cause or condition listed according to subsection (A)(3)(c), the length of time from the onset of the cause or condition to the time of death;
 - e. Any other conditions contributing to the death;
 - f. Whether an autopsy was performed on the deceased individual;
 - g. Whether autopsy results were available to complete the cause of death;
 - h. The manner of death;
 - i. The name, title, and address of the medical certifier; and
 - j. The date the medical certifier signed the medical certification of death; and
4. Other medical certification information for the deceased individual's death record:
- a. If the medical certifier is a health care provider, the health professional license number of the medical certifier;
 - b. If the medical certifier is a tribal law enforcement authority, the badge number of the medical certifier;
 - c. Whether tobacco use contributed to the cause of death;
 - d. If the deceased individual was female, whether:
 - i. The deceased individual was pregnant within the last year;
 - ii. The deceased individual was pregnant at the time of death;
 - iii. The deceased individual was not pregnant at the time of death, but pregnant within 42 days before death;

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- iv. The deceased individual was not pregnant at the time of death, but pregnant 43 days to one year before death; or
 - v. It is unknown whether the deceased individual was pregnant within the last year; and
 - e. Whether a notification required in A.R.S. § 11-593 was made.
- B.** If a medical examiner determined the manner of death in subsection (A)(3)(h) for a deceased individual, in addition to the information in subsections (A)(3) and (4), the medical certification information for the deceased individual's death record includes:
 - 1. For the deceased individual's certificate of death registration, whether the:
 - a. Manner of death was due to:
 - i. Natural causes;
 - ii. An accident;
 - iii. Suicide;
 - iv. Homicide; or
 - v. An undetermined cause; and
 - b. Whether the death was as a result of an injury and, if so, whether the injury occurred while the deceased individual was working or at the deceased individual's workplace; and
 - 2. The following other medical certification information for the deceased individual's death record:
 - a. If the death was as a result of an injury:
 - i. The date and time of the injury;
 - ii. The type of location where the injury occurred;
 - iii. The address of the location where the injury occurred; and
 - iv. A description of how the injury occurred; and
 - b. If the death was caused by a transportation accident, whether the deceased individual at the time of the transportation accident was:
 - i. The driver or operator of the transportation vehicle;
 - ii. A passenger in the transportation vehicle;
 - iii. A pedestrian; or
 - iv. Involved in another activity affected by the transportation accident.

R9-19-303. Registration of a Deceased Individual's Death

- A.** Before requesting the registration of a deceased individual's death, a responsible person or funeral director who is responsible for the final disposition of the deceased individual's human remains shall:
 - 1. Obtain, in a written format:
 - a. The information in R9-19-302(A)(1)(a) through (v) and (2)(a) through (g); and
 - b. A statement attesting to the validity of the information in R9-19-302(A)(1)(a) through (v) and (2)(a) through (g), signed and dated by the person providing the information;
 - 2. Provide, in a Department-provided format, the information in ~~R9-19-3-302(A)(1)(w) through (ee)~~ R9-19-301 and R9-19-302; and
 - 3. If applicable, obtain the documentation required in R9-19-302(A)(2)(h).
- B.** No change
 - 1. No change
 - a. No change
 - b. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
 - a. No change
 - b. No change
- C.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - i. No change
 - (1) No change
 - (2) No change
 - ii. No change
 - 3. No change
- D.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - i. No change
 - (1) No change

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- (2) No change
 - ii. No change
 - iii. No change
 - 3. No change
 - a. No change
 - b. No change
- E. No change
 - 1. No change
 - 2. No change
- F. No change
- G. No change
 - 1. No change
 - a. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
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 - 2. No change
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 - 3. No change
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- H. No change
- I. No change
 - 1. No change
 - a. No change
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 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - 2. No change
 - 3. No change
 - 4. No change

R9-19-310. Amending Information in a Registered Death Record or a Registered Fetal Death Record

