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Arizona Administrative REGISTER

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Arizona Administrative Register
Volume 32
Issue 48
November 27, 2026

Contents

INFORMATION ..... **Page 3020**
PARTICIPATE IN RULEMAKING ..... **Page 3021**
DEFINITIONS AND ACRONYMS ..... **Page 3022**

RULES AND RULEMAKING
NOTICE OF PROPOSED RULEMAKING ..... **Page 3023**
2 A.A.C. 12 Office of the Secretary of State ..... Page 3023
NOTICE OF PROPOSED EXPEDITED RULEMAKING ..... **Page 3028**
9 A.A.C. 10 Department of Health Services - Health Care Institutions: Licensing ..... Page 3028
NOTICE OF FINAL EXPEDITED RULEMAKING ..... **Page 3044**
9 A.A.C. 12 Department of Health Services - Sober Living Homes ..... Page 3044
NOTICE OF TERMINATION OF RULEMAKING ..... **Page 3065**
19 A.A.C. 3 Arizona State Lottery Commission ..... Page 3065

OTHER AGENCY NOTICES
NOTICE OF RULEMAKING DOCKET OPENING ..... **Page 3067**
2 A.A.C. 12 Office of the Secretary of State ..... Page 3067
NOTICE OF PUBLIC INFORMATION ..... **Page 3069**
Office of the Governor ..... Page 3069

INDEXES
Register Index Ledger ..... Page 3070
Register Page Guide for 2026 - Volume 32 ..... Page 3071
Rulemaking Activity, Cumulative Index for 2026 ..... Page 3072
Other Notices and Public Records, Cumulative Index for 2026 ..... Page 3083

CALENDAR/DEADLINES
Rules Effective Dates ..... Page 3086
Register Publishing Deadlines ..... Page 3090

GOVERNOR'S REGULATORY REVIEW COUNCIL
Governor's Regulatory Review Council Deadlines ..... Page 3091
Notice of Action Taken at the November 3, 2026 Meeting ..... Page 3092

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ABOUT THIS PUBLICATION

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

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

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

ABOUT AMENDMENTS TO RULES

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

ABOUT THE TABLE OF CONTENTS

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

ABOUT FILE NUMBERS

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

ABOUT THE ADMINISTRATIVE CODE

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

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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 is occurs, an agency extends the public comment period.

Close of Record

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

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

Time Frame for Approval or Disapproval of the Notice

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

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

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

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

Definitions and Acronyms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Volume 32, Issue 48, November 27, 2026

NOTICES OF PROPOSED RULEMAKING

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 2. ADMINISTRATION

CHAPTER 12. DEPARTMENT OF STATE, OFFICE OF THE SECRETARY OF STATE

File Number: R26-215

PREAMBLE

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

Not applicable

2. Article, Part, or Section Affected (as applicable)

Article, Part, or Section Affected (as applicable)	Rulemaking Action
Article 11	Amend
R2-12-1101	Amend
R2-12-1102	Renumber
R2-12-1102	New Section
R2-12-1103	Amend
R2-12-1104	New Section
R2-12-1105	New Section
R2-12-1106	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. § 41-312

Implementing statute: A.R.S. § 41-269

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. 3067, November 27, 2026 (*in this issue*); File Number: R26-219

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

Name: Luke Douglas
Title: Chief Legal Officer
Address: Department of State
Office of the Secretary of State
1700 W. Washington St., FL 7
Phoenix, AZ 85007
Telephone: (480) 244-1664
Email: LDouglas@azsos.gov
Website: www.azsos.gov/notary

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

These rules have been updated to meet additional requirements to apply to become an Arizona notary public.

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

None.

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:

None.

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

Not applicable

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

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

An oral proceeding will not be conducted. Under A.R.S. § 41-1023(C), a person may submit a written request for an oral proceeding to the person listed under item #5 within 30 days of this published notice.

If a person requests an oral proceeding, the Office shall provide notice of the proceeding by filing a Notice of Oral Proceeding on the Proposed Rulemaking under A.R.S. § 41-1023(D) which will be published in the *Register*.

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:

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:

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:

Not applicable

14. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 12. <u>DEPARTMENT OF STATE,</u> OFFICE OF THE SECRETARY OF STATE

ARTICLE 11. NOTARY PUBLIC <u>COMMISSIONS; APPLICATION,</u> BONDS, AND <u>SERVICE</u> FEES

Section
R2-12-1101. Definitions
R2-12-1102. Notary Application
R2-12-1103. Notary Public Bonds
R2-12-1104. Notary Exam
R2-12-1105. Notary Commission
~~R2-12-1102.~~ R2-12-1106. Notary Public ~~Fees~~ Service Fees

ARTICLE 11. NOTARY PUBLIC COMMISSIONS; APPLICATION, BONDS, AND SERVICE FEES

R2-12-1101. Definitions

In addition to the definitions provided under A.R.S. § 41-251, ~~The~~ the following definitions ~~shall~~ apply in this Article unless the context otherwise requires:

~~"Acknowledgment" means the same as defined in A.R.S. § 41-311(1).~~

~~"Bond" means a surety bond to the state, with sureties approved by the clerk of the superior court in the county in which the individual is being commissioned as a notary public.~~

~~"Copy certification" means the same as defined in A.R.S. § 41-311(3).~~

~~"Credible person" means a person used to identify a signer when the signer does not have other satisfactory evidence of identity as specified in A.R.S. § 41-311(11).~~

Individual means an applicant who applies to become a notary public, or a notary public who is applying to be recommissioned.

~~"Jurat" means the same as defined in A.R.S. § 41-311(6).~~

"Notary" means notary public as defined under A.R.S. § 41-251(8).

"Certificate" means a document issued by Office that includes a notary's commissioned name, term dates and commission number.

"Notary Commission" means a notary who has been authorized by the Office to perform notarial acts and has received a certificate to perform those acts. Refer to A.R.S. § 41-251(2).

"Oath" or "affirmation" means the same as defined ~~in A.R.S. § 41-311(10)~~ under A.R.S. § 41-251(6)(b).

"Office" means the Department of State, Office of the Secretary of State, Business Services Division.

~~"Satisfactory evidence of identity" means the same as defined in A.R.S. § 41-311(11).~~

R2-12-1102. Renumbered

R2-12-1102. Notary Application

A. Applying.
1. Initial application. An individual shall apply to become a notary under the requirements established under A.R.S. § 41-269.
2. Commission renewals.
   a. A notary whose commission is about to expire shall follow the same instructions as a first-time applicant established under subsection (A)(1).
   b. A notary may submit a renewal application, new bond and filing fees to the Secretary of State's office up to 60 days prior to the expiration of a commission.

C. How to apply.
1. Application: An individual shall use the online web application to apply located at: https://apps.azsos.gov/apps/notary/application/.
2. Exam: Prior to completing the application, the applicant shall register and pay for the notary exam and pass the exam under R2-12-1104.
3. Bond: An applicant shall procure a bond stated under R2-12-1103.

D. Fees. An applicant shall pre-pay the fees to the Office when applying to become an Arizona notary public. All fees are non-refundable except for duplicate applications.
1. Application fee. $25.
2. Bond filing fee: $18. Refer to R2-12-1103.
3. The total filing fee is $43.
   a. An applicant shall make a check or money order payable to "Arizona Secretary of State."
   b. An applicant whose employer is a state agency and is paying for the applicant's commission with an Internal Transfer Agreements (ITA) shall submit a written statement on the agency's letterhead stating the filing fee of $43 will be paid with an ITA. The statement shall be dated and include the manager's name, title and signature.
4. Insufficient funds. An applicant who submits a check under subsection (D)(3)(a) with insufficient funds in the applicant's account shall be charged $25.

E. The applicant shall submit the application, bond and fee by mail to: Office of the Secretary of State, Attention: Notary Division, 1700 W. Washington St., Fl. 7, Phoenix, AZ, 85007-2808.

R2-12-1103. Notary Public Bonds

A. ~~Notaries public~~ An individual shall, before filing an application, purchase, in duplicate, a four-year bond from a licensed surety in the amount of $5,000 as required under A.R.S. § 41-269(D) ~~before being commissioned as a notary public. The original bond shall be filed with the clerk of the superior court in the applicant's county of residence. A copy of the bond shall be filed with the applicant's application form submitted to the Secretary of State's Office.~~

B. The bond shall, on its face contain, ~~on its face,~~ the oath of office for ~~the~~ an Arizona notary public as ~~specified~~ worded ~~in~~ under ~~A.R.S. § 38-233(B)~~ A.R.S. § 38-231. ~~This oath shall be as specified in A.R.S. § 38-231.~~

C. An applicant shall ensure the applicant's name on the bond matches the applicant's name on the application.

D. The ~~notary~~ applicant shall read and endorse the oath ~~on the face of the bond~~, ~~immediately~~ by signing in the field below the oath~~,~~. ~~by signing the notary's name under which the person has applied to be commissioned as a notary and exactly as the name appears on the notary application form filed with the Secretary of State's Office~~. The applicant shall ensure:

1. All signatures on the bond and application are identical and match all printed names on the bond and application, and
2. The bond is completely filled out, contains no blanks, and is notarized correctly.

E. An applicant shall include the original bond when submitting the application to the Office for processing.

R2-12-1104. Notary Exam

A. Beginning July 1, 2025, all new applicants and Arizona notaries public renewing a commission are required to take a notary competency examination.

B. The fee for the examination is currently $35.

C. An individual shall receive a passing score of at least 80 percent to be commissioned as a notary or to have a notary commission renewed.

D. If receiving a score of less than 80 percent, an individual may take the examination an additional two more times. If receiving a score of less than 80 percent after the third attempt, an applicant will be required to wait 30 days to retake the exam.

R2-12-1105. Notary Commission

A. Approved: If an applicant meets the requirements to become a notary, the Office shall approve and commission the applicant as a notary.

1. The Office shall provide a certificate to the notary which is proof of the notary's commission.
   a. Terms. An Arizona notary serves a four-year-term. The term issuance and expiration date are provided on the certificate.
   b. Duties. Duties are specified under A.R.S. §§ 41-252 through 41-255.
2. A notary whose certificate is damaged or missing may request a duplicate certificate from the Office. To access information on how to request a certificate, visit the Existing Notaries webpage on the Secretary of State's website, www.azsos.gov. A notary shall pre-pay the processing fee of $18 when requesting a copy of the certificate under this subsection.

B. Rejected: If an applicant does not meet the requirements to become a notary,

1. The Office shall notify the applicant that:
   a. The application has been denied, and
   b. The reason or reasons for the denial, such as missing documents, or errors on the application or bond, or both.
   c. Notification of the rejection will be mailed to the applicant's mailing address as submitted on the notary application.
2. The applicant may re-file for a notary commission if rejected for an error.
3. If an applicant has failed to produce required documents or has an error on the application, the applicant shall provide the missing document or correct the error or errors.
4. When re-filing an applicant should refer to the rejection checklist returned with the application for information and follow the instructions on how to correct the error.

C. Commission Amendments.

1. Surname change: A commissioned notary shall notify the Office within 30 days of a surname change. Use the Notary Public Address/Name Change Form posted at www.azsos.gov. Refer to A.R.S. § 41-327.
2. Address change: A notary must file an address change within 30 days after the change. For additional information visit the Services for Existing Notaries and click on the Update Name and/or Address field on the Secretary of State's website, www.azsos.gov. Refer to A.R.S. § 41-323.

D. Resigning a Commission. A notary who chooses to resign a commission must notify the Secretary of State in a resignation letter. Refer to A.R.S. § 41-317(A) for additional information.

E. Revoking a Commission. The Office reserves the authority to revoke a commission for misconduct under A.R.S. § 41-271, prohibited conduct under A.R.S. § 41-320, or prohibited act under A.R.S. § 41-273, or other notary law violations.

~~R2-12-1102.~~ R2-12-1106.Notary Public ~~Fees~~Service Fees

A. ~~Pursuant to A.R.S. § 38-412, a~~ A notary ~~public~~ commissioned by the Office shall keep posted at all times in a conspicuous location, ~~the fee schedule listed under subsection (E)(1) through (3)~~ *a complete list of the fees they are allowed to charge* as required under A.R.S. § 38-412.

B. ~~Upon reviewing the fees schedule under subsection (E)(1) through (3), a~~ A notary shall ~~select~~ set a standard fee, ~~from "no charge" up~~ not to ~~the~~ exceed the maximum of $10 ~~fee for a notarial act~~ or choose to perform services free of charge. Once establishing a fee, ~~A~~ a notary ~~public~~ shall be consistent ~~when charging~~ and charge the same standard ~~fees~~ fee ~~and post the fee schedule in a conspicuous location~~ for the service.

1. For an acknowledgment or jurat, "no charge" up to $10 per notary public signature;
2. For a copy certification, "no charge" up to $10 per page certified;
3. For an oath or affirmation, "no charge" up to $10 per notarial act.

C. When posting fees under ~~subsection~~ subsections (A) and (B), ~~notaries~~ a notary shall use the template in Exhibit 1. Notary Public Services.

D. Before performing any notarial act, the notary ~~public~~ shall inform the requestor of the service fee ~~if one will be charged~~ or whether the service is to be performed free of charge.

~~**E.** A Notary public may charge the following fees:~~

~~1. For an acknowledgment or jurat, "no charge" up to $10 per notary public signature;~~
~~2. For a copy certification, "no charge" up to $10 per page certified;~~
~~3. For an oath or affirmation, "no charge" up to $10 per notarial act.~~

Volume 32, Issue 48, November 27, 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 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING

File Number: R26-216

PREAMBLE

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

July 16, 2026

2.

Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R9-10-101	Amend
R9-10-1902	Amend
R9-10-1903	Amend
R9-10-1906	Amend
R9-10-1909	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 36-132(A)(1) and (A)(17) and 36-136(G)

Implementing statute: A.R.S. §§ 36-405, 36-405.02, 36-406, 36-422, and 36-425.03

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. 2108; Issue Date: September 4, 2026; Issue Number: 36; File Number: R26-150

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

Name:	Odette Colburn
Title:	Deputy Director
Division:	Public Health Licensing
Address:	Arizona Department of Health Services 150 N. 18th Ave. Phoenix, AZ 85007
Telephone:	(602) 542-6383
Email:	Odette.Colburn@azdhs.gov
or	
Name:	Stacie Gravito

Title: Office Chief
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.) § 36-132(A)(1) requires the Arizona Department of Health Services (Department) to protect the health of the people in Arizona. In order to ensure public health, safety, and welfare, A.R.S. §§ 36-405 and 36-406 requires the Department to establish minimum standards and requirements for the construction; equipment; sanitation; staffing for medical, nursing, and personal care services; and recordkeeping of health care institutions necessary to assure the public's health, safety and welfare. The statute further allows the Department to classify and subclassify health care institutions according to character, size, range of services provided, medical or dental specialty offered, duration of care, and standard of patient care required. The rules in 9 A.A.C. 10 were amended to comply with Laws 2014, Ch. 233 which repealed the counseling facility rules in R9-10-117 and established a new Article 19 through exempt rule-making. The rules in Article 19 included requirements governing supplemental application information; administration; quality management; contracted services; personnel; patient rights; medical records; counseling; physical plant, environmental services, and equipment standards for counseling facilities. Article 19 also included requirements for affiliated outpatient treatment centers and affiliated counseling facilities. The Department, in the 2024 five-year-review report, identified that the rules' effectiveness could be improved by making the rules more clear, concise, and understandable. In addition, the Department stated a plan to amend the rules in Article 19 to amend rules necessary for the proper administration and enforcement of the laws relating to public health and safety.

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

Not applicable

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

Not applicable

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

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

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

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

Close of Record: December 28, 2026 at 4:00 pm

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:

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 rule does not require the issuance of a regulatory permit. Therefore, a general permit is not applicable.

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

There are no federal laws applicable to the subject of these rules.

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

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

12. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:
Not applicable

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING

ARTICLE 1. GENERAL

Section
R9-10-101. Definitions

ARTICLE 19. COUNSELING FACILITIES

Section
R9-10-1902. Supplemental Application Requirements
R9-10-1903. Administration
R9-10-1906. Personnel
R9-10-1909. Counseling

ARTICLE 1. GENERAL

R9-10-101. Definitions
In addition to the definitions in A.R.S. §§ 36-401(A) and 36-439, the following definitions apply in this Chapter unless otherwise specified:

1. "Abortion clinic" has the same meaning as in A.R.S. § 36-449.01.
2. "Abuse" means:
   a. The same:
      i. For an individual 18 years of age or older, as in A.R.S. § 46-451; and
      ii. For an individual less than 18 years of age, as in A.R.S. § 8-201;
   b. A pattern of ridiculing or demeaning a patient;
   c. Making derogatory remarks or verbally harassing a patient; or
   d. Threatening to inflict physical harm on a patient.
3. "Accredited" has the same meaning as in A.R.S. § 36-422.
4. "Active malignancy" means a cancer for which:
   a. A patient is undergoing treatment, such as through:
      i. One or more surgical procedures to remove the cancer;
      ii. Chemotherapy, as defined in A.A.C. R9-4-401; or
      iii. Radiation treatment, as defined in A.A.C. R9-4-401;
   b. There is no treatment; or
   c. A patient is refusing treatment.
5. "Activities of daily living" means ambulating, bathing, toileting, grooming, eating, and getting in or out of a bed or a chair.
6. "Acuity" means a patient's need for medical services, nursing services, or behavioral health services based on the patient's medical condition or behavioral health issue.
7. "Acuity plan" means a method for establishing nursing personnel requirements by unit based on a patient's acuity.
8. "Adjacent" means not intersected by:
   a. Property owned, operated, or controlled by a person other than the applicant or licensee; or
   b. A public thoroughfare.
9. "Administrative completeness review time-frame" has the same meaning as in A.R.S. § 41-1072.
10. "Administrative office" means a location used by personnel for recordkeeping and record retention but not for providing medical services, nursing services, behavioral health services, or health-related services.
11. "Admission" or "admitted" means, after completion of an individual's screening or registration by a health care institution, the individual begins receiving physical health services or behavioral health services and is accepted as a patient of the health care institution.
12. "Adult" has the same meaning as in A.R.S. § 1-215.
13. "Adult behavioral health therapeutic home" means a residence that provides room and board, assists in acquiring daily living skills, coordinates transportation to scheduled appointments, monitors behaviors, assists in the self-administration of medication,

and provides feedback to a case manager related to behavior for an individual 18 years of age or older based on the individual's behavioral health issue and need for behavioral health services and may provide behavioral health services under the clinical oversight of a behavioral health professional.

14. "Adult residential care institution" means a subclass of behavioral health residential facility that only admits residents 18 years of age and older and provides recidivism reduction services.
15. "Adverse reaction" means an unexpected outcome that threatens the health or safety of a patient as a result of a medical service, nursing service, or health-related service provided to the patient.
16. "Affiliated counseling facility" means a counseling facility that shares administrative support with one or more other counseling facilities that operate under the same governing authority.
17. "Affiliated outpatient treatment center" means an outpatient treatment center authorized by the Department to provide behavioral health services that provides administrative support to a counseling facility or counseling facilities that operate under the same governing authority as the outpatient treatment center.
18. "Alternate licensing fee due date" means the last calendar day in a month each year, other than the anniversary date of a facility's health care institution license, by which a licensee is required to pay the applicable fees in R9-10-106.
19. "Ancillary services" means services other than medical services, nursing services, or health-related services provided to a patient.
20. "Anesthesiologist" means a physician granted clinical privileges to administer anesthesia.
21. "Applicant" means a governing authority requesting:
    a. Approval of a health care institution's architectural plans and specifications for construction or modification,
    b. Approval of a modification,
    c. Approval of an alternate licensing fee due date, or
    d. A health care institution license.
22. "Application packet" means the information, documents, and fees required by the Department for the:
    a. Approval of a health care institution's architectural plans and specifications for construction or modification,
    b. Approval of a modification,
    c. Approval of an alternate licensing fee due date, or
    d. Licensing of a health care institution.
23. "Assessment" means an analysis of a patient's need for physical health services or behavioral health services to determine which services a health care institution will provide to the patient.
24. "Assistance in the self-administration of medication" means restricting a patient's access to the patient's medication and providing support to the patient while the patient takes the medication to ensure that the medication is taken as ordered.
25. "Attending physician" means a physician designated by a patient to participate in or coordinate the medical services provided to the patient.
26. "Authenticate" means to establish authorship of a document or an entry in a medical record by:
    a. A written signature;
    b. An individual's initials, if the individual's written signature appears on the document or in the medical record;
    c. A rubber-stamp signature; or
    d. An electronic signature code.
27. "Authorized service" means specific medical services, nursing services, behavioral health services, or health-related services provided by a specific health care institution class or subclass for which the health care institution is required to obtain approval from the Department before providing the medical services, nursing services, or health-related services.
28. "Available" means:
    a. For an individual, the ability to be contacted and to provide an immediate response by any means possible;
    b. For equipment and supplies, physically retrievable at a health care institution; and
    c. For a document, retrievable by a health care institution or accessible according to the applicable time-frames in this Chapter.
29. "Behavioral care"
    a. Means limited behavioral health services, provided to a patient whose primary admitting diagnosis is related to the patient's need for physical health services, that include:
        i. Assistance with the patient's psychosocial interactions to manage the patient's behavior that can be performed by an individual without a professional license or certificate including:
            (1) Direction provided by a behavioral health professional, and
            (2) Medication ordered by a medical practitioner or behavioral health professional; or
        ii. Behavioral health services provided by a behavioral health professional on an intermittent basis to address the patient's significant psychological or behavioral response to an identifiable stressor or stressors; and
    b. Does not include court-ordered behavioral health services.
30. "Behavioral health facility" means a behavioral health inpatient facility, a behavioral health residential facility, a substance abuse transitional facility, a behavioral health specialized transitional facility, an outpatient treatment center that only provides behavioral health services, an adult behavioral health therapeutic home, a behavioral health respite home, or a counseling facility.
31. "Behavioral health inpatient facility" means a health care institution other than a general hospital, rural general hospital, or special hospital that provides continuous treatment to an individual experiencing a behavioral health issue that causes the individual to:
    a. Have a limited or reduced ability to meet the individual's basic physical needs;

b. Suffer harm that significantly impairs the individual's judgment, reason, behavior, or capacity to recognize reality;
c. Be a danger to self;
d. Be a danger to others;
e. Be persistently or acutely disabled, as defined in A.R.S. § 36-501; or
f. Be gravely disabled.

