**2018 Legislative Wrap Up**

The 2018 Legislative session lasted for 116 days, 1,328 bills were introduced, 369 bills and 27 resolutions passed, and 346 were signed by the Governor. The Arizona Council tracked over 600 bills this session. This is a brief overview of bills of interest to our members that passed.

**Mental Health Related Bills**

HB2038: Drug Overdose Review Teams; Records sponsored by Representative Carter (R, 15) requires law enforcement to provide Drug Overdose Fatality Review Teams with unredacted reports. The Arizona Council is represented on these teams.

HB2149: Pharmacies; Remote Dispensing sponsored by Representative Weininger (R, 17) creates a licensure category of “remote pharmacy” which is staffed by a pharmacy tech under remote supervision of a pharmacist. The tech may prepare, compound, or dispense medications at this site if they hold a nationally recognized pharmacy tech certification.

HB2197: Health Professional; Workforce Data sponsored by Representative Carter (R, 15) requires health regulatory boards to collect data from applicants that is prescribed by DHS rule beginning January 2020. This data will be used to identify health care staffing needs statewide.

HB2322: Health Insurers; Provider Credentialing sponsored by Representative Carter (R, 15) requires health insurers to establish a process for electronic submission of credentialing applications and adopt a standard application by December 2019. Makes other changes to the credentialing requirements.

HB2324: Community Health Workers; Voluntary Certification sponsored by Representative Carter (R, 15) creates a voluntary certification process at DHS for community health workers. It also establishes a 9 member Community Health Workers Advisory Board at DHS.

HB2502: Public Safety; Traumatic Event Counseling sponsored by Representative Boyer (R, 20) expands the Traumatic Event Counseling program for first responders.

HB2575: License; Non-operating Identification; Homeless Veterans sponsored by Representative Bolding (D, 27) waives the fees for drivers licenses and state ID’s for homeless veterans.

SB1396: Group Home Beds; Mentally Ill sponsored by Senator Barto (R, 15) requires AHCCCS to report by December 1, 2018 the current number of behavioral health facility beds and supported housing beds available in Arizona for those with SMI diagnoses.

SB1397: Behavioral Health; Dependent Children; Reports sponsored by Senator Barto (R, 15) requires AHCCCS to begin semiannual financial and program accountability reporting by April 1, 2019. This removes their current quarterly reporting requirement. It also requires DCS to continue to provide a quarterly financial and program accountability report to the Governor and legislature until December 31, 2020.

SB1431: Memorial; Veterans; Suicide sponsored by Senator Barto (R, 15) allows placement on the government mall of a privately funded suicide awareness monument commemorating veterans who have died due to unresolved PTSD and traumatic brain injuries.

SB1450: Independent Oversight Committees; Appointment; Duties sponsored by Senator Barto (R, 15) renames the Human Rights committees (DD, Children, Mental Illness) to Independent Oversight Committees and transfers responsibility for them to the Department of Administration.

SB1463: Psychologists; Licensure Requirements sponsored by Senator Brophy McGee (R, 28) makes changes to the education requirements for Psychologists allowing those with degrees accredited by the Psychological Clinical Science Accreditation System to be licensed.

**Substance Abuse Related Bills**

HB2250: Physician Assistants; Prescribing Authority; Delegation sponsored by Representative Carter (R, 15) allows PA’s to prescribe schedule II controlled substances if they meet training requirements.

HB2548: Health Professionals: Continuing Education: Opioids sponsored by Representative Carter (R, 15) allows the required 3 hours of opioid related professional education for health providers authorized to prescribe schedule II controlled substances to be part of any continuing education requirement for that profession.

HB2549: Controlled Substances; Dosage Limit sponsored by Representative Carter (R, 15) clarifies that the 90MME limitations do not apply to post-surgical procedure prescriptions. If the prescriber believes a patient requires more than 90MME per day, they may consult with the DHS opioid assistance and referral call service or a pain certified physician. Arizona Poison Control System is authorized to provide opioid assistance and referral services. Also allows Nurse Practitioners with advanced training to be pain clinic medical directors.

HB2654 and SB1536: Illegal Substances Education; Partnership sponsored by Representative Thorpe (R, 6) authorized the Governor’s Office of Youth, Faith, and Family or DHS to partner with nonprofit organizations to teach children grades 5-12 about the health dangers of illegal substances, tobacco, alcohol, marijuana, opioids, and nonprescription pharmaceuticals.

SB1451: Patient Referral Inducements; Prohibited Compensation sponsored by Senator Barto (R, 15) prohibits “patient brokering”. Violations are a class 3 felony.