- A. To request the amendment of information specified in R9-19-302(A)(3) or (4) in a deceased individual's registered death record, a medical certifier, ~~including a medical examiner or, if applicable, a tribal law enforcement authority~~, who completed the medical certification of death for the deceased individual, according to R9-19-303(C)(2) or R9-19-304(B), shall submit to the State Registrar or the local registrar of the registration district where the death occurred:
 - 1. A written request to amend the submitted information, in a Department-provided format, that includes:
 - a. The name and, as applicable, the health professional license number or the badge number of the medical certifier submitting the request;
 - b. Contact information for the medical certifier submitting the request, which includes a telephone number or an e-mail address;
 - c. The following information about the deceased individual:
 - i. Name in the deceased individual's registered death record;
 - ii. Sex;
 - iii. Date of birth;
 - iv. Date of death; and
 - v. If known, the state file number;
 - d. The specific information in the registered death record to be amended; and
 - e. A written statement attesting to the validity of the submitted amendment signed by the medical certifier submitting the request for amendment; and

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2. An evidentiary document that demonstrates the validity of the submitted amendment.
- B.** In the event the original medical certifier, medical examiner or tribal law enforcement authority is retired or deceased, an alternate medical certifier, medical examiner, or tribal law enforcement authority who is employed by the same business shall submit to the State Registrar or the local registrar of the registration district where the death occurred, the information required in (A)(1) and (A)(2).
- B-C.** Except as provided in subsections (D) and (F), to request the amendment of any of the information in R9-19-302(A)(1) or (2) in a deceased individual's registered death record, a person shall submit to the State Registrar or the local registrar of the registration district where the death occurred:
 1. A request to amend, in a Department-provided format, that includes:
 - a. The following information:
 - i. The name of the person submitting the request;
 - ii. The person's relationship to the deceased individual;
 - iii. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - iv. The information required in subsection (A)(1)(c); and
 - v. The specific information in the registered death record to be amended; and
 - b. An affidavit attesting to the validity of the submitted amendment, signed by the person requesting the amendment;
 2. An evidentiary document that demonstrates the person's relationship to the deceased individual;
 3. An evidentiary document that demonstrates the validity of the submitted amendment; and
 4. The fee in R9-19-105 for a request to amend the information in a registered death record.
- C-D.** If a person submitting a request to amend the information in a deceased individual's registered death record according to subsection (B) is not the individual listed in the deceased individual's death record as the individual who provided the information about the deceased individual, as specified in R9-19-302(A)(1)(v), the State Registrar or a local registrar or deputy local registrar:
 1. Shall notify the individual who provided the information about the deceased individual of the request for an amendment of information in the deceased individual's registered death record, and
 2. May request evidentiary documents from the person submitting the request and the individual who provided information about the deceased individual within 10 calendar days after the request to determine the validity of the requested amendment and the information in the deceased individual's registered death record.
- E.** If the informant has not responded within 10 calendar days, the amendment will be processed on or after 15 calendar days from the date the notice was sent.
- D-E.** In addition to an amendment of information in a deceased individual's registered death record allowed under subsection (A), a medical examiner may request the amendment of any other information that had been submitted by the medical examiner according to R9-19-304(B) for the deceased individual's death record by submitting to the State Registrar or the local registrar of the registration district where the death occurred:
 1. The written request to amend the submitted information in subsection (A)(1), and
 2. An evidentiary document that demonstrates the validity of the submitted amendment.
- E-G.** The consulate of a foreign government may request the amendment of any of the information in R9-19-302(A)(1) or (2) in a deceased individual's registered death record on behalf of a family member of the deceased individual if:
 1. The family member:
 - a. Is a citizen of the foreign country, and
 - b. Resides in the foreign country;
 2. The deceased individual's medical certification of death was submitted by a medical examiner according to R9-19-304(B); and
 3. The consulate provided the medical examiner who submitted the deceased individual's medical certification of death with evidentiary documents that enabled the medical examiner to establish the identity of the deceased individual.
- F-H.** To request the amendment of any of the information in R9-19-302(A)(1) or (2) in a deceased individual's registered death record under subsection (E), the consulate of a foreign government shall submit to the State Registrar or the local registrar of the registration district where the death occurred:
 1. A written request to amend on the letterhead of the consulate, that includes:
 - a. The name and address of the consulate;
 - b. The name of and contact information for the consulate's designee for the request, which includes a telephone number or an e-mail address;
 - c. The name of the person the consulate is representing;
 - d. The relationship of the person in subsection (F)(1)(c) to the deceased individual;
 - e. The information required in subsection (A)(1)(c);
 - f. The specific information in the registered death record to be amended; and
 - g. The dated signature of the consulate's designee;
 2. Documentation verifying that the consulate's designee is representing the consulate;
 3. A written statement, signed by the consulate's designee, attesting that the consulate has verified the relationship of the person identified according to subsection (F)(1)(c) to the deceased individual;
 4. One or more evidentiary documents that demonstrate the validity of the submitted amendment; and
 5. The fee in R9-19-105 for a request to amend the information in a registered death record.
- G-I.** To request the amendment of information submitted by a hospital, an abortion clinic, a physician, a nurse midwife, or a midwife, according to R9-19-305(B); by a medical examiner, according to R9-19-306(B); or a tribal law enforcement authority, as allowed by A.R.S. § 36-325(I), in a registered fetal death record, a designee of the hospital, abortion clinic, physician, nurse midwife, medical