32. "Behavioral health issue" means an individual's condition related to a mental disorder, a personality disorder, substance abuse, or a significant psychological or behavioral response to an identifiable stressor or stressors.
33. "Behavioral health observation/stabilization services" means crisis services provided, in an outpatient setting, to an individual whose behavior or condition indicates that the individual:
    a. Requires nursing services,
    b. May require medical services, and
    c. May be a danger to others or a danger to self.
34. "Behavioral health paraprofessional" means an individual who is not a behavioral health professional who provides the following services to a patient to address the patient's behavioral health issue:
    a. Under supervision by a behavioral health professional, services that, if provided in a setting other than a health care institution, would be required to be provided by an individual licensed under A.R.S. Title 32, Chapter 33; or
    b. Health-related services.
35. "Behavioral health professional" means the following licensed professionals that provide services specifically within the scope of practices defined by their profession:
    a. An individual licensed under A.R.S. Title 32, Chapter 33, whose scope of practice allows the individual to:
        i. Independently engage in the practice of behavioral health, as defined in A.R.S. § 32-3251; or
        ii. Except for a licensed substance abuse technician, engage in the practice of behavioral health, as defined in A.R.S. § 32-3251, under direct supervision as defined in A.A.C. R4-6-101;
    b. A psychiatrist as defined in A.R.S. § 36-501;
    c. A psychologist as defined in A.R.S. § 32-2061;
    d. A physician;
    e. A behavior analyst as defined in A.R.S. § 32-2091; or
    f. A registered nurse practitioner licensed as an adult psychiatric and mental health nurse;
    g. A clinical nurse specialist as described in A.R.S. § 32-1601; or
    h. Psychiatric physician assistant.
36. "Behavioral health residential facility" means a health care institution that provides treatment to an individual experiencing a behavioral health issue that:
    a. Limits the individual's ability to be independent, or
    b. Causes the individual to require treatment to maintain or enhance independence.
37. "Behavioral health respite home" means a residence where respite care services, which may include assistance in the self-administration of medication, are provided to an individual based on the individual's behavioral health issue and need for behavioral health services.
38. "Behavioral health specialized transitional facility" means a health care institution that provides inpatient behavioral health services and physical health services to an individual determined to be a sexually violent person according to A.R.S. Title 36, Chapter 37 and 9 A.A.C. 10 Article 13.
39. "Behavioral health technician" means an individual who is not a behavioral health professional who provides the following services to a patient to address the patient's behavioral health issue:
    a. With clinical oversight by a behavioral health professional, services that, if provided in a setting other than a health care institution, would be required to be provided by an individual licensed under A.R.S. Title 32, Chapter 33; or
    b. Health-related services.
40. "Benzodiazepine" means any one of a class of sedative-hypnotic medications, characterized by a chemical structure that includes a benzene ring linked to a seven-membered ring containing two nitrogen atoms, that are commonly used in the treatment of anxiety.
41. "Biohazardous medical waste" has the same meaning as in A.A.C. R18-13-1401.
42. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
43. "Case manager" means an individual assigned by an entity other than a health care institution to coordinate the physical health services or behavioral health services provided to a patient at the health care institution.
44. "Certification" means, in this Article, a written statement that an item or a system complies with the applicable requirements incorporated by reference in R9-10-104.01.
45. "Certified health physicist" means an individual recognized by the American Board of Health Physics as complying with the health physics criteria and examination requirements established by the American Board of Health Physics.
46. "Change in ownership" means conveyance of the ability to appoint, elect, or otherwise designate a health care institution's governing authority from an owner of the health care institution to another person.
47. "Chief administrative officer" or "administrator" means an individual designated by a governing authority to implement the governing authority's direction in a health care institution.
48. "Clinical laboratory services" means the biological, microbiological, serological, chemical, immunohematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body for the purpose of

providing information for the diagnosis, prevention, or treatment of a disease or impairment of a human being, or for the assessment of the health of a human being, including procedures to determine, measure, or otherwise describe the presence or absence of various substances or organisms in the body.

49. "Clinical oversight" means:
    a. Monitoring the behavioral health services provided by a behavioral health technician to ensure that the behavioral health technician is providing the behavioral health services according to the health care institution's policies and procedures and, if applicable, a patient's treatment plan;
    b. Providing on-going review of a behavioral health technician's skills and knowledge related to the provision of behavioral health services;
    c. Providing guidance to improve a behavioral health technician's skills and knowledge related to the provision of behavioral health services; and
    d. Recommending training for a behavioral health technician to improve the behavioral health technician's skills and knowledge related to the provision of behavioral health services.
50. "Clinical privileges" means authorization to a medical staff member to provide medical services granted by a governing authority or according to medical staff bylaws.
51. "Collaborating health care institution" means a health care institution licensed to provide outpatient behavioral health services that has a written agreement with an adult behavioral health therapeutic home or a behavioral health respite home to:
    a. Coordinate behavioral health services provided to a resident at the adult behavioral health therapeutic home or a recipient at a behavioral health respite home, and
    b. Work with the provider to ensure a resident at the adult behavioral health therapeutic home or a recipient at a behavioral health respite home receives behavioral health services according to the resident's treatment plan.
52. "Common area" means licensed space in health care institution that is:
    a. Not a resident's bedroom or a residential unit,
    b. Not restricted to use by employees or volunteers of the health care institution, and
    c. Available for use by visitors and other individuals on the premises.
53. "Communicable disease" has the same meaning as in A.R.S. § 36-661.
54. "Conspicuously posted" means placed:
    a. At a location that is visible and accessible; and
    b. Unless otherwise specified in the rules, within the area where the public enters the premises of a health care institution.
55. "Consultation" means an evaluation of a patient requested by a medical staff member or personnel member.
56. "Contracted services" means medical services, nursing services, behavioral health services, health-related services, ancillary services, or environmental services provided according to a documented agreement between a health care institution and the person providing the medical services, nursing services, health-related services, ancillary services, or environmental services.
57. "Contractor" has the same meaning as in A.R.S. § 32-1101.
58. "Controlled substance" has the same meaning as in A.R.S. § 36-2501.
59. "Counseling" has the same meaning as "practice of professional counseling" in A.R.S. § 32-3251.
60. "Counseling facility" means a health care institution that only provides counseling, which may include:
    a. DUI screening, education, or treatment according to the requirements in 9 A.A.C. 20, Article 1; or
    b. Misdemeanor domestic violence offender treatment according to the requirements in 9 A.A.C. 20, Article 2.
61. "Court-ordered evaluation" has the same meaning as "evaluation" in A.R.S. § 36-501.
62. "Court-ordered treatment" means treatment provided according to A.R.S. Title 36, Chapter 5.
63. "Crisis services" means immediate and unscheduled behavioral health services provided to a patient to address an acute behavioral health issue affecting the patient.
64. "Current" means up-to-date, extending to the present time.
65. "Daily living skills" means activities necessary for an individual to live independently and include meal preparation, laundry, house-cleaning, home maintenance, money management, and appropriate social interactions.
66. "Danger to others" has the same meaning as in A.R.S. § 36-501.
67. "Danger to self" has the same meaning as in A.R.S. § 36-501.
68. "Detoxification services" means behavioral health services and medical services provided to an individual to:
    a. Treat the individual's signs or symptoms of withdrawal from alcohol or other drugs, and
    b. Reduce or eliminate the individual's dependence on alcohol or other drugs.
69. "Diagnostic procedure" means a method or process performed to determine whether an individual has a medical condition or behavioral health issue.
70. "Dialysis" means the process of removing dissolved substances from a patient's body by diffusion from one fluid compartment to another across a semipermeable membrane.
71. "Dialysis services" means medical services, nursing services, and health-related services provided to a patient receiving dialysis.
72. "Dialysis station" means a designated treatment area approved by the Department for use by a patient receiving dialysis or dialysis services.
73. "Dialyzer" means an apparatus containing semi-permeable membranes used as a filter to remove wastes and excess fluid from a patient's blood.
74. "Disaster" means an unexpected occurrence that adversely affects a health care institution's ability to provide services.
75. "Discharge" means a documented termination of services to a patient by a health care institution.
76. "Discharge instructions" means documented information relevant to a patient's medical condition or behavioral health issue provided by a health care institution to the patient or the patient's representative at the time of the patient's discharge.

77. "Discharge planning" means a process of establishing goals and objectives for a patient in preparation for the patient's discharge.
78. "Discharge summary" means a documented brief review of services provided to a patient, current patient status, and reasons for the patient's discharge.
79. "Disinfect" means to clean in order to prevent the growth of or to destroy disease-causing microorganisms.
80. "Documentation" or "documented" means information in written, photographic, electronic, or other permanent form.
81. "Drill" means a response to a planned, simulated event.
82. "Drug" has the same meaning as in A.R.S. § 32-1901.
83. "DUI" means driving under the influence.
~~83.~~84. "Electronic" has the same meaning as in A.R.S. § 44-7002.
~~84.~~85. "Electronic signature" has the same meaning as in A.R.S. § 44-7002.
~~85.~~86. "Emergency" means an immediate threat to the life or health of a patient.
~~86.~~87. "Emergency medical services provider" has the same meaning as in A.R.S. § 36-2201.
~~87.~~88. "Emergency services" means unscheduled medical services provided in a designated area to an outpatient in an emergency.
~~88.~~89. "End-of-life" means that a patient has a documented life expectancy of six months or less.
~~89.~~90. "Environmental services" means activities such as housekeeping, laundry, facility maintenance, or equipment maintenance.
~~90.~~91. "Equipment" means, in this Article, an apparatus, a device, a machine, or a unit that is required to comply with the specifications incorporated by reference in R9-10-104.01.
~~91.~~92. "Exploitation" has the same meaning as in A.R.S. § 46-451.
~~92.~~93. "Factory-built building" has the same meaning as in A.R.S. § 41-4001.
~~93.~~94. "Family" or "family member" means an individual's spouse, sibling, child, parent, grandparent, or another individual designated by the individual.
~~94.~~95. "Follow-up instructions" means information relevant to a patient's medical condition or behavioral health issue that is provided to the patient, the patient's representative, or a health care institution.
~~95.~~96. "Food services" means the storage, preparation, serving, and cleaning up of food intended for consumption in a health care institution.
~~96.~~97. "Full-time" means 40 hours or more every consecutive seven calendar days.
~~97.~~98. "Garbage" has the same meaning as in A.A.C. R18-13-302.
~~98.~~99. "General consent" means documentation of an agreement from an individual or the individual's representative to receive physical health services to address the individual's medical condition or behavioral health services to address the individual's behavioral health issues.
~~99.~~100. "General hospital" means a subclass of hospital that provides surgical services and emergency services.
~~100.~~101. "Gravely disabled" has the same meaning as "grave disability" in A.R.S. § 36-501.
~~101.~~102. "Habilitation services" means activities provided to an individual to assist the individual with habilitation, as defined in A.R.S. § 36-551.
~~102.~~103. "Hazard" or "hazardous" means a condition or situation where a patient or other individual may suffer physical injury.
~~103.~~104. "Health care directive" has the same meaning as in A.R.S. § 36-3201.
~~104.~~105. "Hemodialysis" means the process for removing wastes and excess fluids from a patient's blood by passing the blood through a dialyzer.
~~105.~~106. "Home health agency" has the same meaning as in A.R.S. § 36-151.
~~106.~~107. "Home health aide" means an individual employed by a home health agency to provide home health services under the direction of a registered nurse or therapist.
~~107.~~108. "Home health aide services" means those tasks that are provided to a patient by a home health aide under the direction of a registered nurse or therapist.
~~108.~~109. "Home health services" has the same meaning as in A.R.S. § 36-151.
~~109.~~110. "Hospice inpatient facility" means a subclass of hospice that provides hospice services to a patient on a continuous basis with the expectation that the patient will remain on the hospice's premises for 24 hours or more.
~~110.~~111. "Hospital" means a class of health care institution that provides, through an organized medical staff, inpatient beds, medical services, continuous nursing services, and diagnosis or treatment to a patient.
~~111.~~112. "Immediate" means without delay.
~~112.~~113. "Immediate jeopardy" means a situation in which a patient or resident has suffered or is likely to suffer serious injury, serious harm, serious impairment, or death as a result of a licensee's noncompliance with one or more health and safety requirements.
~~113.~~114. "Incident" means an unexpected occurrence that harms or has the potential to harm a patient, while the patient is:
    a. On the premises of a health care institution, or
    b. Not on the premises of a health care institution but directly receiving physical health services or behavioral health services from a personnel member who is providing the physical health services or behavioral health services on behalf of the health care institution.
~~114.~~115. "Infection control" means to identify, prevent, monitor, and minimize infections.
~~115.~~116. "Infectious tuberculosis" has the same meaning as "infectious active tuberculosis" in A.A.C. R9-6-101.
~~116.~~117. "Informed consent" means:
    a. Advising a patient of a proposed treatment, surgical procedure, psychotropic medication, opioid, or diagnostic procedure; alternatives to the treatment, surgical procedure, psychotropic medication, opioid, or diagnostic procedure; and associated risks and possible complications; and
    b. Obtaining documented authorization for the proposed treatment, surgical procedure, psychotropic medication, opioid, or diagnostic procedure from the patient or the patient's representative.

~~117.~~118."In-service education" means organized instruction or information that is related to physical health services or behavioral health services and that is provided to a medical staff member, personnel member, employee, or volunteer.
~~118.~~119."Interdisciplinary team" means a group of individuals consisting of a resident's attending physician, a registered nurse responsible for the resident, and other individuals as determined in the resident's comprehensive assessment or, if applicable, placement evaluation.
~~119.~~120."Intermediate care facility for individuals with intellectual disabilities" or "ICF/IID" has the same meaning as in A.R.S. § 36-551.
~~120.~~121."Interval note" means documentation updating a patient's:
a. Medical condition after a medical history and physical examination is performed, or
b. Behavioral health issue after an assessment is performed.
~~121.~~122."Isolation" means the separation, during the communicable period, of infected individuals from others, to limit the transmission of infectious agents.
~~122.~~123."Leased facility" means a facility occupied or used during a set time period in exchange for compensation.
~~123.~~124."License" means:
a. Written approval issued by the Department to a person to operate a class or subclass of health care institution at a specific location; or
b. Written approval issued to an individual to practice a profession in this state.
~~124.~~125."Licensed occupancy" means the total number of individuals for whom a health care institution is authorized by the Department to provide crisis services in a unit providing behavioral health observation/stabilization services.
~~125.~~126."Licensee" means an owner approved by the Department to operate a health care institution.
~~126.~~127."Manage" means to implement policies and procedures established by a governing authority, an administrator, or an individual providing direction to a personnel member.
~~127.~~128."Medical condition" means the state of a patient's physical or mental health, including the patient's illness, injury, or disease.
~~128.~~129."Medical director" means a physician who is responsible for the coordination of medical services provided to patients in a health care institution.
~~129.~~130."Medical history" means an account of a patient's health, including past and present illnesses, diseases, or medical conditions.
~~130.~~131."Medical practitioner" means a physician, physician assistant, or registered nurse practitioner.
~~131.~~132."Medical record" has the same meaning as "medical records" in A.R.S. § 12-2291.
~~132.~~133."Medical staff" means physicians and other individuals licensed pursuant to A.R.S. Title 32 who have clinical privileges at a health care institution.
~~133.~~134."Medical staff bylaws" means standards, approved by the medical staff and the governing authority, that provide the framework for the organization, responsibilities, and self-governance of the medical staff.
~~134.~~135."Medical staff member" means an individual who is part of the medical staff of a health care institution.
~~135.~~136."Medication" means one of the following used to maintain health or to prevent or treat a medical condition or behavioral health issue:
a. Biologicals as defined in A.A.C. R18-13-1401,
b. Prescription medication as defined in A.R.S. § 32-1901, or
c. Nonprescription drug as defined in A.R.S. § 32-1901.
~~136.~~137."Medication administration" means restricting a patient's access to the patient's medication and providing the medication to the patient or applying the medication to the patient's body, as ordered by a medical practitioner.
~~137.~~138."Medication error" means:
a. The failure to administer an ordered medication;
b. The administration of a medication not ordered; or
c. The administration of a medication:
i. In an incorrect dosage,
ii. More than 60 minutes before or after the ordered time of administration unless ordered to do so, or
iii. By an incorrect route of administration.
~~138.~~139."Mental disorder" means the same as in A.R.S. § 36-501.
~~139.~~140."Mobile clinic" means a movable structure that:
a. Is not physically attached to a health care institution's facility;
b. Provides medical services, nursing services, behavioral health services, or health related service to an outpatient under the direction of the health care institution's personnel; and
c. Is not intended to remain in one location indefinitely.
~~140.~~141."Monitor" or "monitoring" means to check systematically on a specific condition or situation.
~~141.~~142."Neglect" has the same meaning:
a. For an individual less than 18 years of age, as in A.R.S. § 8-201; and
b. For an individual 18 years of age or older, as in A.R.S. § 46-451.
~~142.~~143."Nephrologist" means a physician who is board eligible or board certified in nephrology by a professional credentialing board.
~~143.~~144."Nurse" has the same meaning as "registered nurse" or "practical nurse" as defined in A.R.S. § 32-1601.
~~144.~~145."Nursing care institution administrator" means an individual licensed according to A.R.S. Title 36, Chapter 4, Article 6.
~~145.~~146."Nursing personnel" means individuals authorized according to A.R.S. Title 32, Chapter 15 to provide nursing services.
~~146.~~147."Observation chair" means a physical piece of equipment that:

a. Is located in a designated area where behavioral health observation/stabilization services are provided,
b. Allows an individual to fully recline, and
c. Is used by the individual while receiving crisis services.

~~147.~~148. "Occupational therapist" has the same meaning as in A.R.S. § 32-3401.
~~148.~~149. "Occupational therapy assistant" has the same meaning as in A.R.S. § 32-3401.
~~149.~~150. "Ombudsman" means a resident advocate who performs the duties described in A.R.S. § 46-452.02.
~~150.~~151. "On-call" means a time during which an individual is available and required to come to a health care institution when requested by the health care institution.
~~151.~~152. "Opioid" means a controlled substance, as defined in A.R.S. § 36-2501, that meets the definition of "opiate" in A.R.S. § 36-2501.
~~152.~~153. "Opioid agonist treatment medication" means a prescription medication that is approved by the U.S. Food and Drug Administration under 21 U.S.C. § 355 for use in the treatment of opioid-related substance use disorder.
~~153.~~154. "Opioid antagonist" means a prescription medication, as defined in A.R.S. § 32-1901, that:
a. Is approved by the U.S. Department of Health and Human Services, Food and Drug Administration; and
b. When administered, reverses, in whole or in part, the pharmacological effects of an opioid in the body.
~~154.~~155. "Opioid treatment" means providing medical services, nursing services, behavioral health services, health-related services, and ancillary services to a patient receiving an opioid agonist treatment medication for opioid-related substance use disorder.
~~155.~~156. "Order" means instructions to provide:
a. Physical health services to a patient from a medical practitioner or as otherwise provided by law; or
b. Behavioral health services to a patient from a behavioral health professional.
~~156.~~157. "Orientation" means the initial instruction and information provided to an individual before the individual starts work or volunteer services in a health care institution.
~~157.~~158. "Outing" means a social or recreational activity that:
a. Occurs away from the premises,
b. Is not part of a behavioral health inpatient facility's or behavioral health residential facility's daily routine, and
c. Lasts longer than two hours.
~~158.~~159. "Outpatient surgical center" means a class of health care institution that has the facility, staffing, and equipment to provide surgery and anesthesia services to a patient whose recovery, in the opinions of the patient's surgeon and, if an anesthesiologist would be providing anesthesia services to the patient, the anesthesiologist, does not require inpatient care in a hospital.
~~159.~~160. "Outpatient treatment center" means a class of health care institution without inpatient beds that provides physical health services, or physical health services and behavioral health services, including medication services for the diagnosis and treatment of patients.
~~160.~~161. "Overall time-frame" means the same as in A.R.S. § 41-1072.
~~161.~~162. "Owner" means a person who appoints, elects, or designates a health care institution's governing authority.
~~162.~~163. "Pain management clinic" has the same meaning as in A.R.S. § 36-448.01.
~~163.~~164. "Participant" means a patient receiving physical health services or behavioral health services from an adult day health care facility or a substance abuse transitional facility.
~~164.~~165. "Participant's representative" means the same as "patient's representative" for a participant.
~~165.~~166. "Patient" means an individual receiving physical health services or behavioral health services from a health care institution.
~~166.~~167. "Patient's representative" means:
a. A patient's legal guardian;
b. If a patient is less than 18 years of age and not an emancipated minor, the patient's parent;
c. If a patient is 18 years of age or older or an emancipated minor, an individual acting on behalf of the patient with the written consent of the patient or patient's legal guardian; or
d. A surrogate as defined in A.R.S. § 36-3201.

