



ARIZONA HOUSE OF REPRESENTATIVES

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HB 2622: nonretaliation policies; health care institutions

Sponsor: Representative Shah, LD 24

Transmitted to the Governor

Overview

Prohibits a third-party contractor of a health care institution from taking retaliatory action against a health professional.

History

Current law requires a licensed health care institution to adopt a procedure for reviewing reports made in good faith by a health professional concerning an activity, policy or practice that the professional reasonably believes does both of the following: 1) violates professional standards of practice or is against the law; and 2) poses a substantial risk to the health, safety or welfare of a patient ([A.R.S. § 36-450.01](#)).

Licensed health care institutions must adopt policies that prohibit retaliatory actions against a health professional who in good faith: 1) makes a report to the institution relating to an unlawful activity, policy or practice; and 2) after providing the institution with reasonable opportunity to address the report, provides information to a private health care accreditation organization or governmental entity concerning the activity, policy or practice ([A.R.S. § 36-450.02](#)).

Statute defines retaliatory action as termination of or other adverse action against a health professional's employment taken by a health care institution because the professional has made a report ([A.R.S. § 36-450](#)).

Current law states that there is a rebuttable presumption that any termination or other adverse action that occurs more than 180 days after the date of the report is not a retaliatory action ([A.R.S. § 36-450.02](#)).

Provisions

1. Prohibits a third-party contractor of a health care institution from taking retaliatory action against a health professional. (Sec. 1)
2. Makes the period of time before there is a rebuttable presumption six months. (Sec. 1)
3. Defines *third-party contractor* as an entity that contracts with a health care institution to provide health care services in the health care institution by contracting or hiring health professionals. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note