

REFERENCE TITLE: AHCCCS; self-directed care services

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

## **SB 1329**

Introduced by  
Senators Allen, Aboud

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2951; RELATING TO THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 36, chapter 29, article 2, Arizona Revised Statutes,  
3 is amended by adding section 36-2951, to read:  
4 36-2951. Self-directed attendant care services; rules  
5 A. NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PERSON MAY EMPLOY  
6 ANOTHER PERSON TO PROVIDE SELF-DIRECTED ATTENDANT CARE SERVICES THAT WOULD  
7 OTHERWISE BE CONSIDERED WITHIN THE SCOPE OF NURSING CARE PURSUANT TO TITLE  
8 32, CHAPTER 15 IF:  
9 1. THE PERSON RECEIVING THESE SERVICES IS IN STABLE CONDITION, IS NOT  
10 A RESIDENT IN A MEDICAL FACILITY AND IS COMPETENT TO GIVE DIRECTIONS TO THE  
11 ATTENDANT.  
12 2. THE PERSON RECEIVING THESE SERVICES HAS A FUNCTIONAL DISABILITY AND  
13 REQUIRES A SERVICE THAT COULD HAVE BEEN PERFORMED BY THAT PERSON EXCEPT FOR  
14 THE DISABILITY.  
15 3. THE ATTENDANT OFFERS ONLY SERVICES THAT ARE PRESCRIBED BY THE  
16 ADMINISTRATION BY RULE.  
17 B. THE ADMINISTRATION SHALL ADOPT RULES PRESCRIBING THE TYPES OF  
18 SELF-DIRECTED ATTENDANT SERVICES THAT MAY BE DELIVERED PURSUANT TO THIS  
19 SECTION. BEFORE IT ADOPTS THESE RULES, THE ADMINISTRATION SHALL SUBMIT THE  
20 PROPOSED RULES TO THE STATE BOARD OF NURSING FOR ITS REVIEW AND APPROVAL.  
21 Sec. 2. Self-directed attendant care services; report  
22 On or before January 1, 2011, the director of the Arizona health care  
23 cost containment system administration shall submit a written report to the  
24 governor, the president of the senate, the speaker of the house of  
25 representatives and the state board of nursing that includes the following  
26 information:  
27 1. The number of persons using self-directed attendant care services  
28 pursuant to section 36-2951, Arizona Revised Statutes, as added by this act,  
29 in each year covered by the report.  
30 2. The types of services used.  
31 3. Any incidents of hospitalization associated with persons using  
32 self-directed attendant care services.