~~167.~~168. "Person" means the same as in A.R.S. § 1-215 and includes a governmental agency.
~~168.~~169. "Personnel member" means, except as defined in specific Articles in this Chapter and excluding a medical staff member, a student, or an intern, an individual providing physical health services or behavioral health services to a patient.
~~169.~~170. "Pest control program" means activities that minimize the presence of insects and vermin in a health care institution to ensure that a patient's health and safety is not at risk.
~~170.~~171. "Pharmacist" has the same meaning as in A.R.S. § 32-1901.
~~171.~~172. "Physical examination" means to observe, test, or inspect an individual's body to evaluate health or determine the cause of illness, injury, or disease.
~~172.~~173. "Physical health services" means medical services, nursing services, health-related services, or ancillary services provided to an individual to address the individual's medical condition.
~~173.~~174. "Physical therapist" has the same meaning as in A.R.S. § 32-2001.
~~174.~~175. "Physical therapist assistant" has the same meaning as in A.R.S. § 32-2001.
~~175.~~176. "Physician assistant" has the same meaning as in A.R.S. § 32-2501.
~~176.~~177. "Placement evaluation" means the same as in A.R.S. § 36-551.
~~177.~~178. "Pre-petition screening" has the same meaning as "prepetition screening" in A.R.S. § 36-501.
~~178.~~179. "Premises" means property that is designated by an applicant or licensee and licensed by the Department as part of a health care institution where physical health services or behavioral health services are provided to a resident or patient.
~~179.~~180. "Prescribe" means to issue written or electronic instructions to a pharmacist to deliver to the ultimate user, or another individual on the ultimate user's behalf, a specific dose of a specific medication in a specific quantity and route of administration.

~~180.~~181."Professional credentialing board" means a non-governmental organization that designates individuals who have met or exceeded established standards for experience and competency in a specific field.
~~181.~~182."Progress note" means documentation by a medical staff member, nurse, or personnel member of:
a. An observed patient response to a physical health service or behavioral health service provided to the patient,
b. A patient's significant change in condition, or
c. Observed behavior of a patient related to the patient's medical condition or behavioral health issue.
~~182.~~183."PRN" means pro re nata or given as needed.
~~183.~~184."Project" means specific construction or modification of a facility stated on an architectural plans and specifications approval application.
~~184.~~185."Provider" means an individual to whom the Department issues a license to operate an adult behavioral health therapeutic home or a behavioral health respite home in the individual's place of residence.
~~185.~~186."Provisional license" means the Department's written approval to operate a health care institution issued to an applicant or licensee that is not in substantial compliance with the applicable laws and rules for the health care institution.
~~186.~~187."Psychiatric services" means the diagnosis, treatment, and management of a mental disorder under the direction of a licensed psychiatrist or licensed nurse practitioner.
~~187.~~188."Psychotropic medication" means a chemical substance that:
a. Crosses the blood-brain barrier and acts primarily on the central nervous system where it affects brain function, resulting in alterations in perception, mood, consciousness, cognition, and behavior; and
b. Is provided to a patient to address the patient's behavioral health issue.
~~188.~~189."Quality management program" means ongoing activities designed and implemented by a health care institution to improve the delivery of medical services, nursing services, health-related services, and ancillary services provided by the health care institution.
~~189.~~190."Recovery care center" has the same meaning as in A.R.S. § 36-448.51.
~~190.~~191."Referral" means providing an individual with a list of the class or subclass of health care institution or type of health care professional that may be able to provide the behavioral health services or physical health services that the individual may need and may include the name or names of specific health care institutions or health care professionals.
~~191.~~192."Registered dietitian" means an individual approved to work as a dietitian by the American Dietetic Association's Commission on Dietetic Registration.
~~192.~~193."Registered nurse" has the same meaning as in A.R.S. § 32-1601.
~~193.~~194."Registered nurse practitioner" has the same meaning as A.R.S. § 32-1601.
~~194.~~195."Regular basis" means at recurring, fixed, or uniform intervals.
~~195.~~196."Rehabilitation services" means medical services provided to a patient to restore or to optimize functional capability.
~~196.~~197."Research" means the use of a human subject in the systematic study, observation, or evaluation of factors related to the prevention, assessment, treatment, or understanding of a medical condition or behavioral health issue.
~~197.~~198."Resident" means an individual living in and receiving physical health services or behavioral health services, including rehabilitation services or habilitation services if applicable, from a nursing care institution, an intermediate care facility for individuals with intellectual disabilities, a behavioral health residential facility, an assisted living facility, or an adult behavioral health therapeutic home.
~~198.~~199."Resident's representative" means the same as "patient's representative" for a resident.
~~199.~~200."Respiratory care services" has the same meaning as "practice of respiratory care" as defined in A.R.S. § 32-3501.
~~200.~~201."Respiratory therapist" has the same meaning as in A.R.S. § 32-3501.
~~201.~~202."Respite capacity" means the total number of children who do not stay overnight for whom an outpatient treatment center or a behavioral health residential facility is authorized by the Department to provide respite services on the premises of the outpatient treatment center or behavioral health residential facility.
~~202.~~203."Respite services" means respite care services provided to an individual who is receiving behavioral health services.
~~203.~~204."Restraint" means any physical or chemical method of restricting a patient's freedom of movement, physical activity, or access to the patient's own body.
~~204.~~205."Risk" means potential for an adverse outcome.
~~205.~~206."Room" means space contained by a floor, a ceiling, and walls extending from the floor to the ceiling that has at least one door.
~~206.~~207."Rural general hospital" means a subclass of hospital:
a. Having 50 or fewer inpatient beds,
b. Located more than 20 surface miles from a general hospital or another rural general hospital, and
c. Requesting to be and being licensed as a rural general hospital rather than a general hospital.
~~207.~~208."Satellite facility" has the same meaning as in A.R.S. § 36-422.
~~208.~~209."Scope of services" means a list of the behavioral health services or physical health services the governing authority of a health care institution has designated as being available to a patient at the health care institution.
~~209.~~210."Seclusion" means the involuntary solitary confinement of a patient in a room or an area where the patient is prevented from leaving.
~~210.~~211."Secure behavioral health residential facility" has the same meaning as in A.R.S. § 36.425.06.
~~211.~~212."Self-injury" means any intentional act of causing harm or injury to oneself and may include, but is not limited to, actions such as cutting, burning, hitting, scratching, or other forms of physical harm which as a result may require care from a health care provider.

~~212.~~213."Sedative-hypnotic medication" means any one of several classes of drugs that have sleep-inducing, anti-anxiety, anti-convulsant, and muscle-relaxing properties.
~~213.~~214."Self-administration of medication" means a patient having access to and control of the patient's medication and may include the patient receiving limited support while taking the medication.
~~214.~~215."Sexual abuse" means the same as in A.R.S. § 13-1404(A).
~~215.~~216."Sexual assault" means the same as in A.R.S. § 13-1406(A).
~~216.~~217."Shift" means the beginning and ending time of a continuous work period established by a health care institution's policies and procedures.
~~217.~~218."Short-acting opioid antagonist" means an opioid antagonist that, when administered, quickly but for a small period of time reverses, in whole or in part, the pharmacological effects of an opioid in the body.
~~218.~~219."Signature" means:
a. A handwritten or stamped representation of an individual's name or a symbol intended to represent an individual's name, or
b. An electronic signature.
~~219.~~220."Significant change" means an observable deterioration or improvement in a patient's physical, cognitive, behavioral, or functional condition that may require an alteration to the physical health services or behavioral health services provided to the patient.
~~220.~~221."Single dwelling unit" has the same meaning as "single family residence" in A.R.S. § 33-1310.
~~221.~~222."Single group license" means a license that includes authorization to operate health care institutions according to A.R.S. § 36-422(F) or (G).
~~222.~~223."Speech-language pathologist" means an individual licensed according to A.R.S. Title 36, Chapter 17, Article 4 to engage in the practice of speech-language pathology, as defined in A.R.S. § 36-1901.
~~223.~~224."Special hospital" means a subclass of hospital that:
a. Is licensed to provide hospital services within a specific branch of medicine; or
b. Limits admission according to age, gender, type of disease, or medical condition.
~~224.~~225."Student" means an individual attending an educational institution and working under supervision in a health care institution through an arrangement between the health care institution and the educational institution.
~~225.~~226."Substance abuse" means an individual's misuse of alcohol or other drug or chemical that:
a. Alters the individual's behavior or mental functioning;
b. Has the potential to cause the individual to be psychologically or physiologically dependent on alcohol or other drug or chemical; and
c. Impairs, reduces, or destroys the individual's social or economic functioning.
~~226.~~227."Substance abuse transitional facility" means a class of health care institution that provides behavioral health services to an individual over 18 years of age who is intoxicated or may have a substance abuse problem.
~~227.~~228."Substance use disorder" means a condition in which the misuse or dependence on alcohol or a drug results in adverse physical, mental, or social effects on an individual.
~~228.~~229."Substance use risk" means an individual's unique likelihood for addiction, misuse, diversion, or another adverse consequence resulting from the individual being prescribed or receiving treatment with opioids.
~~229.~~230."Substantial" when used in connection with a modification means:
a. An addition or removal of an authorized service;
b. The addition or removal of a colocator;
c. A change in a health care institution's licensed capacity, licensed occupancy, respite capacity, or the number of dialysis stations;
d. A change in the physical plant, including facilities or equipment, that costs more than $300,000; or
e. A change in the building where a health care institution is located that affects compliance with:
i. Applicable physical plant codes and standards incorporated by reference in R9-10-104.01, or
ii. Physical plant requirements in the specific Article in this Chapter applicable to the health care institution.
~~230.~~231."Substantive review time-frame" means the same as in A.R.S. § 41-1072.
~~231.~~232."Supportive services" has the same meaning as in A.R.S. § 36-151.
~~232.~~233."Surgical procedure" means the excision of or incision in a patient's body for the:
a. Correction of a deformity or defect;
b. Repair of an injury; or
c. Diagnosis, amelioration, or cure of disease.
~~233.~~234."Swimming pool" has the same meaning as "semipublic swimming pool" in A.A.C. R18-5-201.
~~234.~~235."System" means interrelated, interacting, or interdependent elements that form a whole.
~~235.~~236."Tapering" means the gradual reduction in the dosage of a medication administered to a patient, often with the intent of eventually discontinuing the use of the medication for the patient.
~~236.~~237."Tax ID number" means a numeric identifier that a person uses to report financial information to the United States Internal Revenue Service.
~~237.~~238."Telehealth" has the same meaning as in A.R.S. § 36-3601.
~~238.~~239."Therapeutic diet" means foods or the manner in which food is to be prepared that are ordered for a patient.
~~239.~~240."Therapist" means an occupational therapist, a physical therapist, a respiratory therapist, or a speech-language pathologist.
~~240.~~241."Time-out" means providing a patient a voluntary opportunity to regain self-control in a designated area from which the patient is not physically prevented from leaving.

~~241.~~242.“Transfer” means a health care institution discharging a patient and sending the patient to another licensed health care institution as an inpatient or resident without intending that the patient be returned to the sending health care institution.

~~242.~~243.“Transport” means a licensed health care institution:

a. Sending a patient to a receiving licensed health care institution for outpatient services with the intent of the patient returning to the sending licensed health care institution, or

b. Discharging a patient to return to a sending licensed health care institution after the patient received outpatient services from the receiving licensed health care institution.

~~243.~~244.“Treatment” means a procedure or method to cure, improve, or palliate an individual’s medical condition or behavioral health issue.

~~244.~~245.“Treatment plan” means a description of the specific physical health services or behavioral health services that a health care institution anticipates providing to a patient.

~~245.~~246.“Unclassified health care institution” means a health care institution not classified or subclassified in statute or in rule.

~~246.~~247.“Vascular access” means the point on a patient’s body where blood lines are connected for hemodialysis.

~~247.~~248.“Volunteer” means an individual authorized by a health care institution to work for the health care institution on a regular basis without compensation from the health care institution and does not include a medical staff member who has clinical privileges at the health care institution.

~~248.~~249.“Working day” means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not a state and federal holiday or a statewide furlough day.

ARTICLE 19. COUNSELING FACILITIES

R9-10-1902. Supplemental Application Requirements

In addition to the license application requirements in A.R.S. § 36-422 and 9 A.A.C. 10, Article 1, a governing authority applying for a license as a counseling facility shall submit, in a format provided by the Department:

1. The days and hours of clinical operation ~~and, if different from the days and hours of clinical operation, the days and hours of administrative operation~~;
2. The days and hours of administrative operation, which are not less than the days and hours of clinical operation
~~2.~~3. If applicable, a request to provide one ~~of~~ or more of the following, in accordance with 9 A.A.C. 20:
   a. DUI screening,
   b. DUI education,
   c. DUI treatment, or
   d. Misdemeanor domestic violence offender treatment;
~~3.~~4. Whether the counseling facility plans to provide counseling services to patients under 18 years of age ~~has an affiliated outpatient treatment center~~;
~~4.~~5. ~~If~~ Whether the counseling facility has an affiliated outpatient treatment center and, if so:
   a. The affiliated outpatient treatment center’s name; and
   b. Either:
      i. The license number assigned to the affiliated outpatient treatment center by the Department; or
      ii. If the affiliated outpatient treatment center is not currently licensed, the:
         (1) Street address of the affiliated outpatient treatment center, and
         (2) Date the affiliated outpatient treatment center submitted to the Department an application for a health care institution license; and
~~5. Whether the counseling facility is sharing administrative support with an affiliated counseling facility; and~~
6. ~~If~~ Whether the counseling facility is sharing administrative support with an affiliated counseling facility, and, if so, for each affiliated counseling facility sharing administrative support with the counseling facility:
   a. The affiliated counseling facility’s name; and
   b. Either:
      i. The license number assigned to the affiliated counseling facility by the Department; or
      ii. If the affiliated counseling facility is not currently licensed, the:
         (1) Street address of the affiliated counseling facility, and
         (2) Date the affiliated counseling facility submitted to the Department an application for a health care institution license.

R9-10-1903. Administration

A. A governing authority shall:

1. Consist of one ~~of~~ or more individuals accountable for the organization, operation, and administration of a counseling facility;
2. Establish, in writing:
   a. A counseling facility’s scope of services, and
   b. Qualifications for an administrator;
3. Designate, in writing, an administrator who has the qualifications established in subsection (A)(2)(b);
4. Adopt a quality management program according to R9-10-1904;
5. Review and evaluate the effectiveness of the quality management program in R9-10-1904 at least once every 12 months;
6. Designate, in writing, an acting administrator who has the qualifications established in subsection (A)(2)(b) if the administrator is:
   a. Expected not to be present on the premises for more than 30 calendar days, or

b. Not present on the premises for more than 30 calendar days; and

7. Except as provided in subsection (A)(6), notify the Department according to A.R.S. § 36-425(I) when there is a change in an administrator and identify the name and qualifications of the new administrator.

B. No change

1. No change
2. No change
3. No change

C. An administrator or the administrator of the counseling facility's affiliated outpatient treatment center shall establish, document, and implement policies and procedures to protect the health and safety of a patient that:

1. Cover job descriptions, duties, and qualifications, including required skills, knowledge, education, and experience, for personnel members, employees, volunteers, and students;
2. Cover orientation and in-service education for personnel members, employees, volunteers, and students;
3. Include how a personnel member may submit a complaint relating to services provided to a patient;
4. Cover the requirements in Title 36, Chapter 4, Article 11;
5. Cover patient screening, admission, assessment, discharge planning, and discharge;
6. Cover medical records;
7. Cover the provision of counseling and any services listed in the counseling facility's scope of services;
8. Include when general consent and informed consent are required;
9. Cover ~~telemedicine~~ telehealth during clinical operational hours, according to Title 36, Chapter 36, if applicable;
10. Cover specific steps for:
    a. A patient or a patient's representative to file a complaint, and
    b. A counseling facility to respond to a complaint, including a timeframe for response; and
11. Cover how personnel members will respond to a patient's sudden, intense, or out-of-control behavior to prevent harm to the patient or another individual.

D. An administrator shall ensure that:

~~1. Policies and procedures established according to subsection (C) are documented and implemented;~~

~~2.~~1. Counseling facility policies and procedures are:
    a. Reviewed at least once every three years and updated as needed, and
    b. Available to personnel members and employees;

~~3.~~2. Unless otherwise stated:
    a. Documentation required by this Article is maintained and provided to the Department within two hours after a Department request; and
    b. When documentation or information is required by this Chapter to be submitted on behalf of a counseling facility, the documentation or information is provided to the unit in the Department that is responsible for licensing and monitoring the counseling facility;

~~4.~~3. The following are conspicuously posted:
    a. The current license for the counseling facility issued by the Department;
    b. The name, address, and telephone number of the Department;
    c. A notice that a patient may file a complaint with the Department about the counseling facility;
    d. A list of patient rights;
    e. A map for evacuating the facility; and
    f. A notice identifying the location on the premises where current license inspection reports required in A.R.S. § 36-425(H), with patient information redacted, are available;

~~5.~~4. Patient follow-up instructions are:
    a. Provided, orally or in written form, to a patient or the patient's representative before the patient leaves the counseling facility unless the patient leaves against a personnel member's advice; and
    b. Documented in the patient's medical record; and

~~6.~~5. Cardiopulmonary resuscitation training includes a demonstration of the individual's ability to perform cardiopulmonary resuscitation.

E. No change

1. No change
2. No change

F. No change

1. No change
2. No change
    a. No change
    b. No change
3. No change
    a. No change
    b. No change
    c. No change
4. No change
5. No change
    a. No change

b. No change
c. No change
d. No change
6. No change

R9-10-1906. Personnel
An administrator shall ensure that:
1. The qualifications, skills, and knowledge required for each type of personnel member:
   a. Are based on:
      i. The type of counseling expected to be provided by the personnel member according to the established job description, and
      ii. The acuity of the patients expected to be receiving the counseling from the personnel member according to the established job description; and
   b. Include:
      i. The specific skills and knowledge necessary for the personnel member to provide the counseling listed in the established job description,
      ii. The type and duration of education that may allow the personnel member to have acquired the specific skills and knowledge for the personnel member to provide the counseling listed in the established job description, and
      iii. The type and duration of experience that may allow the personnel member to have acquired the specific skills and knowledge for the personnel member to provide the counseling listed in the established job description;
2. A personnel member's skills and knowledge are verified and documented:
   a. Before the personnel member provides counseling, and
   b. According to policies and procedures;
3. Sufficient personnel members are present on a counseling facility's premises during hours of clinical operation with the qualifications, skills, and knowledge necessary to:
   a. Provide the counseling in the counseling facility's scope of services,
   b. Meet the needs of a patient, and
   c. Ensure the health and safety of a patient;
4. At least one personnel member with cardiopulmonary resuscitation training is present on a counseling facility's premises during hours of clinical operation;
5. At least one personnel member with first aid training is present on a counseling facility's premises during hours of clinical operation;
6. A personnel member only provides counseling <u>that</u> the personnel member is qualified to provide<u>, including telehealth services on the premises</u>;
7. A plan is developed, documented, and implemented to provide orientation specific to the duties of personnel members, employees, volunteers, and students;
8. A personnel member completes orientation before providing counseling to a patient;
9. An individual's orientation is documented, to include:
   a. The individual's name,
   b. The date of the orientation, and
   c. The subject or topics covered in the orientation;
10. A plan is developed, documented, and implemented to provide in-service education specific to the duties of a personnel member;
11. A personnel member's in-service education is documented, to include:
   a. The personnel member's name,
   b. The date of the in-service education, and
   c. The subject or topics covered in the in-service education;
12. A personnel member who is a behavioral health technician or behavioral health paraprofessional complies with the applicable requirements in R9-10-115;
13. A record for a personnel member, an employee, a volunteer, or a student is maintained that includes:
   a. The individual's name, date of birth, and contact telephone number;
   b. The individual's starting date of employment or volunteer service and, if applicable, the ending date; and
   c. Documentation of:
      i. The individual's qualifications, including skills and knowledge applicable to the individual's job duties;
      ii. The individual's education and experience applicable to the individual's job duties;
      iii. The individual's completed orientation and in-service education as required by policies and procedures;
      iv. The individual's license or certification, if the individual is required to be licensed or certified in this Article or policies and procedures;
      v. If the individual is a behavioral health technician, clinical oversight required in R9-10-115;
      vi. The individual's compliance with the fingerprinting requirements in A.R.S. § 36-425.03, if applicable;
      vii. If applicable, cardiopulmonary resuscitation training; and
      viii. If applicable, first aid training; and
14. The record in subsection (13) is:
   a. Maintained while an individual provides services for or at the counseling facility and for at least 24 months after the last date the individual provided services for or at the counseling facility; and

b. If the ending date of employment or volunteer service was 12 or more months before the date of the Department's request, provided to the Department within 72 hours after the Department's request.