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examiner, or tribal law enforcement authority, as applicable, shall submit to the State Registrar or the local registrar of the registration district where the fetal death occurred:

1. A written request to amend, in a Department-provided format, that includes:
 - a. The name and, as applicable:
 - i. The health care institution license number of the hospital or abortion clinic submitting the request;
 - ii. The health professional license number of the physician, nurse midwife, midwife, or medical examiner submitting the request; or
 - iii. Badge number for the medical certifier for the tribal law enforcement authority submitting the request;
 - b. Contact information for the designee of the hospital, abortion clinic, physician, nurse midwife, medical examiner, or tribal law enforcement authority submitting the request, which includes a telephone number or an e-mail address;
 - c. The following information:
 - i. Name of the mother of the fetus;
 - ii. Date of delivery; and
 - iii. If known, the state file number;
 - d. The specific information in the registered fetal death record to be amended; and
 - e. A written statement attesting to the validity of the submitted amendment signed and dated by the designee of the hospital, abortion clinic, physician, nurse midwife, medical examiner, or tribal law enforcement authority submitting the request for amendment; and
2. An evidentiary document that demonstrates the validity of the submitted amendment.

H.J. To request the amendment of information in a registered fetal death record, a parent of the fetus shall submit, to the State Registrar or the local registrar of the registration district where the fetal death occurred:

1. A request to amend, in a Department-provided format, that includes:
 - a. The following information:
 - i. The name of the parent submitting the request;
 - ii. Contact information for the parent submitting the request, which includes a telephone number or an e-mail address;
 - iii. The information required in subsection (G)(1)(c); and
 - iv. The specific information in the registered fetal death record to be amended; and
 - b. An affidavit attesting to the validity of the submitted amendment, signed by the parent requesting the amendment;
2. Except for an amendment to add the name of the fetus to the registered fetal death record, an evidentiary document that demonstrates the validity of the submitted amendment; and
3. The fee in R9-19-105 for a request to amend the information in a registered fetal death record.

I.K. The State Registrar or a local registrar shall amend the information in a registered death record or registered fetal death record based on a:

1. Request for amendment, if the State Registrar or local registrar determines, according to R9-19-103, that the information and evidentiary documents in the request for amendment supports the amendment of the deceased individual's registered death record; or
2. Court order.