SB1465: Sober Living Homes; Licensure sponsored by Senator Brophy McGee (R, 28) requires DHS to establish minimum standards and requirements for licensure of sober living facilities. Cities and counties are authorized to regulate sober living homes until DHS passes rules for licensure. Then sober living homes must apply for licenses within 90 days. Repeals existing state statute 90 days after finalize of rules by DHS.

SB1496: Prisoners; Drug Sentences; Out of Custody Treatment sponsored by Senator Smith (R, 11) allows first time drug offenders to participate in a transition drug treatment program.

**Children and Child Welfare Bills**

HB2006: Marriage; Minimum Age sponsored by Representative Ugenti-Rita (R, 23) prohibits those under 16 from marrying. Those between 16 and 18 may marry with parental or court permission if their spouse is no more than 3 years older than they are.

HB2088: Pupils; Concussions; Parental Notification sponsored by Representative Carter (R, 15) requires schools to notify parents if they suspect a student has sustained a concussion. Annually, the school needs to notify coaches, parents, and students of the dangers of, among other things, prescription opioid use. It also requires schools to have and enforce policies related to student harassing, intimidating, and bullying other students on school grounds, property, buses, bus stops, at school events, and through social media.

HB2449: Child Care Assistance; Tiered Reimbursement sponsored by Representative Udall (R, 25) provides additional federal funding for “quality” child care centers. Unfortunately, although the bill passed, the additional state match needed to draw down this money was not included in the budget.

HB2482: Foster Care Tuition Waiver sponsored by Representative Shope (R, 8) made the tuition waiver program permanent for foster children. While the bill didn’t pass, it was included in the budget.

SB1071: Adoption; Subsidy; Review; Nonrecurring Expenses sponsored by Senator Brophy McGee (R, 28) states the maximum reimbursement for adoption related expenses is $2,000 per adoption petition instead of per child.

SB1083: Schools; Recess Periods sponsored by Senator Allen (R, 6) requires schools to provide at least two recess periods a day for children in grades K to 3 beginning in August 2018; two recess periods a day for children in grades K to 5 beginning in August 2019.

SB1166: Permanent Guardianship: Subsidy sponsored by Senator Brophy McGee (R, 28) allows permanent guardians who adopt to keep their guardianship subsidy.

SB1198: Blind Persons’ Rights; Adoption; Custody sponsored by Senator Barto (R, 15) prohibits removal of child, visitation, or reunification based solely on parental blindness. It also prohibits DCS from refusing to license a foster or adoptive home based solely on parental blindness.

SB1218: Developmental Homes; Licensure; Investigations sponsored by Senator Brophy McGee (R, 28) makes numerous changes to DD home inspection and licensing requirements.

SB1380: Children; Out of Home Placement sponsored by Senator Petersen (R, 12) requires DCS and group homes to get birth certificates, state ID cards, and immunizations records for all children ages 16 and older in state custody. It also allows foster and kinship families to get these documents. DCS is required to provide foster children ages 14 and older with their social security card within 120 of placement.

SB1395: Temporary Custody without Court Order sponsored by Senator Barto (R, 15) establishes a requirement that DCS obtain a “pick up order” from a judge prior to removing a child unless exigent circumstances apply.

SB1473: Dependent Children; Placement; Kinship Care sponsored by Senator Barto (R, 15) is a compromise bill to facilitate permanency for very young children. It codifies DCS policy of placement in the best interest of the child, placement near the bio family, child’s school and community whenever possible, and requires that kinship searching begin within 30 days after the child enters foster care.

SB1518: Department of Child Safety; Reports sponsored by Senator Brophy McGee (R, 28) codifies recommendations from the DCS Report Consolidation Work Group regarding changes to monthly, quarterly, semi-annual, and annual reports required by DCS.

**AHCCCS and Health Care Related Bills**

HB2228: AHCCCS; Annual Waiver; Applicability sponsored by Representative Cook (R, 8) removes Native Americans from the work requirements, lifetime cap, and cost sharing requirements in the 1115 Waiver that AHCCCS is required to file annually.

SB1034: Sunrise Process; Committee of Reference sponsored by Senator Kavanagh (R, 23) makes changes to the sunrise process for health professionals relating to changes to scope of practice. Assigns sunrise reports to the Health committees, rather than committees of reference.

SB1389: HIV; Needs Assessment; Prevention sponsored by Senator Brophy McGee (R, 28) requires DHS to complete a statewide HIV prevention and care needs assessment by November 1, 2020. They will analyze the data from the assessment to develop and implement HIV training and education initiatives with a report to the Governor and Legislature by January 2021.