R9-10-1909. Counseling

A. No change
1. No change
2. No change
3. No change

B. An administrator of a counseling facility shall ensure that:
1. Before counseling for a patient is initiated, there is a behavioral health assessment for the patient that complies with the requirements in this Section that is:
   a. Available:
      i. In the patient's medical record maintained by the counseling facility;
      ii. If the counseling facility is an affiliated counseling facility, in the patient's integrated medical record; or
      iii. If the counseling facility has an affiliated outpatient treatment center, in the patient's integrated medical record maintained by the counseling facility's affiliated outpatient treatment center; and
   b. Either:
      i. Completed by a qualified personnel member at the counseling facility, according to subsection (B)(5); or
      ii. Obtained from a behavioral health provider other than the counseling facility;
2. A behavioral health assessment, obtained from a behavioral health provider other than the counseling facility or available in a medical record or integrated medical record, was completed within 12 months before the date of the patient's current admission;
3. If a behavioral health assessment is obtained from a behavioral health provider other than the counseling facility or is available as stated in subsection (B)(1)(a), the information in the behavioral health assessment is reviewed and updated if additional information that affects the patient's behavioral health assessment is identified;
4. The review and update of the patient's assessment information in subsection (B)(3) is documented in the patient's medical record within 48 hours after the review is completed;
5. If a behavioral health assessment is conducted by a:
   a. Behavioral health technician or a registered nurse, within 72 hours after the behavioral health assessment is conducted, a behavioral health professional certified or licensed to provide the counseling needed by the patient reviews and signs the behavioral health assessment to ensure that the behavioral health assessment identifies the counseling needed by the patient; or
   b. Behavioral health paraprofessional, a behavioral health professional certified or licensed to provide the counseling needed by the patient supervises the behavioral health paraprofessional during the completion of the behavioral health assessment and signs the behavioral health assessment to ensure that the assessment identifies the counseling needed by the patient;
6. A behavioral health assessment:
   a. Documents a patient's:
      i. Presenting issue;
      ii. Substance use history;
      iii. Co-occurring disorder;
      iv. Medical condition and history;
      v. Legal history, including:
         (1) Custody,
         (2) Guardianship, and
         (3) Pending litigation;
      vi. Criminal justice record;
      vii. Family history;
      viii. Behavioral health treatment history; and
      ix. Symptoms reported by the patient or the patient's representative and referrals needed by the patient, if any;
   b. Includes:
      i. Recommendations for further assessment or examination of the patient's needs;
      ii. A description of the counseling, including type, frequency, and number of hours, that will be provided to the patient; and
      iii. The signature and date signed of the personnel member conducting the behavioral health assessment; and
   c. Is documented in patient's medical record;
7. A patient is referred to a medical practitioner if a determination is made that the patient requires immediate physical health services or the patient's behavioral health issue may be related to the patient's medical condition;
8. A request for participation in a patient's behavioral health assessment is made to the patient or the patient's representative;
9. An opportunity for participation in the patient's behavioral health assessment is provided to the patient or the patient's representative;
10. Documentation of the request in subsection (B)(8) and the opportunity in subsection (B)(9) is in the patient's medical record;
11. A patient's behavioral health assessment information is documented in the medical record within 48 hours after completing the assessment;

12. If information in subsection (B)(6)(a) is obtained about a patient after the patient's behavioral health assessment is completed, an interval note, including the information, is documented in the patient's medical record within 48 hours after the information is obtained;
13. Counseling is:
    a. Offered as described in the counseling facility's scope of services;
    b. Provided according to the type, frequency, and number of hours identified in the patient's assessment; and
    c. Provided by a behavioral health professional or a behavioral health technician;
14. A personnel member providing counseling to address a specific type of behavioral health issue has the skills and knowledge necessary to provide the counseling that addresses the specific type of behavioral health issue; and
15. Each counseling session is documented in the patient's medical record to include:
    a. The date of the counseling session;
    b. The amount of time spent in the counseling session;
    c. Whether the counseling was individual counseling, family counseling, or group counseling;
    d. The treatment goals addressed in the counseling session; and
    e. The signature of the personnel member who provided the counseling and the date signed.

C. No change
1. No change
2. No change
3. No change
4. No change

D. An administrator of a counseling facility authorized to provide the services in subsection (C):
1. Shall comply with the applicable requirements for the specific service in 9 A.A.C. 20, and
2. May have a behavioral health technician who has the appropriate skills and knowledge established in policies and procedures provide the services.

Volume 32, Issue 48, November 27, 2026

NOTICES OF FINAL EXPEDITED RULEMAKING

An agency submits a Notice of Final Expedited Rulemaking to the Governor's Regulatory Review Council for review and approval under A.R.S. § 41-1027(E).

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

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).

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 Expedited Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICE OF FINAL EXPEDITED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 12. DEPARTMENT OF HEALTH SERVICES
SOBER LIVING HOMES

File Number: R26-217

PREAMBLE

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

August 20, 2026

2. Article, Part, or Section Affected (as applicable)	**Rulemaking Action**
R9-12-101	Amend
R9-12-103	Amend
R9-12-104	Amend
R9-12-105	Amend
R9-12-106	Amend
R9-12-107	Amend
Table 1.1	Amend
Table 1.2	New Section
R9-12-201	Amend
R9-12-202	Amend
R9-12-203	Amend
R9-12-204	Amend
R9-12-205	Amend
R9-12-206	Renumber
R9-12-206	New Section
R9-12-207	Renumber
R9-12-207	Amend
R9-12-208	Renumber
R9-12-208	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 36-132(A)(1) and 36-136(G)

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

4. The effective date of the rule:

November 4, 2026 (*immediately upon filing with the Office of the Secretary of State*)

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 proposed expedited rule:

Notice of Rulemaking Docket Opening: 32 A.A.R. 892; Issue Date: April 17, 2026; Issue Number: 16; File Number: R26-48

Notice of Proposed Expedited Rulemaking: 32 A.A.R. 1668; Issue Date: July 24, 2026; Issue Number: 30; File Number: R26-119

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

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

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

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

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

8. 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.

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 statement that the agency is exempt from the requirements under A.R.S. § 41-1055(G) to obtain and file a 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).

11. A description of any change between the proposed expedited rulemaking, to include a supplemental proposed notice, and the final rulemaking:

Changes to correct a few formatting errors were made between the proposed expedited rulemaking and the final expedited rulemaking.

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

The Department received one set of written comments from Thundermaker Wellness Center/Sober Living Homes. A summary of the comments and the Department's responses are below:

Comment 1

The suggestion was made that the rule clarify how state licensing will be affected when a local jurisdiction imposes requirements that are more stringent than the state's minimum standards. "[A] local requirement may effectively prevent licensure, reduce approved capacity, or require substantial structural modifications."

Department's Response

The Department does not have statutory authority to specify what local requirements should be. In R9-12-103(A)(7), the rules specify that an applicant shall submit "[d]ocumentation verifying that the applicant is in compliance with local zoning ordinances, building codes, and fire codes, as required by A.R.S. § 36-2062(C)." If local requirements are more stringent than the minimum standards in the rule, a person would need to abide by the local requirements. No change will be made due to this comment.

Comment 1

The suggestion was made that the rule specify the basis of local requirements. "It should also establish a process for applicants to notify ADHS when a local determination is being appealed or is subject to a reasonable-accommodation request" and "consider a pending appeal, approved corrective-action plan, conditional local approval, or reasonable-accommodation request before denying, suspending, or restricting a license."

Department's Response

The Department does not have statutory authority to specify what local requirements should be. A.R.S. § 36-2062(C) requires documentation of compliance to be part of the application for an initial license and "when requesting approval for any proposed change in the maximum number of residents or any construction of or modification to the sober living home." The requirement in the rule is consistent with this statutory requirement. No change will be made due to this comment.

Comment 2

R9-12-201(B)(4) requires someone who has training in cardiopulmonary resuscitation (CPR) and first aid training be on the premises of the sober living home when a resident is present if the manager does not reside on the premises. A suggestion was made to allow the licensee to decide who should have CPR training, similar to the requirement in subsection (B)(3).

Department's Response

Under the current rules, a manager must live in a sober living home. Recently, a business model has been developed for the operation of large sober living homes. In this rulemaking, the Department is adding provisions to accommodate this type of sober living home. If a person chooses to run such a sober living home, a manager does not need to live in the sober living home, but a staff member must be on the premises. It is to such a staff member that the requirements in R9-12-201(B)(4) pertain, to ensure the health and safety of the much larger number of residents, due to the increased likelihood of a situation in which CPR would be required. No change will be made due to this comment.

Comment 3

R9-12-201(C)(2)(q) requires policies and procedures for the termination of residency. It "places responsibility for placement on the sober living facility" and should be changed to "provide reasonable transition assistance, resource infor-

mation, referrals, and logistical coordination based on the residents' needs, choices, consent, and available resources. The sober living home does not guarantee placement."

Department's Response

Subsection R9-12-201(C)(2)(q)(v) is the only requirement not in the current rules. This subsection clarifies that a policy and procedure related to termination of residency must address a plan to relocate residents if the sober living home ceases operations and is consistent with A.R.S. § 36-2062(A)(4). The Department does not specify how a sober living home has to address this situation, but a licensee could include wording similar to that suggested by the commenter in their individual policies and procedures. Another licensee may address the situation differently. No change will be made due to this comment.

Comment 4

A suggestion was made that the licensee, rather than a manager, be required by R9-12-201(H) to ensure that the listed items are posted.

Department's Response

The change being made as part of this rulemaking is to correct the spelling of "manager." A manager is responsible for the day-to-day operation of a sober living home. As such, it is more appropriate to expect the manager to ensure that the specified information/documents are posted. No change will be made due to this comment.

Comment 5

The suggestion was made that residency agreements in R9-12-202 "should reinforce authority of the licensee," and revised language was proposed.

Department's Response

The rules contain minimum standards. Subsection (C) specifies the minimum content of a residency agreement. A licensee may add wording to the licensee's residency agreement, as long as it is consistent with the requirements in the rules. No change will be made due to this comment.

Comment 6

R9-12-202(B)(2) requires that a prospective resident cannot be accepted without proof of sobriety. A change was suggested to allow proof of sobriety or an assessment of sobriety to count towards the requirement.

Department's Response

This subsection was not changed as part of the rulemaking. In R9-12-201(C)(2)(f), the rules require a licensee to develop policies and procedures for drug testing and other assessments of sobriety. These can be tailored to meet the needs of the sober living home, based on the individuals accepted as residents. No change will be made due to this comment.

Comment 7

The suggestion was made that R9-12-202(B)(3) be changed to deny acceptance of individuals that have "needs that the sober living home reasonably determines it cannot safely accommodate within its written scope of services."

Department's Response

The scope of a sober living home is specified in statute. The rulemaking clarifies the current requirement, which is consistent with statute. The wording proposed by the commenter may lead to an extension of the statutory scope in order for an individual to be accepted as a resident. If a resident has needs that are not within the statutory scope, residency should not be granted. No change will be made due to this comment.

Comment 8

The suggestion was made that R9-12-202(C)(16)(d) be changed from notification if a resident is "not complying with the residency agreement" to notification of "termination of residency agreement."

Department's Response

R9-12-202(C)(16) was not changed as part of the rulemaking except to correct a cross-reference. No change was made to subsection (C)(16)(d). No change will be made due to this comment.

Comment 9

The commenter states that a "sober living home does not provide medical care or clinical treatment; the resident-record requirements should be limited to objective information necessary to enforce sobriety requirements and the residency agreement," then provides an opinion about "point-of-collection" testing.

Department's Response

The Department agrees that a sober living home does not provide medical care or clinical treatment and that the con-

tent of the resident record should reflect that. The Department believes that the requirements in rule are the minimum necessary to meet statutory requirements, for the operation of a sober living home, and to allow for enforcement. If a licensee agrees with the points made by the commenter, the licensee may include these requirements as part of their policies and procedures in R9-12-201(C)(2)(f). No change will be made due to this comment.

Comment 10

The suggestion was made that R9-12-204(A)(3) be changed to "[d]ocumentation of each drug or alcohol test performed on the resident or relied upon by the sober living home, including the date, type of test, result as reported by the testing entity, and identity of the testing entity or individual administering the test."

Department's Response

The only change made to subsection (A)(3) as part of this rulemaking was to remove a requirement that testing be done by an independent laboratory, to allow for point-of-care testing. The Department believes that adding the suggested requirements will add a regulatory burden and is not necessary to assess compliance. No change will be made due to this comment.

Comment 11

The suggestion was made that R9-12-204(A)(4) be "limited to objective testing or observation performed according to the home's written policies," and a list of the results is specified.

Department's Response

The Department does not require any other assessment, but allows for other assessment if wanted by the licensee and included in policies and procedures. The list provided is what is in the rule. No change will be made due to this comment.

Comment 12

The suggestion was made to delete R9-12-204(A)(6) "A current list of medications taken by the resident and the resident's medical conditions."

Department's Response

This subsection was not changed as part of the rulemaking. The list is required in A.R.S. § 36-2062(A)(6). No change will be made due to this comment.

Comment 13

The commenter stated that "[m]any sober living homes operate in conventional single-family residences that were not designed with institutional bathroom configurations. "Under the proposed ratio of one bathtub or shower for every eight residents, a 10-bed home with only one bathing fixture could be limited to eight residents or required to complete costly structural renovations." The suggestion was made to increase the ration to "one bathtub or shower for every ten residents, not including the house manager."

Department's Response

As part of the rulemaking, the Department increased the ratios from one bathtub or shower for every five residents to one bathtub or shower for every eight residents. This ratio is consistent with the ratio for other types of licensed facilities. All current licensees comply with the current ratio and, thus, would also comply with the new revised ratio. The Department believes that the suggested ratio of one bathtub or shower for every 10 residents (or 11 individuals, if this includes the manager) is double the current ratio and does not provide for the health and safety of residents. No change will be made due to this comment.

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:

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

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

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

A federal law is not applicable to the subject of the rule.

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

41-1055(I). If yes, include the analysis with the rulemaking package.
No business competitiveness analysis was received by the Department.

14. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:
The following documents are incorporated by reference in R9-12-207(A)(2):
The National Fire Protection Association 72: National Fire Alarm and Signaling Code; and
The National Fire Protection Association 13: Standard for the Installation of Sprinkler Systems

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) state where the text was changed between the emergency and the final expedited rulemaking package:
The rules were not previously made as an emergency rule.

16. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 12. DEPARTMENT OF HEALTH SERVICES SOBER LIVING HOMES

ARTICLE 1. LICENSURE REQUIREMENTS

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

ARTICLE 2. SOBER LIVING HOME REQUIREMENTS

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

ARTICLE 1. LICENSURE REQUIREMENTS

R9-12-101. Definitions
In addition to the definitions in A.R.S. § 36-2061, the following definitions apply in this Chapter unless otherwise specified:

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

~~6.~~8. "Business organization" means the same as "entity" in A.R.S. § 10-140.
~~7.~~9. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
10. "Common area" means a space in a sober living home that is:
    a. Not a resident's bedroom,
    b. Not restricted to use by employees or volunteers of the sober living home,
    c. Available for use by visitors and other individuals on the premises, and
    d. Furnished to meet the needs of the residents.
~~8.~~11. "Controlling person" means ~~a person who, with respect to a business organization:~~ the same as in A.R.S. § 36-2068.
    ~~a. Has the power to vote at least 10% of the outstanding voting securities of the business organization;~~
    ~~b. If the business organization is a partnership, is a general partner or is a limited partner who holds at least 10% of the voting rights of the partnership;~~
    ~~c. If the business organization is a corporation, association, or limited liability company, is the president, the chief executive officer, the incorporator, an agent, or any person who owns or controls at least 10% of the voting securities; or~~
    ~~d. Holds a beneficial interest in 10% or more of the liabilities of the business organization.~~
~~9.~~12. "Department" means the Arizona Department of Health Services.
~~10.~~13. "Documentation" means information in written, photographic, electronic, or other permanent form.
~~11.~~14. "Drug" has the same meaning as in A.R.S. § 32-1901.
~~12.~~15. "Exploitation" has the same meaning as in A.R.S. § 46-451.
~~13.~~16. "Facility" means the building or buildings used for operating a sober living home.
~~14.~~17. "Health care provider" means a:
    a. Physician, as defined in A.R.S. § 36-401;
    b. Registered nurse practitioner, as defined in A.R.S. § 32-1601; or
    c. Physician assistant, as defined in A.R.S. § 32-2501.
~~15.~~18. "Illicit drug" means:
    a. A substance listed in A.R.S. § 36-2512 as a schedule I controlled substance;
    b. A dangerous drug, as defined in A.R.S. § 13-3401, that is not an individual's prescription medication; ~~or~~
    c. A prescription medication, as defined in A.R.S. § 32-1901, that is not an individual's prescription medication; or
    d. A substance, other than the individual's prescription medication as defined in A.R.S. § 32-1901, that is intended to alter a user's mental state.
19. "Immediate" means without delay.
~~16.~~20. "Licensee" means the ~~individual or business organization to which the Department has issued a license to operate a sober living home~~ same as in A.R.S. § 36-2069.
~~17.~~21. "Manager" means an individual designated by a licensee to:
    a. Act on behalf of the licensee in the onsite management of a sober living home; and
    b. Support and assist residents of the sober living home.
~~18.~~22. "Modification" means the substantial improvement, enlargement, reduction, alteration, or other substantial change in the facility or another structure on the premises at a sober living home.
~~19.~~23. "Over-the-counter drug" means the same as in A.R.S. § 32-1901.
~~20.~~24. "Overall time-frame" means the same as in A.R.S. § 41-1072.
~~21.~~25. "Premises" means:
    a. A facility; and
    b. The grounds surrounding the facility that are owned, leased, or controlled by the licensee, including other structures.
~~22.~~26. "Prescription medication" means the same as in A.R.S. § 32-1901.
~~23.~~27. "Residency agreement" means a document signed by a resident or the resident's representative and a manager, detailing the terms of residency.
~~24.~~28. "Resident" means an individual who is accepted by a licensee under the terms of a residency agreement with the individual to live at the licensee's sober living home.
~~25.~~29. "Resident's representative" means:
    a. An individual acting on behalf of a resident with the written consent of the resident, or
    b. The resident's legal guardian.
~~26.~~30. "Sober" or "sobriety" means that an individual is free of alcohol or drugs, except for a drug that is:
    a. Used as part of medication-assisted treatment,
    b. The individual's prescription medication, or
    c. An over-the-counter drug.
~~27.~~31. "Staff" means the ~~employees or volunteers who provide monitoring or assistance to residents at a sober living home~~ same as "paid staff member" in A.R.S. § 36-2069.
32. "Substantial compliance" means the same as in A.R.S. § 36-2062.01.
~~28.~~33. "Substantive review time-frame" means the same as in A.R.S. § 41-1072.
~~29.~~34. "Swimming pool" means the same as "private residential swimming pool" as defined in A.A.C. R18-5-201.
~~30.~~35. "Termination of residency" or "terminate residency" means an individual is no longer a resident of a sober living home.

R9-12-103. Initial Application for a License

A. An applicant for an initial sober living home license shall submit to the Department a completed application ~~packet to operate a sober living home~~ that contains:

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

~~4.~~5. A floor plan for each floor of the proposed sober living home, including:
   ~~a. The location and size of each resident bedroom, and~~
   ~~b. The location of each openable window or door from a resident bedroom;~~
   a. Each room layout, including the square footage of each bedroom;
   b. Room usage;
   c. If applicable, the bedroom designated for use by the manager or staff;
   d. Each door and each window;
   e. Plumbing fixtures;
   f. Each exit; and
   g. The location of each fire protection device;

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

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

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

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

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

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

R9-12-104. License Renewal

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

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

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

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

R9-12-105. Changes Affecting a License

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

1. Termination of operation of the sober living home, including the proposed termination date;
2. A change in the individual or business organization controlling the sober living home, including the name, address, telephone number, and e-mail address of the individual or business organization proposing to assume control of the sober living home;
3. A change in the address of the sober living home, including:
   a. The name and license number of the sober living home,
   b. ~~the~~ The new address for the sober living home, and
   c. An acknowledgement of the requirement to submit an application for an initial license according to R9-12-103;
4. A change in the name of the sober living home, including:
   a. The current name and license number of the sober living home,
   b. ~~the~~ The new name of the sober living home, and
   c. Documentation verifying the name change without a change of ownership;
5. If the licensee is an individual, a legal change of the licensee's name, including:
   a. The current name and license number of the licensee;
   b. ~~the~~ The new name of the licensee; and
   c. Documentation, such as a marriage certificate, divorce decree, or court order, verifying the name change;
6. A proposed change in the maximum number of residents in the sober living home or construction or modification of the facility, including the application in subsection (D)~~:~~; or
   ~~a. A floor plan for the sober living home showing:~~
      ~~i. If applicable, the areas in which construction or modification of the facility will occur;~~
      ~~ii. The location and size of each resident bedroom; and~~
      ~~iii. The location of each openable window or door from a resident bedroom;~~
   ~~b. For a proposed change in the maximum number of residents in the sober living home:~~
      ~~i. The proposed new maximum number of residents in the sober living home; and~~
      ~~ii. If the proposed new maximum number of residents in the sober living home is larger than the current maximum number of residents, a fee of $100 times the difference between the current maximum number of residents and the new maximum number of residents; and~~
   ~~c. For construction or modification of the facility, an attestation that the construction or modification will be is in compliance with local zoning ordinances, building codes, and fire codes.~~
7. A change in the certification status from a certifying organization according to A.R.S. § 36-2064, including:
   a. Whenever a certified sober living home will no longer be certified; and
   b. When a sober living home receives certification, including a copy of the licensee's certificate and certification report as a sober living home from the certifying organization.

B. A licensee shall notify the Department in writing ~~no more than 30 calendar days after the effective date of~~ within 48 hours and in a Department-provided format after:

1. A change in the name or contact information of an individual acting on behalf of the licensee according to R9-12-102, including the name and contact information of the new individual acting on behalf of the licensee;

2. A change in the licensee's e-mail address, including the new e-mail address; or
3. A change in the manager of the sober living home, including the name, telephone number, and e-mail address of the new manager.