R9-19-315. Requesting a Certified Copy of a Certificate of Death Registration

A. A funeral director eligible to receive a certified copy of a deceased individual's certificate of death registration according to R9-19-314(B)(1) or the funeral director's designee according to R9-19-314(B)(2) may request a certified copy of the deceased individual's certificate of death registration by submitting to the State Registrar or a local registrar:

1. A written request, on the letterhead of the funeral establishment or in a Department-provided format, that includes:
 - a. The name and license number of the funeral director;
 - b. Contact information for the funeral director, which includes a telephone number or an e-mail address;
 - c. If applicable, the name and contact information for the funeral director's designee, which includes a telephone number or an e-mail address;
 - d. The name and address of the funeral director's funeral establishment;
 - e. The deceased individual's:
 - i. Name in the deceased individual's registered death record,
 - ii. Date of birth, if known, and
 - iii. Date of death;
 - f. If known, the:
 - i. Sex of the deceased individual,
 - ii. State file number,
 - iii. Town or city of the deceased individual's death,
 - iv. County of the deceased individual's death,
 - v. Place of the deceased individual's death, and
 - vi. Deceased individual's Social Security Number;
 - g. The number of certified copies of the individual's certificate of death registration being requested; and
 - h. The dated signature of the funeral director submitting the request and, except as provided in subsection (B), either:
 - i. With the funeral director's signature notarized; or
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the funeral director that contains the funeral director's name and signature;

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2. Except when the name of the funeral establishment specified according to subsection (A)(1)(d) is included in the deceased individual's registered death record, a copy of documentation demonstrating that the funeral director or the funeral director's funeral establishment has a valid contract to furnish funeral goods or services, as defined in A.R.S. § 32-1301, related to a final disposition of the deceased individual's human remains; and
 3. The fee in R9-19-105 for each certified copy of the deceased individual's certificate of death registration being requested.
- B.** A funeral director or the funeral director's designee requesting a certified copy of a deceased individual's certificate of death registration according to subsection (A) may submit the written request in subsection (A)(1) with the funeral director's or the funeral director's designee's signature, if the funeral director or the funeral director's designee has submitted to the State Registrar or a local registrar:
1. A copy of a valid, government-issued form of photo identification of the funeral director or the funeral director's designee, as ~~applicable~~ applicable; and
 2. Documentation verifying current employment by the funeral establishment specified according to subsection (A)(1)(d), dated within the 12 months before the deceased individual's death was registered.
- C.** A person eligible to receive a certified copy of a deceased individual's certificate of death registration according to R9-19-314(B)(3) through (12) may request a certified copy of the deceased individual's certificate of death registration by submitting to the State Registrar or a local registrar:
1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. The person's relationship with the deceased individual that makes the person eligible to receive a certified copy of the deceased individual's certificate of death registration;
 - d. The deceased individual's:
 - i. Name in the deceased individual's registered death record,
 - ii. Date of birth, and
 - iii. Date of death;
 - e. If known, the:
 - i. Sex of the deceased individual,
 - ii. State file number,
 - iii. Town or city of the deceased individual's death,
 - iv. County of the deceased individual's death,
 - v. Place of the deceased individual's death,
 - vi. Funeral establishment or person responsible for the final disposition of the deceased individual's human remains, and
 - vii. Deceased individual's Social Security Number;
 - f. Whether the certified copy of the deceased individual's certificate of death registration is to be used in a claim against the U.S. government for one of the following and, if so, which of the following:
 - i. Social Security or similar retirement benefits;
 - ii. Allotments to dependents of military personnel on active service;
 - iii. Pensions to veterans of the armed forces or their survivors;
 - iv. Payments of U.S. government or NSLI life insurance proceeds; or
 - v. Any other claim that, as determined by the State Registrar, meets the general requirements of A.R.S. § 39-122(A);
 - g. The number of certified copies of the deceased individual's certificate of death registration being requested; and
 - h. The dated signature of the person submitting the request, ~~either~~:
 - i. With the person's signature notarized; ~~or~~
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the person that contains the person's name and signature; or
 - iii. Through a Department-approved online verification system that satisfies the requirements for identity proofing as required by the National Institute of Standards and Technology (NIST) Levels 1, 2, and 3.
 2. One or more evidentiary documents demonstrating that the person is eligible to receive a certified copy of the deceased individual's certificate of death registration; and
 3. Except as provided in A.R.S. § 39-122(A), the fee in R9-19-105 for each certified copy of the deceased individual's certificate of death registration being requested.
- D.** No change
1. No change
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 - ii. No change
 - b. No change
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 - b. No change
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- 7. No change
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 - ii. No change
 - iii. No change
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- E.** No change
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- F.** No change
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- G.** No change
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- H.** No change
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- I. No change
 - 1. No change
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 - b. No change
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- J. No change
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 - c. No change
 - d. No change
 - i. No change
 - ii. No change
 - e. No change
 - f. No change
 - 2. No change

