



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: HHS DPA 5-1-1-0 | 3rd Read 24-4-2-0

House: RA DP 5-2-0-0

SB 1021: scope of practice; process; repeal

Sponsor: Senator Shope, LD 16

House Engrossed

Overview

Removes the requirement that health professional groups proposing to increase the scope of practice of a state-regulated health profession must complete a statutory sunrise review.

History

Currently, statute provides that a health profession must be regulated by this state only if:

- 1) there is credible evidence that the unregulated practice of that health profession can clearly harm or endanger the public health, safety or welfare and the potential for harm is easily recognizable and not remote or dependent on tenuous argument;
- 2) the public needs and can reasonably be expected to benefit from an assurance of initial and continuing professional ability; and
- 3) the public cannot be effectively protected by other means in a more cost-effective manner ([A.R.S. § 32-3103](#)).

A health professional group may file a sunrise application if they would like to be regulated or expand their current scope of practice. Specifically, a health professional group proposing to expand their scope of practice must submit the application that addresses the statutorily prescribed factors and submit it to the President of the Senate and Speaker of the House of Representatives by November 1 before the start of the legislative session.

The President of the Senate and Speaker of the House of Representatives may assign the application to the Senate Health and Human Services Committee and the House of Representatives Health & Human Services Committee or their respective successor committees to review the report. The legislative committees may hold informational hearings on the application and take public comments before the legislative session convenes but must not vote on whether to accept or reject the application.

The health professional group may also request an informational hearing and introduce legislation in the legislative session regardless of if an informational hearing is conducted or if any comments were received during the informational hearing. The lack of a hearing must not be considered as either support or rejection of the health professional group's proposed legislation. Sunrise applications that are submitted are not required to be resubmitted for five years, unless there is a material change in the increased scope of practice ([A.R.S. §§ 32-3104](#), [32-3105](#) and [32-3106](#)).

A similar bill was introduced in the 56th Legislature, 1st Regular Session and was [vetoed](#) by the Governor (SB 1248 scope of practice; process; repeal).

Provisions

1. Repeals the requirement that health professional groups seeking to increase the scope of practice for a state-regulated health profession must complete a statutory sunrise review. (Sec. 3, 4)
2. Outlines criteria that the Legislature must consider for proposed legislation to increase the scope of practice of a health professional group:
 - a) whether current education and training, preparedness or available continuing education and training for the health professional group adequately prepares members of the profession for the proposed increased scope;
 - b) whether increasing the scope of practice will improve patient access to safe and affordable care;
 - c) whether increasing the scope of practice will advance health, safety or welfare; and
 - d) whether increasing the scope of practice will create a substantial regulatory burden for the state, including the administrative and financial capacity of the regulatory entity that regulates the health professional group. (Sec. 4)
3. Instructs a health professional group seeking an increase in the scope of practice, within 10 days of introduction of proposed legislation or an amendment for expansion, to provide written notification to the health profession's regulatory entity. (Sec. 4)
4. Deems it is the Legislature's intent to preserve the health and safety of Arizonans and ensure that Arizonans only receive health care services from qualified providers. (Sec. 6)
5. Declares that the Legislature reserves the right to reinstate the sunrise review process at any time if its elimination demonstrably lessens the quality of health care in Arizona. (Sec. 6)
6. Defines *increase the scope of practice*. (Sec. 4)
7. Modifies the term *health professional group*. (Sec. 1)
8. Makes technical and conforming changes. (Sec. 1-4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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