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

D. A licensee providing a notification specified in subsection (A)(6) shall submit to the Department, along with the notification required in subsection (A)(6), a completed change application that contains:

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

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

~~D.~~**F.** If the Department receives the notification in subsection (A)(2) of a change in the individual or business organization controlling the sober living home, the Department shall:

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

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

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

~~G.~~**I.** If the Department receives the notification in subsection (A)(6) of a proposed change in the maximum number of residents in the sober living home or of construction or modification of the facility and the change application in subsection (D), the Department:

1. ~~May~~ Shall conduct an inspection of the premises as ~~allowed~~ required by A.R.S. § 36-2063; and
2. Shall issue to the licensee an amended license that incorporates the change but retains the expiration date of the existing license if the sober living home is in compliance with A.R.S. Title 36, Chapter 18, Article 4 and this Chapter.

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

R9-12-106. Time-frames

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

B. The administrative completeness review time-frame for a license granted by the Department under this Chapter is set forth in Table 1.1 and begins on the date that the Department receives an application ~~packet~~.

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

C. The substantive review time-frame is set forth in Table 1.1 and begins on the date of the notice of administrative completeness.

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

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

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

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

~~A.~~C. The Department may deny an application or suspend or revoke a license to operate a sober living home, as described in A.R.S. §§ 36-2063 and 36-2068, if:
1. An applicant or licensee does not meet the application requirements contained in R9-12-103(A) or R9-12-104(A), as applicable;
2. A licensee does not comply with requirements in A.R.S. Title 36, Chapter 18, Article 4, or this Chapter;
~~3. A licensee does not correct the deficiencies according to the plan of correction specified in R9-12-201(J)(1) by the time stated in the plan of correction;~~
~~4.~~3. An applicant, ~~or~~ licensee, or controlling person provides false or misleading information ~~as part of an application~~; or
~~5.~~4. The nature or number of violations revealed by any type of inspection or investigation of a sober living home poses a direct risk to the life, health, or safety of a resident or another individual on the premises.

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

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

8. The number of violations;
9. The size of the facility; and
10. The length of time the violation occurred.

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

Table 1.1. Time-frames (in calendar days)

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

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

Table 1.2. Violation Severity and Remedy Matrix

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

Level 5	Immediate jeopardy to health and safety.	Directed plan of correction; Provider agreement; Civil money penalties; Suspension; Intermediate sanctions; Revocation; or Other remedies, as applicable, in Title 41, Chapter 6.

ARTICLE 2. SOBER LIVING HOME REQUIREMENTS

R9-12-201. Administration

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

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

C. A licensee shall ensure that:
~~2.~~1. Policies and procedures are established, documented, and implemented to:
   a. Prevent or address any concerns or complaints from individuals living in the surrounding neighborhood in compliance with A.R.S. § 36-2062(A)(5) by:
      ~~i. Identifying an individual for individuals living in the surrounding neighborhood to contact to discuss a concern;~~

~~ii.~~i. Requiring the ~~identified individual~~ manager or a designated staff member to respond to a concern or complaint, even if the issue cannot be resolved; and

~~iii.~~ii. Ensuring that requirements for residents and visitors related to parking, noise emanating from the sober living home, smoking, cleanliness of the public space near the sober living home, and loitering in front of the sober living home or near-by homes are established, known to residents, and enforced; ~~and~~

b. ~~Promote the safety of the surrounding neighborhood, to comply~~ Ensure that the sober living home maintains an environment that complies with A.R.S. § 36-2062(A)(3);

c. Require the sober living home to be free from alcohol and illicit drugs at all times; and

d. Ensure that the sober living home is maintained in compliance with local fire codes and rules applicable to comparable dwellings occupied by single families; and

~~3.~~2. Policies and procedures are established, documented, and implemented to protect the health and safety of a resident that cover:

a. Recordkeeping;

b. Resident acceptance;

c. Informing a resident of the residency requirements and resident agreement;

~~c.~~d. Resident rights;

~~d.~~e. Orientation of a resident to:

i. The premises of the sober living home~~,~~;

ii. The resident's rights and responsibilities~~,~~;

iii. The ~~prohibition of the possession of~~ requirement for the sober living home to be free from alcohol and illicit drugs at all times~~,~~;

iv. The requirement for abstinence from alcohol ~~or~~ and illicit drugs~~,~~;

v. The requirement for a resident to participate in alcohol or drug treatment, self-help groups, or other recovery supports;

~~iv.~~vi. Services offered by or coordinated through the sober living home~~,~~;

~~v.~~vii. Drug and alcohol testing practices~~,~~; and

~~vi.~~viii. Expectations about food preparation and chores;

~~e.~~f. Drug and alcohol testing ~~conducted by an independent testing facility certified under 42 C.F.R. 493~~ for the sober living home and other assessments of sobriety, including:

i. The frequency of testing or assessment, based on the residents accepted; ~~and~~

ii. The compounds included in the testing panel or, if applicable, an assessment methodology, based on the sober living home's scope of services and residents accepted; and

iii. If the testing is conducted by an independent testing facility, the testing facility is certified under 42 CFR 493;

~~f.~~g. Allowing the acceptance and retention as a resident of an individual~~:~~

~~i. Who~~ who is receiving and will continue to receive medication-assisted treatment;

~~ii. Who has a co-occurring behavioral health issue, as defined in A.A.C. R9-10-101; or~~

~~iii. If included in the scope of services established according to subsection (A)(2), has a co-occurring medical condition;~~

~~g.~~h. House meetings, including:

i. Frequency;

ii. Typical duration; and

iii. Participation requirements, if applicable;

~~h.~~i. The provision of services, including:

i. Facilitating peer support activities;

ii. Providing assistance or activities directed toward recovery from any substance use disorder;

iii. Providing activities that promote independent living and life skills development;

~~ii.~~iv. If applicable, providing other services on the premises to support sobriety or improve independent living;

~~iii.~~v. If applicable, coordinating the provision of services to support sobriety provided by other persons; and

~~iv.~~vi. Referring a resident to other persons for the provision of services to support sobriety;

j. The requirement for a resident to participate in alcohol or drug treatment, self-help groups, or other recovery supports;

~~i.~~k. Residents' records, including electronic records if applicable;

~~j.~~l. The establishment, updating, and enforcement of house rules, including:

i. If applicable, curfews;

ii. Requirements related to chores~~,~~ and smoking~~, and visitors~~; ~~and~~

iii. Requirements related to visitors and visitation hours; and

~~iii.~~iv. Requirements for the storage, security, and use of a resident's prescription medications or over-the-counter drugs;

~~k.~~m. Management of all monies received or spent by the sober living home, including:

i. Accounting for monies received by residents;

ii. Prohibiting a requirement for an individual or resident to sign a document relinquishing the resident's public assistance benefits, such as medical assistance, case assistance, or supplemental nutrition assistance program benefits, as a condition of residency; and

iii. Providing copy of the record of the resident's account to the resident or the resident's representative upon request;

~~l.~~n. Specific steps for:

i. A resident to file a complaint,

ii. The sober living home to respond to a resident's complaint, and

iii. The prevention of retaliation against a resident who files a complaint;

~~m.~~o. How the licensee or the manager will respond to:

i. A resident's loss of sobriety; or
ii. A resident's sudden, intense, or out-of-control behavior to prevent harm to the resident or another individual;

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

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

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

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

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

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

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

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

~~e. If applicable:~~
~~i. Certification in cardiopulmonary resuscitation; and~~
~~ii. Compliance with subsection (B)(1)(b).~~

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

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

R9-12-202. Residency Agreements

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

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

C. Before or at the time of an individual's acceptance by a sober living home, a manager shall ensure that there is a documented residency agreement between the individual and the sober living home that includes:
1. The individual's name;
2. The name and phone number of an emergency point of contact, which may be a family member or another individual designated by the individual;
3. Information about the individual's:
a. Length of sobriety;
b. History of previous recovery activities; and
c. Source of referral to the sober living home, if applicable;
4. Terms of occupancy, including:
a. Date of occupancy or expected date of occupancy,
b. Resident responsibilities, and
c. Responsibilities of the sober living home;
5. The consequences of a loss of sobriety;
6. A description of the room for the individual to occupy;
7. A list of the services to be provided by the sober living home to a resident;
8. The fees to be charged to the individual for residency in the sober living home;
9. A list of the services available from the sober living home at an additional fee or charge and the associated fees or charges;
10. The policy for refunding fees, charges, or deposits;
11. The policy and procedure for a resident to terminate residency, including terminating residency because services were not provided to the resident according to the residency agreement;
12. The policy and procedure for a sober living home to terminate residency;
13. A statement that a resident has a right to file a complaint about the sober living home, manager, or licensee and a description of the complaint process;
14. A statement that a resident is expected to:
a. Comply with the terms of the residency agreement and requirements established for residents according to ~~R9-12-201(B)(2)(a)(iii) or R9-12-201(B)(3)(j)~~ R9-12-201(C)(1)(a), related to preventing concerns or complaints from individuals living in the surrounding neighborhood, and R9-12-201(C)(2)(l), related to house rules;
b. Maintain sobriety; and
c. Participate in activities to improve life skills, support independent living, and promote recovery from substance use disorders, as defined in A.A.C. R9-10-101:
i. Such as a treatment program, a self-help group, or another program to support sobriety and recovery; and
ii. That may include job training, school, or looking for a job;
15. A statement that a sober living home may not require an individual to relinquish the individual's public assistance benefits, such as medical assistance, case assistance, or supplemental nutrition assistance program benefits, as a condition of residency;
16. A statement that a sober living home must notify a family member or other emergency contact of the individual, according to ~~R9-12-201(E)(1)~~ R9-12-201(F)(1), if the individual:
a. Dies while a resident of the sober living home,

b. Has an illness or injury that requires immediate intervention by an emergency medical services provider or treatment by a health care provider,
c. Appears to be incapable of handling financial affairs, or
d. Is not complying with the residency agreement;
17. The name and contact information for the individual or business organization controlling the sober living home;
18. The signature of the individual and the date signed; and
19. The manager's signature and date signed.

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

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

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

R9-12-203. Resident Rights

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

B. A resident has the following rights:
1. Not to be discriminated against based on race, national origin, religion, gender, sexual orientation, age, disability, marital status, or diagnosis;
2. To receive services that support the resident's sobriety, including, if applicable, continuing to receive medication-assisted treatment while a resident;
3. To have a secure place to store personal belongings, medications, or other personal items to deter misappropriation by another individual;
4. To be able to gain access to the sober living home at any time while a resident;
5. To have access to all areas of the sober living home's premises, except for:
a. The bedrooms and secure storage locations of other residents,
b. The bedroom and secure storage locations of the manager or other staff, and
c. Areas of the sober living home used as the manager's office or for storage of records or supplies for assessment of sobriety;
6. To have access to meals prepared in the sober living home;
7. To review, upon written request, the resident's own record; and
8. To receive assistance in locating another place to live if the resident's record indicates that the resident:

a. No longer needs the services of a sober living home, or
b. Needs more services and support to maintain sobriety than the sober living home is authorized to provide.

R9-12-204. Resident Records

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

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

R9-12-205. Sober Living Home Services

A. Within 24 hours after an individual becomes a resident of a sober living home, a licensee shall ensure that the resident receives orientation to the sober living home and premises, according to policies and procedures, that includes:
1. The location of all exits from the sober living home and the route to evacuate the sober living home in case of an emergency;
2. The location of the first-aid kit required in ~~R9-12-206(1)~~ R9-12-207(B)(1);
3. Either:
   a. The use of the kitchen of the sober living home, including:
      ~~a.~~i. Operation of the appliances,
      ~~b.~~ii. Use of food storage areas, and
      ~~c.~~iii. Removal of garbage and refuse; or
   b. If the sober living home provides food service, as described in R9-12-206, as part of residency:
      i. The hours during which food service is available,
      ii. Where menus are posted, and
      iii. Provisions for a resident to prepare food for the resident's use outside the times and food choices offered during food service;
4. The use of the washing machine and dryer;
5. The dates, time, and location of house meetings;
6. The prohibition of the possession of alcohol or illicit drugs at the sober living home;
7. Review and discussion of specific resident requirements, as applicable, such as curfews, smoking, visitors, signing in or out of the sober living home, meal preparation schedule, chore schedule, or other house rules;
8. Review and discussion of requirements ~~related to R9-12-201(B)(2)(a)(iii)~~ in R9-12-201(C)(1)(a), related to preventing concerns or complaints from individuals living in the surrounding neighborhood; and
9. The information required according to ~~R9-12-201(B)(3)(n)~~ R9-12-201(C)(2)(p), related to naloxone.

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

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

R9-12-206. Food Services

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

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

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

A. A licensee shall ensure that a sober living home has:
1. A smoke detector and, if there is a gas line in the sober living home, a carbon monoxide detector installed in:
   a. Each bedroom used by a resident,
   b. Each hallway in a sober living home, and
   c. A room or hallway adjacent to the sober living home's kitchen; or
2. Both of the following that are in working order:
   a. A fire alarm system installed according to the National Fire Protection Association 72: National Fire Alarm and Signaling Code (2025), which is incorporated by reference, is available at https://www.nfpa.org/codes-and-standards/nfpa-72-standard-development/72, is on file with the Department, and includes no future editions or amendments; and
   b. A sprinkler system installed according to the National Fire Protection Association 13: Standard for the Installation of Sprinkler Systems (2025), which is incorporated by reference, is available at https://www.nfpa.org/codes-and-standards/nfpa-13-standard-development/13, is on file with the Department, and includes no future editions or amendments.

B. A manager shall ensure that:
1. A first aid kit is available at a sober living home sufficient to meet the needs of residents;
2. Naloxone is available and accessible to the manager, staff, and residents of the sober living home;
3. ~~A~~ If the sober living home does not have a fire alarm system and a sprinkler system according to subsection (A)(2), a smoke detector and, if there is a gas line in the sober living home, a carbon monoxide detector are ~~installed in~~:
   ~~a. A bedroom used by a resident,~~
   ~~b. A hallway in a sober living home, and~~
   ~~c. A sober living home's kitchen;~~
4. ~~The smoke detector and, if applicable, carbon monoxide detector in subsection (3) are~~:
   a. Either battery operated or, if hard-wired into the electrical system of the sober living home, have a back-up battery; and
   b. In working order;
5.~~.~~4. A fire extinguisher that is labeled as rated at least 1A-10-BC by the Underwriters Laboratories:
   a. Is maintained in the sober living home's kitchen;
   b. If a disposable fire extinguisher, is replaced when its indicator reaches the red zone; and
   c. If a rechargeable fire extinguisher:
      i. Is serviced at least once every 12 months, and
      ii. Has a tag attached to the fire extinguisher that specifies the date of the last servicing and the identification of the person who serviced the fire extinguisher;
6.~~.~~5. An evacuation path is conspicuously posted on each hallway of each floor of the sober living home;
7.~~.~~6. A written evacuation plan is maintained and available for use by the manager, any other staff of the sober living home, and any resident in a sober living home;
8.~~.~~7. An evacuation drill is conducted at least once every six months; and

~~9.~~8. A record of an evacuation drill required in subsection ~~(8)~~ (B)(7) is maintained for at least 12 months after the date of the evacuation drill.

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

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

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

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

~~C.~~D. A licensee shall ensure that:
1. A bedroom for use by a resident:
   a. Is not used as a common area;
   b. ~~Is separated from a hall, corridors, or other habitable room by~~ Has floor-to-ceiling walls containing no interior openings except doors ~~and is not used as a passageway to another bedroom or habitable room~~;
   b.c. ~~Provides sufficient space for an individual in the bedroom to have unobstructed access to the bedroom door;~~ Is not used as a passageway to a common area, another bedroom, or a bathroom, unless the bathroom is for the exclusive use of an individual occupying the bedroom;
   d. Contains a door that opens into a hallway, common area, or outdoors;
   c.e. Either:
      i. Has at least one openable window or door to the outside for use as an emergency exit from the facility, or
      ii. Is equipped with a sprinkler system and alarm system as specified in R9-12-207(A)(2);
   f. Is constructed and furnished to provide unimpeded access to the bedroom door;
   g. Has window or door covers that provide resident privacy;
   d.h. Contains for each resident using the bedroom:
      i. A separate, adult-sized, single bed or larger bed with a clean mattress and bed frame in good repair; and
      ii. ~~Clean bedding appropriate for the season; and~~ Clean sheets large enough to tuck under the mattress, pillows, pillow cases, waterproof mattress covers, and blankets to ensure warmth and comfort for the resident; and
   e.i. If used for:

i. Single occupancy, contains at least 60 square feet of floor space; or
ii. Two or more residents, has an area of at least 50 square feet per resident;

2. A mirror is available to a resident for grooming; and
3. Each resident has individual storage space available for personal possessions and clothing.

~~D.~~**E.** A manager shall ensure that:

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

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NOTICES OF TERMINATION OF RULEMAKING

An agency may choose to terminate a rulemaking proceeding at any step of the regular rulemaking process under A.R.S. § 41-1021(A)(5).

Termination, as used in rulemaking, means an agency is closing its docket and withdrawing its proposed and, when applicable, supplemental proposed rulemakings from further review or comment.

An agency may terminate a rule making [sic] proceeding and commence a new rule making [sic] proceeding for the purpose of making a substantially different rule. A.R.S. § 41-1025(A).

Within 120 days after the close of the record on the proposed rule making [sic]... an agency shall terminate the proceeding by publication of a notice to that effect in the Register. A.R.S. § 41-1024(B)(2).

An agency cannot terminate a rulemaking if it has submitted its Notice of Final Rulemaking for review to the Governor's Regulatory Review Council or the Attorney General's Office; or if the notice has been approved by either entity and has been filed with the Office of the Secretary of State.

NOTICE OF TERMINATION OF RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY AND GAMING

CHAPTER 3. ARIZONA STATE LOTTERY COMMISSION

File Number: R26-218

1. The *Register* citation and the date of the Notice of Rulemaking Docket Opening:

Notice of Rulemaking Docket Opening: 32 A.A.R. 1041; Issue Date: May 15, 2026; Issue Number: 20; File Number: R26-63

2. The *Register* citation and the date of the Notice of Proposed Rulemaking:

Notice of Proposed Rulemaking: 32 A.A.R. 1025; Issue Date: May 15, 2026; Issue Number: 20; File Number: R26-62

3. The *Register* citation and the date of the Notice of Supplemental Proposed Rulemaking (if applicable):

Not applicable

4.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R19-3-204	Amend
R19-3-801	New Section
R19-3-802	New Section
R19-3-803	New Section
R19-3-804	New Section
R19-3-805	New Section
R19-3-806	New Section
R19-3-807	New Section
R19-3-808	New Section
R19-3-809	New Section
R19-3-810	New Section
R19-3-811	New Section
R19-3-812	New Section
R19-3-813	New Section

5. Reason for terminating the rulemaking:

Pursuant to A.R.S. § 41-1039(B), final approval to submit proposed rules to the Governor's Regulatory Review Council was not received within 120 days of the close of record.

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

Name: May Mgbolu
Title: Chief of Staff
Division: Executive Division

Address: 4740 E. University Drive
Phoenix, AZ 85034
Telephone: (602) 910-7333
Email: mmgbolu@azlottery.gov
Website: www.arizonalottery.com

Volume 32, Issue 48, November 27, 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

OFFICE OF THE SECRETARY OF STATE

File Number: R26-219

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

Not applicable

2. Title and its heading:

2. Administration

Chapter and its heading:

12. Office of the Secretary of State

Article and its heading:

11. Notary Public Bonds and Fees

Section number:

R2-12-1101, R2-12-1102, R2-12-1103, R2-12-1104, R2-12-1105, R2-12-1106

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

3. The subject matter of the proposed rule:

Notary public commission rules

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

Notice of Proposed Rulemaking: 32 A.A.R. 3023, November 27, 2026 (*in this issue*); File Number: R26-215

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

Name:	Luke Douglas
Title:	Chief Legal Officer
Address:	Department of State Office of the Secretary of State 1700 W. Washington St., FL 7 Phoenix, AZ 85007
Telephone:	(480) 244-1664
Email:	LDouglas@azsos.gov
Website:	www.azsos.gov/notary

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

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

lished notice.

7. A timetable for agency decisions or other action on the current proceeding, if known:
Not known.

Volume 32, Issue 48, November 27, 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

OFFICE OF THE GOVERNOR

File Number: M26-79

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 Richard Hitchcock in response to a recommendation by the Board of Executive Clemency.

Governor Katie Hobbs hereby gives notice that Richard Hitchcock received an Executive Commutation, granted November 18, 2026, based on Mr. Hitchcock's imminent danger of death and in response to a unanimous recommendation by the Board of Executive Clemency. Mr. Hitchcock's sentence is commuted so that in lieu of the original sentence for incarceration, the remaining unexpired sentence in count 1 is commuted to time served with the term of community supervision to remain as ordered by the court.

NOTICE OF PUBLIC INFORMATION

OFFICE OF THE GOVERNOR

File Number: M26-80

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 Demetrius Moore in response to a recommendation by the Board of Executive Clemency.

Governor Katie Hobbs hereby gives notice that Demetrius Moore received an Executive Commutation, granted November 18, 2026, in response to a unanimous recommendation by the Board of Executive Clemency. Mr. Moore's sentence is commuted so that the sentences in counts 18 and 19 are commuted to time served. This commutation was granted based on the relative excessiveness of Mr. Moore's sentence and his commitment to rehabilitation while incarcerated.