R9-19-316. Requesting a Noncertified Copy of a Certificate of Death Registration

- A. No change
- B. Except as provided in subsection (C) or (D), a person who is conducting research may request a noncertified copy of a deceased individual's certificate of death registration by submitting to the State Registrar:
 - 1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. The reason the person is requesting a noncertified copy of the deceased individual's certificate of death registration;
 - d. The information required in R9-19-315(C)(1)(d) and (e); and
 - e. The dated signature of the person submitting the request, ~~either~~:
 - i. With the person's signature notarized; ~~or~~
 - ii. Accompanied by a copy of a valid, government-issued form of identification for the person that contains the name, date of birth, and signature of the person; ~~or~~
 - iii. Through a Department-approved online ordering verification system that satisfies the requirements for identity proofing as required by the National Institute of Standards and Technology (NIST) Levels 1, 2, and 3.
 - 2. Documentation from the Department's Human Subjects Review Board that the person is eligible to receive a noncertified copy of the deceased individual's certificate of death registration; and
 - 3. The fee in R9-19-105 for the noncertified copy of the deceased individual's certificate of death registration.
- C. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - i. No change
 - ii. No change
 - 2. No change
 - a. No change
 - b. No change
 - 3. No change
- D. No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change

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- ii. No change
- e. No change
- f. No change
- 2. No change

R9-19-317. Obtaining a Certificate of Fetal Death Registration or a Certificate of Birth Resulting in Stillbirth

- A. No change
- B. No change
- C. A parent of a fetus or a person who is of legal age and who is authorized by a parent of the fetus may request a certified or noncertified copy of a certificate of fetal death registration for the fetus by submitting to the State Registrar or a local registrar:
 - 1. A written request, in a Department-provided format, that includes:
 - a. The name and mailing address of the person submitting the request;
 - b. Contact information for the person submitting the request, which includes a telephone number or an e-mail address;
 - c. Whether the person submitting the request is a parent of a fetus or a person authorized by a parent of the fetus;
 - d. The following information:
 - i. The name of the mother in the registered fetal death record, and
 - ii. The date of delivery;
 - e. If known, the:
 - i. State file number,
 - ii. Town or city of the fetal death, and
 - iii. County of the fetal death;
 - f. If the person submitting the request is a parent of the fetus, whether the person would like to receive a certified copy of a certificate of birth resulting in stillbirth for the fetus;
 - g. The number being requested of:
 - i. Certified copies of a certificate of fetal death registration,
 - ii. Noncertified copies of a certificate of fetal death registration, and
 - iii. Certified copies of a certificate of birth resulting in stillbirth; and
 - h. The dated signature of the person submitting the request, ~~either~~:
 - i. With the person's signature notarized; ~~or~~
 - ii. Accompanied by a copy of a valid, government-issued form of photo identification for the person that contains the name and signature of the person;
 - iii. Through a Department-approved online ordering verification system that satisfies the requirements for identity proofing as required by the National Institute of Standards and Technology (NIST) Levels 1, 2, and 3.
 - 2. For a parent whose name is not included in the registered fetal death record, documentation demonstrating that the person submitting the request is a parent of the fetus;
 - 3. For a person authorized by a parent of the fetus to receive a certified or noncertified copy of the certificate of fetal death registration for the fetus:
 - a. Documentation demonstrating that the person submitting the request is authorized to receive a certified or noncertified copy of a certificate of fetal death registration for the fetus; and
 - b. Documentation demonstrating that the individual authorizing the person submitting the request to receive a certified or noncertified copy of a certificate of fetal death registration for the fetus is a parent of the fetus; and
 - 4. The applicable fee in R9-19-105 for each certificate ~~of~~ being requested.

