

Senate Engrossed House Bill

~~behavioral health; temporary licensure; graduates~~
(now: behavioral health; graduates; license exemption)

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2001

AN ACT

AMENDING SECTIONS 32-3271, 41-619.51, 41-1758 AND 41-1758.01, ARIZONA
REVISED STATUTES; RELATING TO BEHAVIORAL HEALTH LICENSURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-3271, Arizona Revised Statutes, is amended to
3 read:

4 32-3271. Exceptions to licensure; jurisdiction

5 A. This chapter does not apply to:

6 1. A person who is currently licensed, certified or regulated
7 pursuant to another chapter of this title and who provides services within
8 the person's scope of practice if the person does not claim to be licensed
9 pursuant to this chapter.

10 2. A person who is not a resident of this state if the person:

11 (a) Performs behavioral health services in this state for not more
12 than ninety days in any one calendar year as prescribed by board rule.

13 (b) Is authorized to perform these services pursuant to the laws of
14 the state or country in which the person resides or pursuant to the laws of
15 a federally recognized Indian tribe.

16 (c) Informs the client of the limited nature of these services and
17 that the person is not licensed in this state.

18 3. A rabbi, priest, minister or member of the clergy of any
19 religious denomination or sect if the activities and services that person
20 performs are within the scope of the performance of the regular or
21 specialized ministerial duties of an established and legally recognizable
22 church, denomination or sect and the person performing the services remains
23 accountable to the established authority of the church, denomination or
24 sect.

25 4. A member-run self-help or self-growth group if no member of the
26 group receives direct or indirect financial compensation.

27 5. A behavioral health technician or behavioral health
28 paraprofessional who is employed by an agency licensed by the department of
29 health services.

30 6. A person contracting with the supreme court or a person employed
31 by or contracting with an agency under contract with the supreme court who
32 is otherwise ineligible to be licensed or who is in the process of applying
33 to be licensed under this chapter as long as that person is in compliance
34 with the supreme court contract conditions regarding professional
35 counseling services and practices only under supervision.

36 7. A person who is employed by the department of economic security
37 or the department of child safety and who practices social work, marriage
38 and family therapy, addiction counseling, counseling and case management
39 within the scope of the person's job duties and under direct supervision by
40 the employer department.

41 8. A student, intern or trainee who is pursuing a course of study in
42 social work, counseling, marriage and family therapy, addiction counseling
43 or case management in a regionally accredited institution of higher
44 education or training institution if the person's activities are performed

1 under qualified supervision and are part of the person's supervised course
2 of study.

3 9. A person who is practicing social work, counseling and case
4 management and who is employed by an agency licensed by the department of
5 economic security or the department of child safety.

6 10. A paraprofessional who is employed by the department of economic
7 security or by an agency licensed by the department of economic security.

8 11. A Christian Science practitioner if all of the following are
9 true:

10 (a) The person is not providing psychotherapy.

11 (b) The activities and services the person performs are within the
12 scope of the performance of the regular or specialized duties of a
13 Christian Science practitioner.

14 (c) The person remains accountable to the established authority of
15 the practitioner's church.

16 12. A person who is not providing psychotherapy.

17 13. FOR A PERIOD OF NINETY DAYS, A PERSON WHO HAS COMPLETED THE
18 PERSON'S COURSE OF STUDY IN SOCIAL WORK, COUNSELING, MARRIAGE AND FAMILY
19 THERAPY OR ADDICTION COUNSELING FROM A REGIONALLY ACCREDITED INSTITUTION OF
20 HIGHER EDUCATION, WHO HAS GRADUATED, WHO POSSESSES A VALID FINGERPRINT
21 CLEARANCE CARD ISSUED PURSUANT TO TITLE 41, CHAPTER 12, ARTICLE 3.1 AND WHO
22 IS IN THE PROCESS OF APPLYING FOR AN ASSOCIATE LEVEL LICENSE PURSUANT TO
23 THIS CHAPTER IF THE PERSON'S ACTIVITIES ARE PERFORMED UNDER QUALIFIED
24 SUPERVISION BY A PERSON WHO PROVIDED DIRECT SUPERVISION DURING THE COURSE
25 OF STUDY OR INTERNSHIP. THE PERSON MAY APPLY ANY DIRECT CLIENT CONTACT
26 WORK EXPERIENCE OBTAINED DURING THE NINETY-DAY PERIOD WHILE THE PERSON'S
27 APPLICATION IS PENDING TOWARD THE PERSON'S DIRECT CLIENT CONTACT WORK
28 EXPERIENCE LICENSURE REQUIREMENTS.

29 B. A person who provides services pursuant to subsection A,
30 paragraph 2 of this section is deemed to have agreed to the jurisdiction of
31 the board and to be bound by the laws of this state.