Volume 32, Issue 48, November 27, 2026

2026 REGISTER INDEXES

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

Abbreviations for rulemaking activity in this Index include:

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

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

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

SUMMARY RULEMAKING

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

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

EXPEDITED RULEMAKING

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

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

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

EXEMPT RULEMAKING

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

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

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

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

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

RECODIFICATION OF RULES
RC means Recodified

REJECTION OF RULES
RJ means Rejected by the Attorney General

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

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

CORRECTIONS
C means Corrections to Published Rules

2026 REGISTER INDEXES

Volume 32, Issue 48, November 27, 2026

Issue Page Guide

Issue 1, Friday, January 2, 2026 ..... pages 1-166
Issue 2, Friday, January 9, 2026 ..... pages 167-210
Issue 3, Friday, January 16, 2026 ..... pages 211-240
Issue 4, Friday, January 23, 2026 ..... pages 241-278
Issue 5, Friday, January 30, 2026 ..... pages 279-302
Issue 6, Friday, February 6, 2026 ..... pages 303-386
Issue 7, Friday, February 13, 2026 ..... pages 387-412
Issue 8, Friday, February 20, 2026 ..... pages 413-466
Issue 9, Friday, February 27, 2026 ..... pages 467-546
Issue 10, Friday, March 6, 2026 ..... pages 547-600
Issue 11, Friday, March 13, 2026 ..... pages 601-664
Issue 12, Friday, March 20, 2026 ..... pages 665-710
Issue 13, Friday, March 27, 2026 ..... pages 711-780
Issue 14, Friday, April 3, 2026 ..... pages 781-826
Issue 15, Friday, April 10, 2026 ..... pages 827-862
Issue 16, Friday, April 17, 2026 ..... pages 863-916
Issue 17, Friday, April 24, 2026 ..... pages 917-954
Issue 18, Friday, May 1, 2026 ..... pages 955-984
Issue 19, Friday, May 8, 2026 ..... pages 985-1020
Issue 20, Friday, May 15, 2026 ..... pages 1021-1060
Issue 21, Friday, May 22, 2026 ..... pages 1061-1162
Issue 22, Friday, May 29, 2026 ..... pages 1163-1280
Issue 23, Friday, June 5, 2026 ..... pages 1281-1330
Issue 24, Friday, June 12, 2026 ..... pages 1331-1366
Issue 25, Friday, June 19, 2026 ..... pages 1367-1402
Issue 26, Friday, June 26, 2026 ..... pages 1403-1472
Issue 27, Friday, July 3, 2026 ..... pages 1473-1520
Issue 28, Friday, July 10, 2026 ..... pages 1521-1602
Issue 29, Friday, July 17, 2026 ..... pages 1603-1638
Issue 30, Friday, July 24, 2026 ..... pages 1639-1710
Issue 31, Friday, July 31, 2026 ..... pages 1711-1740
Issue 32, Friday, August 7, 2026 ..... pages 1741-1798
Issue 33, Friday, August 14, 2026 ..... pages 1799-1848
Issue 34, Friday, August 21, 2026 ..... pages 1849-1890
Issue 35, Friday, August 28, 2026 ..... pages 1891-2010
Issue 36, Friday, September 4, 2026 ..... pages 2011-2132
Issue 37, Friday, September 11, 2026 ..... pages 2133-2168
Issue 38, Friday, September 18, 2026 ..... pages 2169-2270
Issue 39, Friday, September 25, 2026 ..... pages 2271-2388
Issue 40, Friday, October 2, 2026 ..... pages 2389-2450
Issue 41, Friday, October 9, 2026 ..... pages 2451-2538
Issue 42, Friday, October 16, 2026 ..... pages 2539-2634
Issue 43, Friday, October 23, 2026 ..... pages 2635-2688
Issue 44, Friday, October 30, 2026 ..... pages 2689-2818
Issue 45, Friday, November 6, 2026 ..... pages 2819-2890
Issue 46, Friday, November 13, 2026 ..... pages 2891-2950
Issue 47, Friday, November 20, 2026 ..... pages 2951-3018
Issue 48, Friday, November 27, 2026 ..... TBD
Issue 49, Friday, December 4, 2026 ..... TBD
Issue 50, Friday, December 11, 2026 ..... TBD
Issue 51, Friday, December 18, 2026 ..... TBD
Issue 52, Friday, December 25, 2026 ..... TBD

RULEMAKING ACTIVITY INDEX

Volume 32, Issue 48, November 27, 2026

RULEMAKING ACTIVITY INDEX

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 47 OF VOLUME 32.

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

Accountancy, Board of

R4-1-115.	PEM-249; FEM-1254
R4-1-226.01.	PEM-1661
R4-1-341.	PEM-1661
R4-1-343.	PEM-1661
R4-1-345.	PEM-249; FEM-1254
R4-1-453.	PEM-249; FEM-1254
R4-1-454.	PEM-249; FEM-1254; PEM-1661
R4-1-455.	PEM-249; FEM-1254; PEM-1661

Administration, Department of - State Procurement Office

R2-7-101.	PEM-1477
R2-7-202.	PEM-1477
R2-7-203.	PEM-1477
R2-7-B301.	PEM-1477
R2-7-B312.	PEM-1477
R2-7-C301.	PEM-1477
R2-7-D301.	PEM-1477
R2-7-D302.	PEM-1477
R2-7-D303.	PEM-1477
R2-7-D304.	PEM-1477
R2-7-E301.	PEM-1477
R2-7-G305.	PEM-1477
R2-7-506.	PEM-1477
R2-7-507.	PEM-1477
R2-7-508.	PEM-1477
R2-7-509.	PEM-1477
R2-7-510.	PEM-1477
R2-7-A901.	PEM-1477
R2-7-A903.	PEM-1477
R2-7-A907.	PEM-1477
R2-7-A910.	PEM-1477
R2-7-1001.	PEM-1477
R2-7-1002.	PEM-1477
R2-7-1003.	PEM-1477
R2-7-1004.	PEM-1477

Agriculture, Department of - Animal Services Division

R3-2-801.	XM-2141

Agriculture, Department of - Environmental Services Division

R3-3-402.	PM-171; FM-989

Agriculture, Department of - Pest Management Division

R3-8-308.	FM-443
R3-8-309.	FM-443

Agriculture, Department of - Plant Services Division

R3-4-205.	PM-1853
R3-4-229.	PM-1857

Agriculture, Department of - Weights and Measures Services Division

R3-7-101.	PM-1895
R3-7-108.	PM-1895
R3-7-402.	PM-1895
R3-7-506.	PM-1895
R3-7-601.	PM-1895
R3-7-602.	PM-1895
R3-7-702.	PM-1895
Table 1.	PM-1895
R3-7-716.	PM-1895
R3-7-751.	PM-1895
R3-7-1004.	PM-1895
R3-7-1005.	PM-1895
R3-7-1010.	PM-1895
Table 1.	PM-1895

Arizona, Industrial Commission of

R20-5-601.	FM-126
R20-5-602.	FM-126
R20-5-603.	PM-1916
R20-5-604.	PM-1916
R20-5-902.	PM-1417
R20-5-903.	P#-1417; PN-1417
R20-5-904.	P#-1417; PM-1417
R20-5-905.	P#-1417; PM-1417
R20-5-906.	P#-1417; PM-1417
R20-5-907.	P#-1417; PM-1417
R20-5-908.	P#-1417
R20-5-909.	P#-1417; PN-1417
R20-5-1002.	PM-1417
R20-5-1003.	PM-1417
R20-5-1004.	PM-1417
R20-5-1006.	PM-1417
R20-5-1008.	PM-1417
R20-5-1010.	PN-1417
R20-5-1202.	PM-1417
R20-5-1208.	PM-1417
R20-5-1212.	PM-1417
R20-5-1214.	PM-1417
R20-5-1215.	P#-1417; PN-1417
R20-5-1216.	P#-1417; PN-1417
R20-5-1217.	P#-1417; PN-1417
R20-5-1218.	P#-1417; PN-1417
R20-5-1219.	P#-1417; PN-1417
R20-5-1220.	P#-1417; PN-1417
R20-5-1221.	PN-1417
R20-5-1222.	PN-1417
R20-5-1223.	PN-1417
R20-5-1224.	PN-1417
R20-5-1225.	PN-1417
R20-5-1226.	PN-1417
R20-5-1227.	P#-1417; PM-1417
R20-5-1228.	P#-1417; PM-1417
R20-5-1229.	P#-1417
R20-5-1230.	P#-1417
R20-5-1231.	P#-1417
R20-5-1232.	P#-1417

Barbering and Cosmetology Board

R4-10-101.	PM-417; FM-2283
R4-10-102.	PM-417; FM-2283
R4-10-103.	PM-417; FM-2283
R4-10-106.	PM-417; FM-2283
R4-10-111.	PM-417; FM-2283
R4-10-112.	PM-417; FM-2283
R4-10-113.	PM-417; FM-2283
R4-10-114.	PM-417; FM-2283
Part A.	PR-417; FR-2283
R4-10-A101.	PR-417; FR-2283

Table A1. PR-417; FR-2283
Part B. PR-417; FR-2283
Table B1. PM-417; FM-2283
R4-10-201. PM-417; FM-2283
R4-10-202. PM-417; FM-2283
R4-10-203. PM-417; FM-2283
R4-10-204. PM-417; FM-2283
R4-10-205. P#-417; PM-417; F#-2283; FM-2283
R4-10-206. PN-417; FN-2283
R4-10-207. P#-417; PM-417; F#-2283; FM-2283
Part A. PR-417; FR-2283
R4-10-A201. PR-417; FR-2283
R4-10-A202. PR-417; FR-2283
Part B. PR-417; FR-2283
R4-10-B201. P#-417; F#-2283
R4-10-B202. P#-417; F#-2283
R4-10-301. PM-417; FM-2283
R4-10-302. PM-417; FM-2283
R4-10-303. PM-417; FM-2283
R4-10-304. PM-417; FM-2283
R4-10-304.1. PM-417; FM-2283
R4-10-305. PM-417; FM-2283
R4-10-306. PM-417; FM-2283
R4-10-A301. PM-417; FM-2283
R4-10-A302. PM-417; FM-2283
R4-10-A303. PM-417; FM-2283
R4-10-B305. PM-417; FM-2283
R4-10-B306. PM-417; FM-2283
R4-10-B307. PM-417; FM-2283
R4-10-401. PM-417; FM-2283
R4-10-402. PM-417; FM-2283
R4-10-403. PM-417; FM-2283
R4-10-404. PM-417; FM-2283
R4-10-405. PM-417; FM-2283
Part A. PR-417; FR-2283
R4-10-A401. P#-417; F#-2283
R4-10-406. P#-417; PM-417; F#-2283; FM-2283
Part B. PR-417; FR-2283
R4-10-B401. P#-417; F#-2283
R4-10-407. P#-417; PM-417; F#-2283; FM-2283
R4-10-B402. P#-417; F#-2283
R4-10-408. P#-417; PM-417; F#-2283; FM-2283

Child Safety, Department of - Child Welfare Agency Licensing

R21-7-101. PM-2393
R21-7-134. PM-2393
R21-7-207. PM-2393
R21-7-209. PM-2393

Child Safety, Department of - Permanency and Support Services

R21-5-502. FM-582
R21-5-507. FM-582
R21-5-508. FM-582
R21-5-510. FM-582
R21-5-511. FM-582

Clean Elections Commission, Citizens

R2-20-106. FM-807
R2-20-113. PM-669; FM-1773
R2-20-702. PM-245; FM-1430
R2-20-706. FN-807

Corporation Commission, Arizona - Fixed Utilities

R14-2-901. FR-215
R14-2-902. FR-215
R14-2-903. FR-215
R14-2-904. FR-215
R14-2-905. FR-215
R14-2-906. FR-215
R14-2-907. FR-215
R14-2-908. FR-215
R14-2-909. FR-215
R14-2-2401. FR-2551
R14-2-2402. FR-2551
R14-2-2403. FR-2551
R14-2-2404. FR-2551
Table 1. FR-2551
Table 2. FR-2551
Table 3. FR-2551
Table 4. FR-2551
R14-2-2405. FR-2551
R14-2-2406. FR-2551
R14-2-2407. FR-2551
R14-2-2408. FR-2551
R14-2-2409. FR-2551
R14-2-2410. FR-2551
R14-2-2411. FR-2551
R14-2-2412. FR-2551
R14-2-2413. FR-2551
R14-2-2414. FR-2551
R14-2-2415. FR-2551
R14-2-2416. FR-2551
R14-2-2417. FR-2551
R14-2-2418. FR-2551
R14-2-2419. FR-2551
R14-2-2501. FR-1335
R14-2-2502. FR-1335
R14-2-2503. FR-1335
R14-2-2504. FR-1335
Table 1. FR-1335
Table 2. FR-1335
Table 3. FR-1335
Table 4. FR-1335
R14-2-2505. FR-1335
R14-2-2506. FR-1335
R14-2-2507. FR-1335
R14-2-2508. FR-1335
R14-2-2509. FR-1335
R14-2-2510. FR-1335
R14-2-2511. FR-1335
R14-2-2512. FR-1335
R14-2-2513. FR-1335
R14-2-2514. FR-1335
R14-2-2515. FR-1335
R14-2-2516. FR-1335
R14-2-2517. FR-1335
R14-2-2518. FR-1335
R14-2-2519. FR-1335
R14-2-2520. FR-1335

Corporation Commission, Arizona - Power Plant and Transmission Line

Siting Committee

R14-7-101. RC-997
R14-7-102. RC-997
R14-7-103. RC-997
R14-7-104. RC-997
R14-7-105. RC-997
R14-7-106. RC-997
R14-7-107. RC-997
R14-7-108. RC-997
R14-7-109. RC-997
R14-7-110. RC-997
R14-7-111. RC-997
R14-7-112. RC-997
R14-7-113. RC-997
R14-7-114. RC-997
R14-7-115. RC-997
R14-7-116. RC-997
R14-7-117. RC-997
R14-7-118. RC-997
R14-7-119. RC-997
R14-7-120. RC-997

Corporation Commission, Arizona - Rules of Practice and Procedure

R14-3-201. RC-997
R14-3-202. RC-997
R14-3-203. RC-997
R14-3-204. RC-997
R14-3-205. RC-997
R14-3-206. RC-997
R14-3-207. RC-997
R14-3-208. RC-997
R14-3-209. RC-997
R14-3-210. RC-997
R14-3-211. RC-997
R14-3-212. RC-997
R14-3-213. RC-997
R14-3-214. RC-997
R14-3-215. RC-997
R14-3-216. RC-997
R14-3-217. RC-997
R14-3-218. RC-997
R14-3-219. RC-997
R14-3-220. RC-997

Corporation Commission, Arizona - Securities

R14-4-114. PXM-1610

Corporation Commission, Arizona - Transportation

R14-5-201. FM-1806
R14-5-202. FM-1806
R14-5-203. FM-1806
R14-5-204. FM-1806
R14-5-207. FM-1806

Criminal Justice Commission, Arizona

R10-4-502. PEM-1717

Dental Examiners, State Board of

R4-11-303. PM-1065
R4-11-1102. PM-1065
R4-11-1203. PM-2275
R4-11-1204. PM-2275

Economic Security, Department of - Developmental Disabilities

R6-6-1401. FN-1170
R6-6-1402. FN-1170
R6-6-1403. FN-1170
R6-6-1404. FN-1170
R6-6-1405. FN-1170
R6-6-1406. FN-1170
R6-6-1407. FN-1170

Economic Security, Department of - Employment Service

R6-2-101. FM-477
R6-2-102. FR-477; FN-477
R6-2-103. FR-477; FN-477; FM-477
R6-2-104. F#-477
R6-2-201. F#-477; FN-477; FM-477
R6-2-202. F#-477; FN-477; FM-477
R6-2-203. FN-477
R6-2-204. FN-477
R6-2-301. FN-477
R6-2-302. FN-477
R6-2-303. FN-477
R6-2-401. FN-477
R6-2-402. FN-477
R6-2-403. FN-477

Economic Security, Department of - Social Services

R6-5-6901. EXP-1003
R6-5-6902. EXP-1003
R6-5-6903. EXP-1003
R6-5-6904. EXP-1003
R6-5-6905. EXP-1003
R6-5-6906. EXP-1003
R6-5-6907. EXP-1003
R6-5-6908. EXP-1003
R6-5-6909. EXP-1003
R6-5-6910. EXP-1003
R6-5-7401. EXP-1004
R6-5-7402. EXP-1004
R6-5-7403. EXP-1004
R6-5-7404. EXP-1004
R6-5-7405. EXP-1004
R6-5-7406. EXP-1004
R6-5-7407. EXP-1004
R6-5-7408. EXP-1004
R6-5-7409. EXP-1004
R6-5-7410. EXP-1004
R6-5-7411. EXP-1004
R6-5-7412. EXP-1004
R6-5-7413. EXP-1004
R6-5-7414. EXP-1004
R6-5-7415. EXP-1004
R6-5-7416. EXP-1004
R6-5-7417. EXP-1004
R6-5-7418. EXP-1004
R6-5-7419. EXP-1004
R6-5-7420. EXP-1004
R6-5-7421. EXP-1004
R6-5-7422. EXP-1004
R6-5-7423. EXP-1004
R6-5-7424. EXP-1004
R6-5-7425. EXP-1004
R6-5-7426. EXP-1004
R6-5-7427. EXP-1004
R6-5-7428. EXP-1004
R6-5-7429. EXP-1004
R6-5-7430. EXP-1004
R6-5-7431. EXP-1004
R6-5-7432. EXP-1004
R6-5-7433. EXP-1004
R6-5-7434. EXP-1004
R6-5-7435. EXP-1004
R6-5-7436. EXP-1004
R6-5-7437. EXP-1004
R6-5-7438. EXP-1004
R6-5-7439. EXP-1004
R6-5-7440. EXP-1004
R6-5-7441. EXP-1004
R6-5-7442. EXP-1004
R6-5-7443. EXP-1004
R6-5-7444. EXP-1004
R6-5-7445. EXP-1004
R6-5-7446. EXP-1004
R6-5-7447. EXP-1004
R6-5-7448. EXP-1004
R6-5-7449. EXP-1004
R6-5-7450. EXP-1004
R6-5-7451. EXP-1004
R6-5-7452. EXP-1004
R6-5-7453. EXP-1004
R6-5-7454. EXP-1004
R6-5-7455. EXP-1004
R6-5-7456. EXP-1004
R6-5-7457. EXP-1004
R6-5-7458. EXP-1004
R6-5-7459. EXP-1004
R6-5-7460. EXP-1004
R6-5-7461. EXP-1004
R6-5-7462. EXP-1004
R6-5-7463. EXP-1004
R6-5-7464. EXP-1004

R6-5-7465. EXP-1004
R6-5-7466. EXP-1004
R6-5-7467. EXP-1004
R6-5-7468. EXP-1004
R6-5-7469. EXP-1004
R6-5-7470. EXP-1004
R6-5-7471. EXP-1004
Appendix 1. EXP-1004

Education, State Board of

R7-2-701. FXM-221
R7-2-703. FXM-221
R7-2-704. FXM-221
R7-2-709. FXM-221
R7-2-712. FXM-221
R7-2-1301. FXM-221
R7-2-1302. FXM-221
R7-2-1303. FXM-221
R7-2-1304. FXM-221
R7-2-1305. FXM-221
R7-2-1306. FXM-221
R7-2-1307. FXM-221
R7-2-1308. FXM-221
R7-2-1309. FXM-221

Environmental Quality, Department of - Administration

Table 10. PM-2173

Environmental Quality, Department of - Air Pollution Control

R18-2-101. FM-55
R18-2-301. FM-55
R18-2-302. FM-55
R18-2-302.01. FM-55
R18-2-304. FM-55
R18-2-306. FM-55
R18-2-306.01. FM-55
R18-2-306.02. FN-55
R18-2-306.03. FN-55
R18-2-307. FM-55
R18-2-309. FM-55
R18-2-310.01. FM-55
R18-2-317.01. FM-55
R18-2-320.01. FM-55
R18-2-324.01. FM-55
R18-2-501. FM-55
R18-2-513. FM-55
A14. Appendix 14. FM-93
R18-2-610.03. FXM-1131
R18-2-611.03. FXM-1131
R18-2-613. PM-2455
R18-2-613.01. PM-2455
Part B.
R18-2-B1301. FM-93
R18-2-B1301.01. FM-93
R18-2-B1302. FM-93
Part E.
R18-2-E1301. PN-2455
R18-2-E1302. PN-2455
R18-2-E1303. PN-2455
A16. Appendix 16. PN-2455
R18-2-1407. EXP-1686
R18-2-1408. EXP-1686
R18-2-1409. EXP-1686
R18-2-1410. EXP-1686
R18-2-1411. EXP-1686
R18-2-1412. EXP-1686
R18-2-1413. EXP-1686
R18-2-1414. EXP-1686
R18-2-1415. EXP-1686
R18-2-1416. EXP-1686
R18-2-1417. EXP-1686
R18-2-1418. EXP-1686
R18-2-1419. EXP-1686
R18-2-1420. EXP-1686
R18-2-1421. EXP-1686
R18-2-1422. EXP-1686
R18-2-1423. EXP-1686
R18-2-1424. EXP-1686
R18-2-1425. EXP-1686
R18-2-1426. EXP-1686
R18-2-1427. EXP-1686
R18-2-1428. EXP-1686
R18-2-1429. EXP-1686
R18-2-1430. EXP-1686
R18-2-1431. EXP-1686
R18-2-1432. EXP-1686
R18-2-1433. EXP-1686
R18-2-1434. EXP-1686
Table 2. EXP-1686
R18-2-1435. EXP-1686
Table 3. EXP-1686
R18-2-1436. EXP-1686