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NOTICES OF RULEMAKING DOCKET OPENING

Volume 32, Issue 39, September 25, 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 RULEMAKING DOCKET OPENING

STATE BOARD OF DENTAL EXAMINERS

File Number: R26-168

1. **Permission to proceed with this docket was granted under A.R.S. § 41-1039 by the governor on:**
August 14, 2026
2. **Title and its heading:**
4. Professions and Occupations

Chapter and its heading:
11. State Board of Dental Examiners

Article and its heading:
12. Continuing Dental Education and Renewal Requirements

Section number:
R4-11-1203 and R4-11-1204
Sections may be added, amended, repealed, or renumbered as necessary.
3. **The subject matter of the proposed rule:**
The Board needs to repeal R4-11-1203(7) and R4-11-1204(6) because they are no longer necessary.
4. **A citation to all published notices relating to the current proceeding:**
Notice of Proposed Rulemaking: 32 A.A.R. 2275, September 25, 2026 (*in this issue*); File Number: R26-162
5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Ryan Edmonson, Executive Director
Address: Arizona State Board of Dental Examiners
1740 W. Adams St., Suite 2470
Phoenix, AZ 85007
Telephone: (602) 542-4493
Email: ryan.edmonson@dentalboard.az.gov
Website: <https://dentalboard.az.gov/home>
6. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item #5. Comments will also be accepted via email at the email address provided under item #5. Mailed written comments shall be postmarked within 30 days of this published notice. Oral comments may be made at an Oral Proceeding as provided in the Notice of Proposed Rulemaking listed in item #4.

NOTICES OF RULEMAKING DOCKET OPENING

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

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NOTICES OF PUBLIC INFORMATION

Volume 32, Issue 39, September 25, 2026

NOTICES OF PUBLIC INFORMATION

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

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

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

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

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF GAMING

File Number: M26-69

1. Agency Name:

Arizona Department of Gaming

2. Agency Contact information:

Name: Danielle Schelble
Title: General Counsel
Address: 100 N. 15th Ave., Suite 202
Phoenix, AZ 85007
Telephone: (480) 796-0195
Email: rules@azgaming.gov
Website: <https://gaming.az.gov/>

3. Public information related to this notice:

The Department of Gaming is extending its public comment period for its Proposed Rulemakings of Title 19, Chapter 2, (Articles 1 and 2; 4 and 5), to be open through October 9, 2026. The Oral Proceeding will still be held on October 7, as noted in the Notices of Proposed Rulemaking. Both rulemaking notices were published in issue 36 of the *Arizona Administrative Register*, September 4, 2026. The Notice of Proposed Rulemaking for Articles 1 and 2 (File Number R26-146) can be found on page 2015. The Notice of Proposed Rulemaking related to Articles 4 and 5 (File Number R26-147) can be found on page 2065.

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

File Number: M26-70

1. Agency Name:

Office of the Governor

2. Public information related to this notice:

Notice of Executive Commutation

Governor Hobbs gives notice that the following Executive Commutation was granted to Eric Frausto in response to a recommendation by the Board of Executive Clemency.

Governor Katie Hobbs hereby gives notice that Eric Frausto received an Executive Commutation, granted September 21, 2026, based on Mr. Frausto's imminent danger of death and in response to a recommendation by the Board of

Arizona Administrative Register
NOTICES OF PUBLIC INFORMATION

Executive Clemency. Mr. Frausto's sentence is commuted so that in lieu of the original sentence for incarceration, the remaining unexpired sentence in Count 2 be commuted to time served and that the term of supervised probation in Count 1 remain as ordered by the court.

Arizona Administrative Register
NOTICES OF SUBSTANTIVE POLICY STATEMENT

Volume 32, Issue 39, September 25, 2026

NOTICES OF SUBSTANTIVE POLICY STATEMENT

Summaries and Location of Documents

Substantive policy statements are written expressions that inform the general public of an agency's current approach to rule or regulation practice as defined under [A.R.S. § 41-1001\(24\)](#).

Agencies are required to prepare a Notice of Substantive Policy Statement and publish the titles of its substantive policy statements, a summary of statements, and its website where full statements can be reviewed under [A.R.S. § 41-1013\(B\)\(9\)](#).