**Budget Bills**

SB1245: Appropriation; SNAP; Benefit Match; Produce sponsored by Senator Brophy McGee (R, 28) appropriates $400,000 to DES to develop a produce incentive program for SANP recipients to purchase Arizona grown fruits and vegetables.

SB1520: Budget: General Appropriations Act; 2018-19 sponsored by Senator Yarbrough (R, 17)

SB1528: Budget; BRB; Human Services: 2018-19 sponsored by Senator Yarbrough (R, 17)

HB2659: Budget; BRB; Health: 2018-19 sponsored by Representative Mesnard (R, 17)

Funding for teacher salaries. AHCCCS received $3M for behavioral health services in schools, $100K for a Suicide Prevention Coordinator. ACJC received $600K to upgrade criminal background checks. Hospitals received 2.5% provider rate increase. $1 M capital money for food banks.

Many fund sweeps including $2.4M from Housing, $2.1M from DHS, and $2.7M (backlog funding) from DCS. Inpatient behavioral health facilities without AHCCCS contracts will receive 90% of the AHCCCS fee for service rate. Did not get the Mental Health First Aid funding. No increase in DHS funding for State Student Loan Repayment Program. Budgeted ($2.5M) decrease in AHCCCS from elimination of prior quarter coverage. Failure to appropriate $60M in federal funding for quality child care. No 211 funding.

**Board Bills**

SB1246: Behavioral Health Board sponsored by Senator Barto (R, 15) is the Council supported bill modifying the licensure by endorsement process to make it easier for those licensed out of state, without board complaints or discipline, to be licensed in Arizona at the same practice level. Makes other technical changes.

HB2411: Health Professionals Licensing Boards; Review sponsored by Representative Mosley (R, 5) is the compromise bill to Mosley’s BBHE Repeal Bill. It allows BBHE applicants to test three times in a 12 month period rather than 2, requires the Academic Review Committees to ask for additional information from applicants “comprehensively”, and waives the license fee for those who had to renew associate licenses within 90 days of applying for an independent license.

SB1273: GRRC; Review; Licensing Requirements sponsored by Senator Petersen (R, 12) allows a person to petition the Governor’s Regulatory Review Council (GRRC) to request review of an existing agency practice, policy statement, rule, or licensing requirement that is not specifically authorized by Title 32 based on the belief that it is unduly burdensome or not necessary for public health, safety, or welfare. Requires GRRC to modify, revise, or declare void any requirement that is not related to health, safety, or welfare.

**Good Bills That Died**

HB2127: Children’s Health Insurance Program sponsored by Representative Cobb and SB1087: Strike Everything sponsored by Senator Brophy McGee would have removed the freeze from KidsCare if the FMAP was less than 100%.

SB1445: AHCCCS; Dental Care; Pregnant Women sponsored by Senator Yee (R, 20) would have provided dental services to pregnant women on AHCCCS.

HB 2136 and SB1221: Appropriation; DES; Info; Referral Service sponsored by Representative Carter and Senator Brophy McGee would have provided critical funding for statewide 211 services.

HB2389: Syringe Access Programs; Authorization sponsored by Representative Rivero (R, 21) would have allowed syringe access programs to operate. An amendment was introduced that essentially killed the bill.

SB1046: Foster Homes; Child Welfare Agencies sponsored by Senator Petersen (R, 12) would have established “perpetual” licenses for foster parents without licensing violations.

HB2090: Pre-Arrest Diversion; Pre-complaint Education Program sponsored by Representative John (R, 14) would have established a diversion program for shoplifters.

HB2489: Schools; Anonymous Reporting; Dangerous Activities sponsored by Representative John (R, 14) would have established the Safe To Tell program for anonymous reporting of potentially dangerous activity on school grounds. Something similar was included in the budget.

**Bullets Dodged**

HB2535: DCS; Prohibited Acts; Firearms sponsored by Representative Payne (R, 21) would have prohibited DCS from adopting, implementing, or enforcing a rule or policy relating to possession, transfer, or storage of firearms. DCS will probably work on this over the interim.

SB1195: Mental Health Screening; Hospitalization sponsored by Senator Barto (R, 15) related to psych boarding. We will continue to work on this issue over the interim.

SB1452: Dependency; Kinship Care; Aggravated Circumstances sponsored by Senator Barto (R, 15) was replaced by SB1473 the compromise bill.

SB1519: Protective Orders: Schools; Appropriations sponsored by Senator Smith (R, 11) had some good ideas, but the Severe Threat Order of Protection (STOP) continued to be problematic. We will continue to work on this issue over the interim.