Environmental Quality, Department of - Environmental Reviews and Certification

R18-5-103. PM-2180

Environmental Quality, Department of - Hazardous Waste Management

R18-8-260. PM-2895
R18-8-261. PM-2895
R18-8-262. PM-2895
R18-8-263. PM-2895
R18-8-264. PM-2895
R18-8-265. PM-2895
R18-8-266. PM-2895
R18-8-270. PM-2895
R18-8-271. PM-2895
R18-8-273. PM-2895

Environmental Quality, Department of - Permit and Compliance Fees

R18-14-101. PM-283; FM-1434
R18-14-102. PM-283; FM-1434
R18-14-104. PM-283; FM-1434
R18-14-106. PM-283; FM-1434
R18-14-108. PM-283; FM-1434
R18-14-109. PM-283; FM-1434
R18-14-110. PM-283; FM-1434
R18-14-111. PM-283; FM-1434
R18-14-112. PM-283; FM-1434
R18-14-113. PR-283; FR-1434
R18-14-202. PM-283; FM-1434
R18-14-301. PM-283; FM-1434; PM-2244
R18-14-302. PM-2244

Environmental Quality, Department of - Safe Drinking Water

R18-4-102. PEM-448; FEM-1491
R18-4-107. PEM-448; FEM-1491
R18-4-111. PEM-448; FEM-1491
R18-4-117. PEM-448; FEM-1491

Environmental Quality, Department of - Solid Waste Management

R18-13-401. PM-872; FM-2823
R18-13-402. PM-872; FM-2823
R18-13-403. PN-872; FN-2823
R18-13-404. PN-872; FN-2823
R18-13-405. PN-872; FN-2823
R18-13-406. PN-872; FN-2823
R18-13-501. P#-872; PN-872; PM-872; F#-2823; FN-2823; FM-2823
R18-13-502. P#-872; F#-2823
R18-13-503. PN-872; FN-2823

R18-13-504. PN-872; FN-2823
R18-13-505. PN-872; FN-2823
R18-13-506. PN-872; FN-2823
R18-13-1301. PEM-2919
R18-13-1401. PEM-2919
R18-13-1406. PEM-2919
R18-13-1701. PM-872; FM-2823
R18-13-1702. PN-872; FN-2823
R18-13-1703. PM-872; FM-2823
R18-13-1704. PM-872; FM-2823

Environmental Quality, Department of - Underground Storage Tanks
R18-12-101. PEM-2964
R18-12-103. PEM-2964
R18-12-221. PEM-2964
R18-12-237. PEM-2964
R18-12-251. PEM-2964
R18-12-261. PEM-2964
R18-12-264. PEM-2964
R18-12-280. PEM-2964
R18-12-281. PEM-2964
R18-12-501. PEM-2964
R18-12-801. PEM-2964
R18-12-806. PEM-2964
R18-12-951. PEM-2964

Environmental Quality, Department of - Water Pollution Control
Part A.
R18-9-A801. PM-2185
R18-9-A802. PM-2185
R18-9-A803. PM-2185
Part B.
R18-9-B804. PM-2185
R18-9-B805. PM-2185
R18-9-B806. PM-2185
R18-9-B809. PM-2185
R18-9-B811. PM-2185
Part C.
R18-9-C812. PM-2185
R18-9-C813. PM-2185
R18-9-C814. PM-2185
R18-9-C815. PM-2185
R18-9-C816. PM-2185
R18-9-C817. PM-2185
R18-9-C818. PM-2185
Part D.
R18-9-D819. PM-2185
R18-9-D821. PM-2185
R18-9-D822. PM-2185
Part E.
R18-9-E824. PM-2185
R18-9-E825. PM-2185
R18-9-E826. PM-2185
R18-9-E828. PM-2185
R18-9-E829. PM-2185
R18-9-E830. PM-2185
R18-9-E831. PM-2185
Part F.
R18-9-F832. PM-2185
R18-9-F833. PM-2185
R18-9-1101. PN-671; FN-2776
R18-9-1102. PN-671; FN-2776
R18-9-1103. PN-671; FN-2776
R18-9-1104. PN-671; FN-2776
R18-9-1105. PN-671; FN-2776
R18-9-1106. PN-671; FN-2776
R18-9-1107. PN-671; FN-2776

Environmental Quality, Department of - Water Quality Standards
R18-11-112. PM-391; FM-2318
Appendix B. FM-612
Table B. FM-612

Forestry and Fire Management, Department of
R4-36-201. FM-558
R4-36-302. FM-558
Exhibit A. FM-558
R4-36-501. XN-691
R4-36-502. XN-691
R4-36-503. XN-691
R4-36-504. XN-691
R4-36-505. XN-691

Funeral Directors and Embalmers, Board of
R4-12-101. RC-177
R4-12-106. RC-177
Table 1. RC-177
R4-12-108. RC-177
R4-12-202. RC-177
R4-12-204. RC-177
R4-12-205. RC-177
R4-12-207. RC-177
R4-12-210. RC-177
R4-12-211. RC-177
R4-12-212. RC-177
R4-12-301. RC-177
R4-12-302. RC-177
R4-12-303. RC-177
R4-12-304. RC-177
R4-12-305. RC-177
R4-12-306. RC-177
R4-12-307. RC-177
R4-12-311. RC-177
R4-12-312. RC-177
R4-12-413. RC-177
R4-12-414. RC-177
R4-12-415. RC-177
R4-12-416. RC-177
R4-12-523. RC-177
R4-12-541. RC-177
R4-12-545. RC-177
R4-12-546. RC-177
R4-12-548. RC-177
R4-12-551. RC-177
R4-12-552. RC-177
R4-12-554. RC-177
R4-12-556. RC-177
R4-12-559. RC-177
R4-12-561. RC-177
R4-12-565. RC-177
R4-12-612. RC-177
R4-12-613. RC-177
R4-12-614. RC-177
R4-12-615. RC-177
R4-12-631. RC-177
R4-12-633. RC-177

Game and Fish Commission
R12-4-114. FM-679
R12-4-201. FM-560
R12-4-202. FM-560
R12-4-203. FM-560
R12-4-204. FM-560
R12-4-205. FM-560
R12-4-206. FM-560
R12-4-207. FM-560
R12-4-208. FM-560
R12-4-210. FM-560
R12-4-211. FM-560
R12-4-213. FM-560
R12-4-215. FM-560
R12-4-216. FM-560
R12-4-217. FM-560
R12-4-402. FM-7
R12-4-403. FM-7
R12-4-404. FM-7
R12-4-406. FM-7
R12-4-407. FM-7
R12-4-409. FM-7

R12-4-410. FM-7
R12-4-411. FM-7
R12-4-412. FM-7
R12-4-413. FM-7
R12-4-414. FM-7
R12-4-417. FM-7
R12-4-418. FM-7
R12-4-420. FM-7
R12-4-421. FM-7
R12-4-422. FM-7
R12-4-423. FM-7
R12-4-424. FM-7
R12-4-425. FM-7
R12-4-430. FM-7
R12-4-801. XM-256
R12-4-802. XM-256
R12-4-1001. FM-959
R12-4-1002. FM-959
R12-4-1004. FM-959
R12-4-1005. FM-959

Gaming, Department of
R19-4-223. PEM-2923

Health Care Cost Containment System, Arizona (AHCCCS) - Administration
R9-22-101. PM-1525; FM-2725
R9-22-201. PM-1525; FM-2725
R9-22-207. PM-1525; FM-2725
R9-22-209. PM-1525; FM-2725
R9-22-212. PM-1525; FM-2725
R9-22-213. PM-1525; FM-2725
R9-22-215. PM-1525; FM-2725
R9-22-712.35. PM-1540; FM-2740
R9-22-712.61. PM-1540; FM-2740
R9-22-712.71. PM-1540; FM-2740
R9-22-712.90. PM-1540; FM-2740
R9-22-730. PXM-2400; FXM-2983
R9-22-731. PXM-2405; FXM-2988
R9-22-1201. PXM-2503
R9-22-1202. PXR-2503
R9-22-1203. PXM-2503
R9-22-1204. PXM-2503
R9-22-1205. PXM-2503
R9-22-1206. PXM-2503
R9-22-1207. PX#-2503; PXN-2503
R9-22-1208. PXN-2503
R9-22-1209. PX#-2503; PXM-2503

Health Care Cost Containment System, Arizona (AHCCCS) - Arizona Long-term Care System
R9-28-1201. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1202. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1203. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1204. PN-867; EN-932; TN-1862; PXN-2409
Table 1. PN-867; EN-932; TN-1862; PXN-2409
Table 2. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1205. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1206. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1207. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1208. PXN-2409
R9-28-1209. PXN-2409
R9-28-1210. PXN-2409
R9-28-1211. PXN-2409

Health Services, Department of - Communicable Diseases and Infestations
R9-6-501. PM-2277
R9-6-502. PM-2277
R9-6-503. PM-2277
R9-6-504. PM-2277

Health Services, Department of - Emergency Medical Services
R9-25-506. XN-993

Health Services, Department of - Food, Recreational, and Institutional Sanitation
R9-8-119. FR-488
R9-8-901. FN-488
R9-8-902. FN-488
R9-8-903. FN-488
R9-8-904. FN-488
R9-8-905. FN-488
R9-8-906. FN-488
R9-8-907. FN-488
R9-8-908. FN-488
R9-8-909. FN-488
R9-8-910. FN-488
Table 9.1. FN-488
R9-8-911. FN-488
Table 9.2. FN-488
Table 9.3. FN-488
R9-8-912. FN-488
R9-8-913. FN-488

Health Services, Department of - Health Care Institution Facility Data;
R9-11-101. PEM-1288; FEM-2851
R9-11-201. PEM-1288; FEM-2851
R9-11-204. PEM-1288; FEM-2851
R9-11-301. PEM-1288; FEM-2851
R9-11-304. PEM-1288; FEM-2851
R9-11-305. PEM-1288; FEM-2851
R9-11-401. PEM-1288; FEM-2851
R9-11-402. PEM-1288; FEM-2851
R9-11-501. PEM-1288; FEM-2851
R9-11-502. PEM-1288; FEM-2851

Health Services, Department of - Health Care Institutions: Licensing
Table 1.3. FM-1920
R9-10-701. PM-1068; FM-1920
R9-10-702. PM-1068; FM-1920
R9-10-703. PM-1068; FM-1920
R9-10-706. PM-1068; FM-1920

R9-10-707. PM-1068; FM-1920
R9-10-708. PM-1068; FM-1920
R9-10-709. PM-1068; FM-1920
R9-10-711. PM-1068; FM-1920
R9-10-712. PM-1068; FM-1920
R9-10-716. PM-1068; FM-1920
R9-10-718. PM-1068; FM-1920
R9-10-722. PM-1068; FM-1920
R9-10-2002. FM-504
R9-10-2003. FM-504
R9-10-2005. F#-504; FM-504
R9-10-2006. F#-504; FM-504
R9-10-2007. F#-504; FM-504
R9-10-2008. F#-504
R9-10-2009. FM-504
R9-10-2102. PEM-2494
R9-10-2105. PEM-2494
R9-10-2106. PEM-2494
R9-10-2107. PEM-2494
R9-10-2109. PEM-2494
R9-10-2111. PEM-2494
R9-10-2113. PEM-2494
R9-10-2115. PEM-2494
R9-10-2118. PEM-2494
R9-10-2301. PN-1068; FN-1920
R9-10-2302. PN-1068; FN-1920
R9-10-2303. PN-1068; FN-1920
R9-10-2304. PN-1068; FN-1920
R9-10-2305. PN-1068; FN-1920
R9-10-2306. PN-1068; FN-1920
R9-10-2307. PN-1068; FN-1920
R9-10-2308. PN-1068; FN-1920
R9-10-2309. PN-1068; FN-1920
R9-10-2310. PN-1068; FN-1920
R9-10-2311. PN-1068; FN-1920
R9-10-2312. PN-1068; FN-1920
R9-10-2313. PN-1068; FN-1920
R9-10-2314. PN-1068; FN-1920
R9-10-2315. PN-1068; FN-1920
R9-10-2316. PN-1068; FN-1920
R9-10-2317. PN-1068; FN-1920
R9-10-2318. PN-1068; FN-1920
R9-10-2319. PN-1068; FN-1920
R9-10-2320. PN-1068; FN-1920
R9-10-2401. PN-1068; FN-1920
R9-10-2402. PN-1068; FN-1920
R9-10-2403. PN-1068; FN-1920
R9-10-2404. PN-1068; FN-1920
R9-10-2405. PN-1068; FN-1920
R9-10-2406. PN-1068; FN-1920
R9-10-2407. PN-1068; FN-1920
R9-10-2408. PN-1068; FN-1920
R9-10-2409. PN-1068; FN-1920
R9-10-2410. PN-1068; FN-1920
R9-10-2411. PN-1068; FN-1920
R9-10-2412. PN-1068; FN-1920
R9-10-2413. PN-1068; FN-1920
R9-10-2414. PN-1068; FN-1920
R9-10-2415. PN-1068; FN-1920
R9-10-2416. PN-1068; FN-1920
R9-10-2417. PN-1068; FN-1920
R9-10-2418. PN-1068; FN-1920
R9-10-2419. PN-1068; FN-1920

Health Services, Department of - Human Remains

Subchapter B. Funeral Industry

R9-9B-101. RC-177; PM-307; FM-1177
R9-9B-102. RC-177; PM-307; FM-1177
Table 1.1. RC-177; PM-307; FM-1177
R9-9B-103. RC-177; PM-307; FM-1177
R9-9B-104. RC-177; PM-307; FM-1177
R9-9B-201. PN-307; FN-1177
R9-9B-202. PN-307; FN-1177
R9-9B-203. RC-177; PM-307; FM-1177
R9-9B-204. RC-177; PM-307; FM-1177
R9-9B-205. RC-177; PM-307; FM-1177
R9-9B-206. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-207. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-208. RC-177; PR-307; FR-1177
R9-9B-209. RC-177; PR-307; FR-1177
R9-9B-301. RC-177; PM-307; FM-1177
R9-9B-302. RC-177; PM-307; FM-1177
R9-9B-303. PN-307; FN-1177
R9-9B-304. RC-177; PR-307; PN-307; FR-1177; FN-1177

R9-9B-305. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-306. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-307. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-308. RC-177; PM-307; FM-1177
R9-9B-309. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-310. PN-307; FN-1177
R9-9B-311. PN-307; FN-1177
R9-9B-312. RC-177; PR-307; FR-1177
R9-9B-313. RC-177; PR-307; FR-1177
R9-9B-314. RC-177; PR-307; FR-1177
R9-9B-315. RC-177; PR-307; FR-1177
R9-9B-316. RC-177; PR-307; FR-1177
R9-9B-317. RC-177; PR-307; FR-1177
R9-9B-318. RC-177; PR-307; FR-1177
R9-9B-319. RC-177; PR-307; FR-1177
R9-9B-320. RC-177; PR-307; FR-1177
R9-9B-321. RC-177; PR-307; FR-1177
R9-9B-322. RC-177; PR-307; FR-1177
R9-9B-323. RC-177; PR-307; FR-1177
R9-9B-324. RC-177; PR-307; FR-1177
R9-9B-325. RC-177; PR-307; FR-1177
R9-9B-326. RC-177; PR-307; FR-1177
R9-9B-401. RC-177; FM-1177
R9-9B-402. PN-307; FN-1177
R9-9B-403. PN-307; FN-1177
R9-9B-404. PN-307; FN-1177
R9-9B-405. PN-307; FN-1177
R9-9B-406. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-407. PN-307; FN-1177
R9-9B-408. PN-307; FN-1177
R9-9B-409. PN-307; FN-1177
R9-9B-410. PN-307; FN-1177
R9-9B-411. PN-307; FN-1177
R9-9B-412. RC-177; PR-307; FR-1177
R9-9B-413. RC-177; PR-307; FR-1177
R9-9B-414. RC-177; PR-307; FR-1177

Health Services, Department of - Occupational Licensing

R9-16-201. FEM-521
R9-16-202. FEM-521
R9-16-203. FEM-521
R9-16-205. FEM-521
R9-16-207. FEM-521
R9-16-208. FEM-521
R9-16-209. FEM-521
R9-16-211. FEM-521
R9-16-214. FEM-521
R9-16-215. FEM-521
R9-16-301. FM-511
R9-16-302. FM-511
R9-16-303. FM-511
R9-16-304. FM-511
R9-16-305. FM-511
R9-16-306. FM-511
R9-16-307. FR-511
R9-16-308. FM-511
R9-16-309. FM-511
R9-16-310. FM-511
R9-16-312. FM-511
R9-16-314. FM-511
Table 3.1.
R9-16-315. FM-511
R9-16-316. FM-511
R9-16-501. FEM-521
R9-16-502. FEM-521
R9-16-503. FEM-521
R9-16-504. FEM-521
R9-16-505. FEM-521
R9-16-507. FEM-521

Health Services, Department of - Radiation Control

R9-7-1302. FEM-721
R9-7-1401. FE#-721; FEM-721
R9-7-1402. FE#-721; FEM-721
R9-7-1403. FER-721; FEN-721
R9-7-1404. FEM-721
R9-7-1405. FER-721; FEN-721
R9-7-1406. FER-721; FE#-721; FEM-721
R9-7-1407. FER-721; FEN-721
R9-7-1408. FER-721; FEN-721
R9-7-1409. FER-721; FE#-721; FEM-721
R9-7-1410. FER-721; FE#-721; FEM-721
R9-7-1411. FE#-721; FEM-721
R9-7-1412. FER-721; FE#-721; FEM-721
R9-7-1413. FER-721; FE#-721; FEM-721

R9-7-1414. FER-721; FE#-721; FEM-721
R9-7-1415. FER-721; FE#-721; FEM-721
R9-7-1416. FER-721; FE#-721; FEM-721
R9-7-1418. FER-721
R9-7-1421. FER-721
R9-7-1422. FER-721
R9-7-1423. FER-721
R9-7-1425. FE#-721
R9-7-1426. FER-721
R9-7-1427. FER-721
R9-7-1429. FER-721
R9-7-1433. FER-721
R9-7-1434. FE#-721
R9-7-1435. FER-721
R9-7-1436. FE#-721
R9-7-1437. FER-721
R9-7-1438. FE#-721
R9-7-1439. FE#-721
R9-7-1440. FE#-721
R9-7-1441. FE#-721
R9-7-1442. FER-721
R9-7-1443. FER-721
R9-7-1444. FER-721
Appendix A. FER-721
Appendix B. FER-721
Appendix C. FE#-721
Appendix D. FE#-721

Health Services, Department of - Sober Living Homes
R9-12-101. PEM-1668
R9-12-103. PEM-1668
R9-12-104. PEM-1668
R9-12-105. PEM-1668
R9-12-106. PEM-1668
R9-12-107. PEM-1668
Table 1.1. PEM-1668
Table 1.2. PEN-1668
R9-12-201. PEM-1668
R9-12-202. PEM-1668
R9-12-203. PEM-1668
R9-12-204. PEM-1668
R9-12-205. PEM-1668
R9-12-206. PE#-1668; PEN-1668
R9-12-207. PE#-1668; PEM-1668
R9-12-208. PE#-1668; PEM-1668

Health Services, Department of - Vital Records and Statistics
R9-19-101. PEM-2336
R9-19-105. PM-1909
R9-19-201. PEM-2336
R9-19-205. PEM-2336
R9-19-206. PEM-2336
R9-19-207. PEM-2336
R9-19-208. PEM-2336
R9-19-210. PEM-2336
R9-19-211. PEM-2336
R9-19-212. PEM-2336
R9-19-302. PEM-2336
R9-19-303. PEM-2336
R9-19-310. PEM-2336
R9-19-315. PM-1909
R9-19-316. PEM-2336
R9-19-317. PEM-2336

Insurance and Financial Institutions, Department of - Insurance Division
R20-6-101. FM-637
R20-6-209. FM-645
R20-6-601. FM-637
R20-6-602. FM-637
R20-6-1902. FM-637

Insurance and Financial Institutions, Department of - Financial Institutions Division - Real Estate Appraisal
R4-46-107. FR-5
R4-46-201. PM-174; FM-1167

Insurance and Financial Institutions, Department of - Financial Institutions Division
Table A. FM-123
R20-4-602. FM-123

Investment, State Board of
R2-13-204. PEM-1715; FEM-2654

Liquor Licenses and Control, Department of
R19-1-101. PM-785
R19-1-102. PM-785
R19-1-103. PM-785
R19-1-105. PM-785
R19-1-110. PM-785
R19-1-202. PM-785
R19-1-205. PM-785
R19-1-206. PM-785
R19-1-207. PM-785
R19-1-209. PM-785
R19-1-304. PM-785
R19-1-305. PM-785
R19-1-307. PM-785
R19-1-317. PM-785
R19-1-318. PR-785
R19-1-319. PM-785
R19-1-320. PM-785
R19-1-321. PM-785
R19-1-324. PM-785
R19-1-325. PM-785
R19-1-403. PM-785
R19-1-405. PM-785
R19-1-502. PM-785
R19-1-604. PM-785
R19-1-801. PM-785
R19-1-802. PR-785
R19-1-804. PM-785

Lottery Commission, Arizona State
R19-3-204. PM-1025
R19-3-801. PN-1025
R19-3-802. PN-1025
R19-3-803. PN-1025
R19-3-804. PN-1025
R19-3-805. PN-1025
R19-3-806. PN-1025
R19-3-807. PN-1025
R19-3-808. PN-1025
R19-3-809. PN-1025
R19-3-810. PN-1025
R19-3-811. PN-1025
R19-3-812. PN-1025
R19-3-813. PN-1025

