Arizona Center for Rural Health
State Office of Rural Health Webinar Series
Webinar notes:

Audience is muted during the presentation.
Please enter your questions into the Q&A box.
Please fill out the post-webinar survey.
Webinar is being recorded.
A link to the recording will be posted on:
AzCRH www.crh.arizona.edu
2024 Legislative Session: UArizona Center for Rural Health Presentation
April 18, 2024
Will Humble
Arizona Public Health Association
The Good
**HB2764** – long-term care; enforcement; memory care

- Raises the cap on ADHS imposed civil money penalties to $1,000 per patient per day.
- Authorizes ADHS to deny a change in ownership of a currently licensed health care institution if the transfer would jeopardize patient safety (prevents license hopping).
- Requires facilities to ensure staff aren’t on the Adult Protective Services Registry.
- Requires ADHS to develop a separate certification for places that want to provide memory care.

- **Eliminated from bill:** Allowing ADHS to do on-site monitoring of HCI’s not in substantial compliance including extra monitoring fees (**deemed status protections remain**).

Signed by Governor
HB2051 joint training; surveyors; providers

• Requires ADHS hold annual joint training session between long term care providers and ADHS licensing leadership to discuss changes in the survey process of long-term care facilities and compliance priorities.

Signed by Governor
Behavioral Health

• **SB1311** Mental health; data; evaluation

  • Requires the information and data collected by AHCCCS to identify and measure clinical outcomes in the past year of members with an SMI designation
  • Makes good changes to the procedures for mental health prepetition screenings and court-ordered evaluations.

Signed by Governor
• **HB2744** - involuntary treatment; guardians; agents; rights

  • Grants guardians and agents who have prescribed decision making authority for a patient more input in proceedings involving involuntary treatment.

Signed by Governor
Close Calls
**HB2502 SNAP; mandatory employment; training**

- ADES would need to make ‘able-bodied adults’ under 60 participate in employment & training programs to get Supplemental Nutrition Assistance Program benefits.

**HB2503 SNAP; waivers; exemption**

- Prevents ADES from accepting or renewing waivers of work requirements for ‘able-bodied’ adults w/o dependents to get SNAP benefits - unless the waiver is required by federal law or authorized by state law.

Vetoed by Governor
• **HB2843** defense of premises; definition

  • Changes the definition of premises for purposes of the justification defense in **ARS 13-407** to mean any property (rather than any structure).

  • Basically, extends the ‘stand your ground’ law to any property (e.g. ranch land), not just a home or other structure.

Vetoed by Governor
Medical Privacy

• **HB2183** parental rights; medical records

• Would have let parents get access to all of their minor children’s medical records, including treatment for STI’s

**Vetoed by Governor**
TBD
• SB1309 Mental health evaluations

  • Expands information that's needed for court ordered behavioral health evaluations to include more information about the proposed patient. It also specifies which individuals may provide informed consent on behalf of a proposed patient for a voluntary evaluation

Awaiting House Floor Vote
Behavioral Health

- **SB1678** - secure state mental health facilities

  - Makes it clear that secure residential behavioral health facilities are only for people receiving court ordered treatment.
  - Keeps civilly placed patients in separate Secure Behavioral Health Residential Facilities (that don’t yet exist) from persons committed to SBHRFs as dangerous and incompetent to stand trial in a criminal proceeding.

Passed Senate 19-9; Awaiting House Floor Vote
• **SB1570** – psilocybin (magic mushroom) services, regulation, licensure

• Charges ADHS with creating regulations & license psychedelic-assisted therapy centers (by 1/1/26).

• Identifies licensure requirements & restrictions. Establishes a Psilocybin Advisory Board & the Psilocybin Control & Regulation Fund.

Passed Senate; Awaiting House Floor
Marijuana Advertising

- **HB2451** marijuana; advertising; restrictions

- Prohibits marijuana establishments and nonprofit medical marijuana dispensaries from advertising marijuana or marijuana products to individuals who are under 21.

- Various limits on advertising distance to schools etc.

Awaiting Senate Floor Vote
Behavioral Health

• **SB1101 Appropriations; secure behavioral health facilities**

  • Appropriates $35M from the state General Fund and $18M from Medicaid Expenditure Authority in FY 2025 to AHCCCS for the support and construction of secure behavioral health residential and secure behavioral health provider rate increases.