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect an agency's internal procedures and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA.

Any person may petition an agency under [A.R.S. § 41-1033\(A\)\(2\)](#) to review an existing agency practice or substantive policy statement that the petitioner alleges to constitute a rule.

For additional information about these notices, contact the person listed under Item #6 of this notice.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

File Number: M26-68

1. Statement title and policy number:

Thermal Preservation and Data Acceptance
Policy number: 0901.2026

2. Is this a new policy or revision:

New

3. Date issued and effective date (if different from the date issued):

September 1, 2026

4. Policy summary:

Summary of contents: Pursuant to A.R.S. § 41-1001(24), "substantive policy statement" means a written expression which informs the general public of an agency's current approach to, or opinion of, the requirements of the federal or state constitution, federal or state statute, administrative rule or regulation, or final judgment of a court of competent jurisdiction, including, where appropriate, the agency's current practice, procedure or method of action based upon that approach or opinion. The clarification provided in this substantive policy statement has been determined by ADEQ to meet applicable state and federal law and, therefore, ADEQ provides this substantive policy to assist persons in interpreting rules pertinent to ADEQ. Notwithstanding this substantive policy statement, ADEQ may consider alternative approaches to comply with applicable law.

ADEQ is issuing this substantive policy interpreting various statutes and rules regarding collection of environmental samples. For example, A.R.S. § 49-232(C) requires ADEQ to rely only on "reasonably current credible and scientifically defensive data that the department has collected or has received from another source." It further requires ADEQ to follow "[a]ppropriate quality assurance and quality control procedures" and ensure that the "method of sampling and analysis, including analytical, statistical, and modeling methods, is generally accepted and validated in the scientific community."

Accordingly, the Department establishes these criteria to govern the acceptance of environmental data regarding thermal preservation of samples. This policy ensures data defensibility while preventing the unnecessary rejection of scientifically valid samples that may not yet have reached thermal equilibrium.

This policy balances data integrity with operational reality. Because samples collected at ambient temperature require time to reach thermal equilibrium, the "In-Transit" Exception acknowledges that samples in the active process of cooling remain scientifically valid, provided the cooling chain remains unbroken.

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NOTICES OF SUBSTANTIVE POLICY STATEMENT

5. Authority (include the federal or state constitutional provision or statute, administrative rule, or regulation; or final court judgment):

A.R.S. § 49-104(a)(1) provides authority for ADEQ to formulate policies, plans and programs to implement Title 49 to protect the environment.

A.R.S. § 49-232(C) requires ADEQ to rely only on “reasonably current credible and scientifically defensive data that the department has collected or has received from another source.” It further requires ADEQ to follow “[a]ppropriate quality assurance and quality control procedures” and ensure that the “method of sampling and analysis, including analytical, statistical, and modeling methods, is generally accepted and validated in the scientific community.”

A.R.S. § 49-232(D) provides authority for ADEQ to promulgate rules establishing minimum data requirements and quality assurance and quality control requirements.

A.R.S. §§ 49-234(B) and 49-255.04(C) rely on and require credible and scientifically defensible data.

40 CFR Part 136 sets forth test procedures and testing methods for environmental data.

6. Agency contact information:

Name: Craig Pearson
Title: ADEQ Quality Assurance Manager, Office of Environmental Excellence
Division: Mission Partners (MP)
Address: 1110 W. Washington St., Suite 160
Phoenix, AZ 85007
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Email: pearson.craig@azdeq.gov
Website: <https://azdeq.gov/LawsAndRules>

7. An electronic copy of the complete policy can be viewed at:

Website:
Arizona Department of Environmental Quality – Laws/Rules/Policies
<https://azdeq.gov/LawsAndRules>

8. A paper copy of complete policy can be obtained at:

Physical Address: ADEQ
1110 W. Washington St., Suite 160
Phoenix, AZ, 85007

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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

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TERMINATION OF RULES

TN means Terminated proposed new Section
TM means Terminated proposed amended Section
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T# means Terminated proposed renumbered Section