Manufactured Housing, Board of
R4-34-101. PM-551; FM-2718
R4-34-102. PM-551; FM-2718
R4-34-201. PM-551; FM-2718
R4-34-204. PM-551; FM-2718
R4-34-401. PM-551; FM-2718
R4-34-402. PM-551; FM-2718
R4-34-403. PM-551; FM-2718
R4-34-603. PM-551; FM-2718
R4-34-606. PM-551; FM-2718
R4-34-701. PM-551; FM-2718

R4-34-802. PM-551; FM-2718

Medical Board, Arizona
R4-16-201. PM-1371
R4-16-201.1. PM-1371
R4-16-201.2. PN-1371
R4-16-201.3. PN-1371
R4-16-204. PN-1371
R4-16-204.1. PN-1371
R4-16-205. PM-1371
Table 1. PM-1371

Osteopathic Examiners in Medicine and Surgery, Board of
R4-22-106. PM-1407
R4-22-202. PM-1407
R4-22-207. PM-1407
R4-22-208. PN-1407
R4-22-301. PM-1407
R4-22-302. PM-1407
R4-22-304. PM-1407
R4-22-401. PM-1407
R4-22-402. PM-1407
R4-22-501. PM-1407
R4-22-503. PM-1407
R4-22-504. PM-1407
R4-22-505. PM-1407
R4-22-506. PM-1407
R4-22-507. PM-1407
R4-22-508. PM-1407

Peace Officer Standards and Training Board, Arizona
R13-4-101. PM-2543
R13-4-110. PM-2543
R13-4-112. PM-2543
R13-4-116. PM-2543

Pharmacy, Board of
R4-23-205. FM-1649
R4-23-407. PM-715; FM-1643
R4-23-410. FM-1649
R4-23-411. FM-471
R4-23-670. FM-1649

Physicians Medical Board, Naturopathic
R4-18-101. TM-840
R4-18-603. FM-1285

Private Postsecondary Education, Board for
R4-39-101. PM-2693
R4-39-103. PM-2693
R4-39-104. PM-2693
R4-39-105. PM-2693
R4-39-107. PM-2693
R4-39-108. PM-2693
R4-39-110. PM-2693
R4-39-113. PN-2693
R4-39-201. PM-2693
R4-39-301. PM-2693
R4-39-403. PM-2693
R4-39-404. PM-2693
R4-39-407. PM-2693
R4-39-601. PM-2693
R4-39-602. PM-2693
R4-39-603. PM-2693

Psychologist Examiners, Board of
R4-26-101. PM-831; FM-2709
R4-26-207. PM-831; FM-2709
Table 1. PM-831; FM-2709
R4-26-404.2. PM-2955
R4-26-405. PM-831; FM-2709
R4-26-409. PM-831; FM-2709
R4-26-417. PM-831; FM-2709
Table 2. PN-831; FN-2709

Public Safety, Department of - School Buses
R13-13-301. FN-925
R13-13-302. FN-925
R13-13-303. FN-925
R13-13-304. FN-925

Racing Commission, Arizona
R19-2-101. PM-2015
R19-2-102. PM-2015
R19-2-103. PM-2015
R19-2-104. PM-2015
R19-2-105. PM-2015
R19-2-106. PM-2015
R19-2-107. PM-2015
R19-2-108. PM-2015
R19-2-109. PM-2015
R19-2-110. PM-2015
R19-2-111. PM-2015
R19-2-112. PM-2015
R19-2-113. PM-2015
R19-2-114. PM-2015
R19-2-115. PM-2015
R19-2-116. PM-2015
R19-2-117. PM-2015
R19-2-118. PM-2015
R19-2-119. PM-2015
R19-2-120. PM-2015
R19-2-121. PM-2015
R19-2-122. PM-2015
R19-2-123. PM-2015
R19-2-124. PM-2015
R19-2-125. PM-2015
R19-2-126. PM-2015
R19-2-201. PM-2015
R19-2-202. PM-2015
R19-2-204. PM-2015
R19-2-205. PM-2015
R19-2-401. PM-2065
R19-2-402. PM-2065
R19-2-403. PM-2065
R19-2-404. PM-2065
R19-2-405. PM-2065
R19-2-406. PM-2065
R19-2-407. PM-2065
R19-2-408. PM-2065
R19-2-409. PM-2065
R19-2-410. PM-2065
R19-2-411. PM-2065
R19-2-412. PM-2065
R19-2-413. PM-2065
R19-2-414. PM-2065
R19-2-415. PM-2065
R19-2-416. PM-2065
R19-2-417. PM-2065
R19-2-418. PM-2065
R19-2-419. PM-2065
R19-2-420. PM-2065
R19-2-501. PM-2065
R19-2-502. PM-2065
R19-2-503. PM-2065
R19-2-504. PM-2065
R19-2-505. PM-2065
R19-2-506. PM-2065
R19-2-507. PM-2065
R19-2-508. PM-2065
R19-2-509. PM-2065
R19-2-510. PM-2065
R19-2-511. PM-2065
R19-2-512. PM-2065
R19-2-513. PM-2065
R19-2-514. PM-2065
R19-2-515. PM-2065
R19-2-516. PM-2065
R19-2-517. PM-2065
R19-2-518. PM-2065
R19-2-519. PM-2065
R19-2-520. PM-2065
R19-2-523. PM-2065
Table 1. PM-2065
Table 2. PM-2065

Table 3. PM-2065
Table 4. PM-2065
Table 5. PM-2065
Table 6. PM-2065
Table 7. PM-2065

Retirement System Board, State
R2-8-104. FM-605
R2-8-301. PM-921; FM-1803
R2-8-304. PM-921; FM-1803
R2-8-403. FM-608
R2-8-804. PM-921; FM-1803
R2-8-807. PM-921; FM-1803
R2-8-903. FM-610

Revenue, Department of - Unclaimed Property
R15-8-101. PN-2137
R15-8-102. PN-2137
R15-8-103. PN-2137
R15-8-104. PN-2137

Security Guard Hearing Board, Private Investigator and
R13-12-101. PM-2958
R13-12-103. P#-2958; PM-2958
R13-12-104. P#-2958; PM-2958
R13-12-105. P#-2958; PM-2958
R13-12-106. P#-2958; PM-2958
R13-12-107. P#-2958; PM-2958
R13-12-108. P#-2958; PM-2958

Technical Registration, Board of
R4-30-284. SPM-1033; FM-2309
R4-30-301. SPM-1033; FM-2309
R4-30-305. SPN-1033; FN-2309

Transportation, Department of - Commercial Programs
R17-5-202. PM-2644
R17-5-203. PM-2644
R17-5-204. PM-2644
R17-5-205. PM-2644
R17-5-208. PM-2644
R17-5-209. PM-2644
R17-5-212. PM-2644
R17-5-401. PEM-1607
R17-5-402. PEM-1607
R17-5-601. PM-1745
R17-5-602. PM-1745
R17-5-603. PM-1745
R17-5-604. PM-1745
R17-5-605. PM-1745
R17-5-606. PM-1745
R17-5-607. PM-1745
R17-5-608. PR-1745
R17-5-609. PM-1745
R17-5-610. PM-1745
R17-5-611. PM-1745
R17-5-612. PM-1745
R17-5-613. PM-1745
R17-5-614. PM-1745
R17-5-615. PM-1745
R17-5-616. PM-1745
R17-5-617. PM-1745
R17-5-618. PM-1745
R17-5-619. PM-1745
R17-5-620. PM-1745
R17-5-621. PM-1745
R17-5-622. PM-1745
R17-5-623. P#-1745; PN-1745; PM-1745
R17-5-624. PN-1745; PM-1745
R17-5-701. PR-1745
R17-5-702. PR-1745
R17-5-706. P#-1745

Transportation, Department of - Title, Registration, and Driver Licenses
R17-4-351. FM-683
R17-4-508. PM-2639
R17-4-701. PM-2639
R17-4-702. PM-2639
R17-4-704. PM-2639
R17-4-707. PM-2639
R17-4-708. PM-2639
R17-4-710. PM-2639
R17-4-712. PM-2639

OTHER NOTICES AND PUBLIC RECORDS INDEX

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

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 47 OF VOLUME 32.

Agency Guidance Document, Notices of

Health Services, Department of;
Pages 374-375,
Pages 696-697

Agency Ombudsman, Notices of

Child Safety, Department of;
Page 230

Dental Examiners, State Board of;
Page 202

Health Care Cost Containment System, Arizona (AHCCCS);
Page 2996

Health Services, Department of;
Page 941

Medical Board, Arizona;
Page 1776

Osteopathic Examiners in Medicine and Surgery, Board of;
Page 1776

Physical Therapy, Board of;
Page 269

Psychologist Examiners, Board of;
Page 269

Transportation, Department of;
Page 130

Water Resources, Department of;
Page 230

Governor's Office

Governor's Regulatory Review Council

Notices of Action Taken at Monthly Meetings and Study Sessions:
Pages 544-546,
Pages 708-709,
Pages 983-984,
Pages 1279-1280
Page 1472
Pages 1708-1709
Pages 1889-1890
Pages 2387-2388
Pages 2686-2687

Final Delegation Agreement, Notices of

Health Services, Department of;
Pages 896-898

Proposed Delegation Agreement, Notices of

Environmental Quality, Department of;
Pages 231-232;
Pages 398-401;
Pages 844-845;
Pages 899-900;
Pages 1043-1044;
Pages 1307-1312;
Pages 1349-1350;
Pages 2428-2429

Health Services, Department of;
Pages 454-455

Public Information, Notices of

Agriculture, Department of - Animal Services Division;
Page 456
Page 1500
Page 2662

Agriculture, Department of - Environmental Services Division;
Page 1582

Arizona, Industrial Commission of;
Page 2147

Dental Examiners, State Board of;
Page 203

Environmental Quality, Department of;
Pages 131-141,
Page 1006
Pages 1454-1455

Environmental Quality, Department of - Pesticides and Water Pollution Control;
Pages 1384-1386

Environmental Quality, Department of - Safe Drinking Water;
Pages 846-847

Environmental Quality, Department of - Solid Waste Management;
Pages 967-968

Gaming, Department of
Page 2363

Health Care Cost Containment System, Arizona (AHCCCS);
Pages 1817-1827

Health Services, Department of;
Page 901

Office of the Governor;
Page 402
Page 902
Page 1455
Pages 1500-1501
Page 1616
Pages 2363-2364

Physical Therapy, Board of;
Pages 1581-1582

Real Estate Department, State;
Page 1045

Rulemaking Docket Opening, Notices of

Accountancy, Board of;
4 A.A.C. 1;
Pages 267-268
Pages 1688-1690

Administration, Department of - State Procurement Office;
2 A.A.C. 7;
Pages 1496-1497

Agriculture, Department of - Environmental Services Division;
3 A.A.C. 3;
Pages 199-200

Agriculture, Department of - Plant Services Division;
3 A.A.C. 4;
Pages 1864-1866

Agriculture, Department of - Weights and Measures Services Division;
3 A.A.C. 7;
Pages 1990-1991

Arizona, Industrial Commission of;
20 A.A.C. 5;
Pages 1452-1453
Pages 1991-1992

Barbering and Cosmetology Board;
4 A.A.C. 10;
Pages 452-453

Child Safety, Department of - Child Welfare Agency Licensing;
21 A.A.C. 7;
Pages 2426-2427;

Clean Elections Commission, Citizens;
2 A.A.C. 20;
Pages 266-267;
Pages 694-695

Corporation Commission;
14 A.A.C. 4;
Page 2425

Dental Examiners, State Board of;
4 A.A.C. 11;
Pages 1143-1144
Pages 2361-2362

Environmental Quality, Department of - Administration;
18 A.A.C. 1;
Pages 1448-1449

Environmental Quality, Department of - Air Pollution Control;
18 A.A.C. 2;
Pages 588-589
Pages 1261-1262
Pages 1497-1498
Pages 2796-2797

Environmental Quality, Department of - Emergency Planning and Hazardous Materials;
18 A.A.C. 18;
Pages 1498-1499

Environmental Quality, Department of - Environmental Reviews and Certification;
18 A.A.C. 5;
Pages 533-534
Pages 1449-1450

Environmental Quality, Department of - Hazardous Waste Management;
18 A.A.C. 8;
Pages 842-843

Environmental Quality, Department of - Permit and Compliance Fees;
18 A.A.C. 14;
Pages 1451-1452

Environmental Quality, Department of - Solid Waste Management;
18 A.A.C. 13;
Pages 1721-1722

Environmental Quality, Department of - Underground Storage Tanks;
18 A.A.C. 12;
Pages 1145-1146

Environmental Quality, Department of - Water Pollution Control;
18 A.A.C. 9;
Pages 1450-1451

Health Care Cost Containment System, Arizona (AHCCCS) - Administration;
9 A.A.C. 22;
Pages 1578-1580
Pages 2422-2423
Pages 2516-2517

Health Care Cost Containment System, Arizona (AHCCCS) - Arizona Long-term Care System;
9 A.A.C. 28;
Pages 893-894
Pages 2424-2425

Health Services, Department of - Child Care Facilities;
9 A.A.C. 5;
Pages 1347-1348

Health Services, Department of - Child Care Group Homes;
9 A.A.C. 3;
Pages 1447-1448

Health Services, Department of - Communicable Diseases and Infestations;
9 A.A.C. 6;
Pages 2144-2145

Health Services, Department of - Food, Recreational, and Institutional Sanitation;
9 A.A.C. 8;
Pages 2106-2107

Health Services, Department of - Health Care Institution Facility Data;
9 A.A.C. 11
Pages 939-940

Health Services, Department of - Health Care Institutions: Licensing;
9 A.A.C. 10;
Pages 1144-1145
Pages 1304-1305
Pages 2107-2111
Pages 2611-2612
Pages 2657-2658

Health Services, Department of - Health Care Institutions: Occupational Licensing;
9 A.A.C. 16;
Pages 1815-1816
Pages 1867-1868
Pages 2658-2659

Health Services, Department of - Laboratories;
9 A.A.C. 14;
Pages 2867-2868

Health Services, Department of - Radiation Control;
9 A.A.C. 7;
Pages 1577-1578

Health Services, Department of - Sober Living Homes;
9 A.A.C. 12;
Pages 892-893
Pages 2515-2516

Health Services, Department of - Vital Records and Statistics;
9 A.A.C. 19;
Pages 1613-1615

Insurance and Financial Institutions, Department of - Financial Institutions Division - Real Estate Appraisal;
4 A.A.C. 46;
Pages 200-201

Liquor Licenses and Control, Department of
19 A.A.C. 1;
Pages 811-812

Lottery Commission, Arizona State
19 A.A.C. 3;
Pages 1041-1042

Manufactured Housing, Board of;
4 A.A.C. 34;
Pages 587-588

Medical Board, Arizona;
4 A.A.C. 16;
Pages 1379-1380

Peace Officer Standards Training Board, Arizona;
13 A.A.C. 4;
Pages 2612-2613

Pharmacy, Board of;
4 A.A.C. 23;
Pages 764-765

Private Postsecondary Education, Board for;
4 A.A.C. 39;
Pages 1720-1721

Psychologist Examiners, Board of;
4 A.A.C. 26;
Pages 841-842
Pages 2993-2994

Public Safety, Department of;
13 A.A.C. 13;
Pages 1305-1306

Racing Commission, Arizona;
19 A.A.C. 2;
Pages 2111-2113

Retirement System Board, State;
2 A.A.C. 8;
Pages 938-939

Revenue, Department of - Unclaimed Property;
15 A.A.C. 8;
Pages 2145-2146

Security Guard Hearing Board, Private Investigator and
13 A.A.C. 12;
Pages 2994-2995

Transportation, Department of - Administration;
17 A.A.C. 1;
Pages 1380-1381

Transportation, Department of - Commercial Programs;
17 A.A.C. 5;
Pages 1381-1383
Pages 2660-2661

Transportation, Department of - Tittle, Registration, and Driver Licenses;
17 A.A.C. 4;
Pages 2659-2660

Water Resources, Arizona Department of;
12 A.A.C. 15;
Pages 894-895

Substantive Policy Statement, Notices of

Agriculture, Department of - Animal Services Division;
Pages 1502-1503
Pages 2663-2664

Agriculture, Department of - Plant Services Division;
Pages 1584-1585

Arizona, Industrial Commission of;
Page 1585

Environmental Quality, Department of;
Page 1314
Pages 1778-1779
Pages 2365-2366

Insurance and Financial Institutions, Department of;
Pages 293-294;
Page 903
Pages 1869-1870

Physical Therapy, Board of;
Pages 1583-1584;
Pages 1617-1620;
Pages 1828-1829

Psychologist Examiners, Board of;
Pages 376-377;
Pages 1313-1314;
Pages 2926-2927

Real Estate, State Department of;
Page 767
Page 2927

Volume 32, Issue 48, November 27, 2026

RULES EFFECTIVE DATES CALENDAR

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

January

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

February

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

March

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

RULES EFFECTIVE DATES CALENDAR

April

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

May

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

June

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

RULES EFFECTIVE DATES CALENDAR

July

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

August

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

September

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

RULES EFFECTIVE DATES CALENDAR

October

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

November

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

December

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

RULES EFFECTIVE DATES CALENDAR

REGISTER DEADLINES

The Secretary of State's Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates are listed in the first column and issue dates are provided in the second column. Listed in the third column are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements, following publication of the notice in the *Register*. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate.

Deadline Date Friday, 5:00 p.m.	***Register* Publication Date**	**Oral Proceeding may be scheduled on or after**
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
October 30, 2026	November 20, 2026	December 21, 2026
November 6, 2026	November 27, 2026	December 28, 2026
November 13, 2026	December 4, 2026	January 4, 2027
November 20, 2026	December 11, 2026	January 11, 2027
November 27, 2026	December 18, 2026	January 19, 2027 Later date due to a holiday
December 4, 2026	December 25, 2026	January 25, 2027
December 11, 2026	January 1, 2027	February 1, 2027
December 18, 2026	January 8, 2027	February 8, 2027
December 24, 2026 Early date due to a holiday	January 15, 2027	February 16, 2027
December 31, 2026 Early date due to a holiday	January 22, 2027	February 22, 2027
January 8, 2027	January 29, 2027	March 1, 2027
January 15, 2027	February 5, 2027	March 8, 2027
January 22, 2027	February 12, 2027	March 15, 2027
January 29, 2027	February 19, 2027	March 22, 2027
February 5, 2027	February 26, 2027	March 29, 2027
February 12, 2027	March 5, 2027	April 5, 2027
February 19, 2027	March 12, 2027	April 12, 2027
February 26, 2027	March 19, 2027	April 19, 2027
March 5, 2027	March 26, 2027	April 26, 2027
March 12, 2027	April 2, 2027	May 3, 2027
March 19, 2027	April 9, 2027	May 10, 2027

Volume 32, Issue 48, November 27, 2026

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

The deadlines provided in the following table apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor's Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. § 41-1013(B)(15).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date.

The Council's office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007.

For more information, call (602) 542-2058 or visit the Council's website.

File Number: M25-79

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

GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

GOVERNOR'S REGULATORY REVIEW COUNCIL

NOTICE OF ACTION TAKEN AT THE NOVEMBER 3, 2026 MEETING

File Number: M26-78

A. CONSENT AGENDA ITEMS:

Five-Year Review Reports

1. **DEPARTMENT OF ENVIRONMENTAL QUALITY**
   Title 18, Chapter 5, Articles 1-5
2. **DEPARTMENT OF ENVIRONMENTAL QUALITY**
   Title 18, Chapter 9, Article 5
3. **BOARD OF DISPENSING OPTICIANS**
   Title 4, Chapter 20, Article 1

COUNCIL ACTION: CONSENT AGENDA APPROVED

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

1. **DEPARTMENT OF HEALTH SERVICES**
   Title 9, Chapter 12, Article 1, 2

   Amend: R9-12-101, R9-12-103, R9-12-104, R9-12-105, R9-12-106, R9-12-107, Table 1.1, R9-12-201, R9-12-202, R9-12-203, R9-12-204, R9-12-205, R9-12-207, R9-12-208

   New Table: Table 1.2

   New Section: R9-12-206

   Renumber: R9-12-206, R9-12-207, R9-12-208

COUNCIL ACTION: APPROVED

2. **STATE BOARD OF DENTAL EXAMINERS**
   Title 4, Chapter 11, Articles 3 and 11

   Amend: R4-11-303, R4-11-1102

COUNCIL ACTION: APPROVED WITH CHANGES PURSUANT TO COUNCIL RULE R1-6-204.

3. **BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**
   Title 4, Chapter 22, Articles 1-5

   Amend: R4-22-106, R4-22-202, R4-22-207, R4-22-301, R4-22-302, R4-22-304, R4-22-401, R4-22-402, R4-22-501, R4-22-503, R4-22-504, R4-22-505, R4-22-506, R4-22-507, R4-22-508

   New Section: R4-22-208

COUNCIL ACTION: APPROVED WITH CHANGES PURSUANT TO COUNCIL RULE R1-6-204.

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

1. **ARIZONA OIL AND GAS CONSERVATION COMMISSION**
   Title 12, Chapter 7, Article 1

COUNCIL ACTION: APPROVED

D. COUNCIL STAFF INQUIRY ON DECEMBER 28, 2026 AND JANUARY 4, 2027 MEETINGS

COUNCIL ACTION: THE COUNCIL VOTED TO REMOVE THE DECEMBER 28, 2026 AND JANUARY 4, 2027 COUNCIL MEETINGS FROM THE COUNCIL'S 2026 CALENDAR