Passed Senate Health 7-0 but not acted on in Senate Approps – can still be built into the state budget
HCR2060 lawful presence; e-verify program; penalties

Requires municipalities, counties, state agencies and licensing agencies to verify that an adult recipient is lawfully present in the US using the E-Verify program before enrollment in a public welfare program. Would likely cut many WIC recipients from benefits.

Passed House; Died in Senate (for now)

Governor can’t veto – would go straight to Nov. ballot
Missed Opportunities
• **SB1688**: Arizona State Hospital; governing board; governance

• Establishes the State Hospital Governing Board and transfers operational control of the Arizona State Hospital to an independent 5-member board – eliminating the conflict of interest in which ADHS both runs and ‘regulates’ ASH.

Failed in the Senate 13-15. Dead (again for the 3rd year in a row)
Public Health Licensing

- **HB2653** – assisted living care; reporting; monitoring; injury

  - Greatly enhances incident reporting requirements for assisted living facilities and establishes optional electronic monitoring options (with limitations).
  - Maintains the ability for a resident to install electronic monitoring devices in their private living space.
  - Prohibits an owner or manager from preventing a resident or resident's responsible person from installing and paying for the cost of electronic monitoring devices.
  - Requires staffing registry checks.

Passed House; Died in Senate
Public Health Licensing

- **HB2249** - residential care institutions; inspections

- Adds behavioral health residential care facilities to the list of places for which ADHS can’t accept accreditation in lieu of a compliance inspection (eliminates deemed status).

Passed House 57-0; Died in Senate
Public Health Licensing

**SB1655 - health care institutions; regulation**

- Increases the cap on civil penalties for violation of health care institution statutes from $500 to $10,000.
- Establishes the Indigenous Peoples Protection Revolving Fund with money from civil penalties.

Passed Senate Health 7-0; Failed in Senate Health
Behavioral Health

• **SB1102** Civil Reintegration Unit; Arizona State Hospital

• Establishes and funds a Civil Reintegration Unit for a transitional unit for civil patients who are approaching discharge

Dead
School Community Gardens

- **SB1464** - appropriation; schools; community gardens

- Appropriates $500K to the Arizona Department of Education to award grants to public schools to build community gardens. In FY 2024 the state appropriated $100K for public school campus community gardens.

Passed Senate Education 5-2, died in Rules
Gray Area Bills
• **HB2042** food preparation; sale; cottage food (aka Tamale bill)

• Expands the foods that meet the cottage food product exemption to include some foods that are potentially hazardous or require time or temperature control.

• Requires labels, list of ingredients, registration # of food preparer, statement regarding allergens and other disclosure information.

Signed by Governor
HB2317 Sober Living Homes

• Prescribes guidelines for the inspection and penalizing of sober living homes that are noncompliant with state regulations. Keeps sober living facility addresses secret.

• Requires a sober living homes to get clearance from local jurisdiction verifying compliance with all local zoning, building, fire & licensing ordinances

Passed House 31-29; Waiting Senate Floor Vote
The Wildcards

- Will the Legislature finally hear HB2335 - retracting the 1864 law that will shortly ban nearly all abortion care? (that bill never even got assigned to a committee)

- Will there be one or more legislative ballot referrals with alternatives to the voter driven Arizona Abortion Access Act? (governor’s can’t veto ballot referrals)

Stay tuned
Governor’s Budget Ideas

ADHS Licensing Program Investments

Hobbs made several proposals to improve ADHS’ healthcare licensing system after a series of articles in the *Arizona Republic* and scathing Auditor General Reviews.

*Arizona Republic Article Prompts Hobbs to Direct DHS & APS to Investigate Regulation of Assisted Living Facilities*

- Governor Hobbs proposes an increase of **$24.8 million in ADHS’ licensing programs** including **$1.9 million ongoing and $157,500 one-time** to add 16 employees to follow up on complaints, general inspections, and enforcement.

- Proposing **$500K ongoing and $900K one-time** to fund improvements to AZCARECHECK to improve transparency.

- There’s also **$500K earmarked for an independent assessment of AZ’s network of services for persons with a serious mental illness**, and **$485K for ADES Ombudsmen and $271K ongoing for an ombudsman for the AZ State Hospital**.

- The budget also includes a **$10M item for AHCCCS to get more people to join behavioral health quality improvement initiatives**.