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EXP means Rules have expired
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OTHER NOTICES AND PUBLIC RECORDS INDEX

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Arizona Administrative Register
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Volume 32, Issue 39, September 25, 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

Arizona Administrative Register
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

Arizona Administrative Register
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
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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
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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

Arizona Administrative Register
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
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October 15	effective	December 14
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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
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November 11	effective	January 10
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November 13	effective	January 12
November 14	effective	January 13
November 15	effective	January 14
November 16	effective	January 15
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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
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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

Arizona Administrative Register
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.	<i>Register</i> 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

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

Volume 32, Issue 39, September 25, 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 par- ticular agenda is not guaran- teed.	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 SEPTEMBER 1, 2026 MEETING

File Number: M26-67

A. CONSENT AGENDA ITEMS:

Rulemakings

1. **BOARD OF TECHNICAL REGISTRATION**

Title 4, Chapter 30, Articles 2 and 3

Amend: R4-30-284, R4-30-301

New Section: R4-30-305

2. **DEPARTMENT OF ENVIRONMENTAL QUALITY**

Title 18, Chapter 11, Article 1

Amend: R18-11-112

Five-Year Review Reports

3. **DEPARTMENT OF TRANSPORTATION**

Title 17, Chapter 4, Article 7

COUNCIL ACTION: CONSENT AGENDA APPROVED

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

1. **DEPARTMENT OF REVENUE**

Title 15, Chapter 5, Articles 6, 9-11, 13-17, 18.1, 20 and 21

COUNCIL ACTION: APPROVED

2. **ARIZONA OMBUDSMAN CITIZENS' AIDE**

Title 2, Chapter 16

COUNCIL ACTION: APPROVED

3. **DEPARTMENT OF PUBLIC SAFETY**

Title 13, Chapter 12, Article 1

COUNCIL ACTION: APPROVED

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

1. **BARBERING AND COSMETOLOGY BOARD**

Title 4, Chapter 10, Articles 1-4

Amend: R4-10-101, R4-10-102, R4-10-103, R4-10-106, R4-10-111, R4-10-112, R4-10-113, R4-10-114, Table B1, R4-10-201, R4-10-202, R4-10-203, R4-10-204, R4-10-205, R4-10-207, R4-10-301, R4-10-302, R4-10-303, R4-10-304, R4-10-304.1, R4-10-305, R4-10-306, R4-10-A301, R4-10-A302, R4-10-A303, R4-10-B305, R4-10-B306, R4-10-B307, R4-10-401, R4-10-402, R4-10-403, R4-10-404, R4-10-405, R4-10-406, R4-10-407, R4-10-408

Renumber: R4-10-205, R4-10-207, R4-10-B201, R4-10-B202, R4-10-A401, R4-10-406, R4-10-B401, R4-10-407, R4-10-B402, R4-10-408

New Section: R4-10-206

Repeal: Part A, R4-10-A101, Table A1, Part B, Part A, R4-10-A201, R4-10-A202, Part B, Part A, Part B

COUNCIL ACTION: APPROVED

2. **ARIZONA DEPARTMENT OF LIQUOR LICENSES AND CONTROL**

Title 19, Chapter 1, Articles 1, 2, 3, 4, 5, 6 and 8

Amend: R19-1-101, R19-1-102, R19-1-103, R19-1-105, R19-1-110, R19-1-202, R19-1-205, R19-1-207, R19-1-209, R19-1-304, R19-1-305, R19-1-307, R19-1-317, R19-1-319, R19-1-320, R19-1-321, R19-1-324, R19-1-325, R19-1-403, R19-1-405, R19-1-502, R19-1-604, Article 8, R19-1-801, R19-1-804

Repeal: R19-1-318, R19-1-802

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

COUNCIL ACTION: COUNCIL VOTED TO TABLE CONSIDERATION TO SEPTEMBER 29, 2026 STUDY SESSION AND OCTOBER 6, 2026 COUNCIL MEETING

- D. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION OF 2027 COUNCIL CALENDAR

COUNCIL ACTION: APPROVED