32 Sec. 2. Section 41-619.51, Arizona Revised Statutes, is amended to
33 read:

34 41-619.51. Definitions

35 In this article, unless the context otherwise requires:

36 1. "Agency" means the supreme court, the department of economic
37 security, the department of child safety, the department of education, the
38 department of health services, the department of juvenile corrections, the
39 department of emergency and military affairs, the department of public
40 safety, the department of transportation, the state real estate department,
41 the department of insurance and financial institutions, the Arizona game
42 and fish department, the Arizona department of agriculture, the board of
43 examiners of nursing care institution administrators and assisted living
44 facility managers, the state board of dental examiners, the Arizona state
45 board of pharmacy, the board of physical therapy, the state board of

1 psychologist examiners, the board of athletic training, the board of
2 occupational therapy examiners, the state board of podiatry examiners, the
3 acupuncture board of examiners, the state board of technical registration,
4 ~~or~~ the board of massage therapy, **THE BOARD OF BEHAVIORAL HEALTH EXAMINERS**
5 or the Arizona department of housing.

6 2. "Board" means the board of fingerprinting.

7 3. "Central registry exception" means notification to the department
8 of economic security, the department of child safety or the department of
9 health services, as appropriate, pursuant to section 41-619.57 that the
10 person is not disqualified because of a central registry check conducted
11 pursuant to section 8-804.

12 4. "Expedited review" means an examination, in accordance with board
13 rule, of the documents an applicant submits by the board or its hearing
14 officer without the applicant being present.

15 5. "Good cause exception" means the issuance of a fingerprint
16 clearance card to an employee pursuant to section 41-619.55.

17 6. "Person" means a person who is required to be fingerprinted
18 pursuant to this article or who is subject to a central registry check and
19 any of the following:

- 20 (a) Section 3-314.
- 21 (b) Section 8-105.
- 22 (c) Section 8-322.
- 23 (d) Section 8-463.
- 24 (e) Section 8-509.
- 25 (f) Section 8-802.
- 26 (g) Section 8-804.
- 27 (h) Section 15-183.
- 28 (i) Section 15-503.
- 29 (j) Section 15-512.
- 30 (k) Section 15-534.
- 31 (l) Section 15-763.01.
- 32 (m) Section 15-782.02.
- 33 (n) Section 15-1330.
- 34 (o) Section 15-1881.
- 35 (p) Section 17-215.
- 36 (q) Section 28-3228.
- 37 (r) Section 28-3413.
- 38 (s) Section 32-122.02.
- 39 (t) Section 32-122.05.
- 40 (u) Section 32-122.06.
- 41 (v) Section 32-823.
- 42 (w) Section 32-1232.
- 43 (x) Section 32-1276.01.
- 44 (y) Section 32-1284.
- 45 (z) Section 32-1297.01.

1 (aa) Section 32-1904.
2 (bb) Section 32-1941.
3 (cc) Section 32-1982.
4 (dd) Section 32-2022.
5 (ee) Section 32-2063.
6 (ff) Section 32-2108.01.
7 (gg) Section 32-2123.
8 (hh) Section 32-2371.
9 (ii) SECTION 32-3271.
10 ~~(iii)~~ (jj) Section 32-3430.
11 ~~(jjj)~~ (kk) Section 32-3620.
12 ~~(kkk)~~ (ll) Section 32-3668.
13 ~~(lll)~~ (mm) Section 32-3669.
14 ~~(mmm)~~ (nn) Section 32-3922.
15 ~~(nnn)~~ (oo) Section 32-3924.
16 (pp) Section 32-4128.
17 ~~(ooo)~~ (qq) Section 32-4222.
18 ~~(qqq)~~ (rr) Section 36-113.
19 ~~(rrr)~~ (ss) Section 36-207.
20 ~~(sss)~~ (tt) Section 36-411.
21 ~~(ttt)~~ (uu) Section 36-425.03.
22 ~~(uuu)~~ (vv) Section 36-446.04.
23 ~~(vvv)~~ (ww) Section 36-594.01.
24 ~~(www)~~ (xx) Section 36-594.02.
25 ~~(xxx)~~ (yy) Section 36-766.01.
26 ~~(yyy)~~ (zz) Section 36-882.
27 ~~(zzz)~~ (aaa) Section 36-883.02.
28 ~~(aaa)~~ (bbb) Section 36-897.01.
29 ~~(bbb)~~ (ccc) Section 36-897.03.
30 ~~(ccc)~~ (ddd) Section 36-3008.
31 ~~(ddd)~~ (eee) Section 41-619.53.
32 ~~(eee)~~ (fff) Section 41-1964.
33 ~~(fff)~~ (ggg) Section 41-1967.01.
34 ~~(ggg)~~ (hhh) Section 41-1968.
35 ~~(hhh)~~ (iii) Section 41-1969.
36 ~~(iii)~~ (jjj) Section 41-2814.
37 ~~(jjj)~~ (kkk) Section 41-4025.
38 ~~(kkk)~~ (lll) Section 46-141, subsection A or B.
39 ~~(lll)~~ (mmm) Section 46-321.
40 Sec. 3. Section 41-1758, Arizona Revised Statutes, is amended to
41 read:
42 41-1758. Definitions
43 In this article, unless the context otherwise requires:
44 1. "Agency" means the supreme court, the department of economic
45 security, the department of child safety, the department of education, the

1 department of health services, the department of juvenile corrections, the
2 department of emergency and military affairs, the department of public
3 safety, the department of transportation, the state real estate department,
4 the department of insurance and financial institutions, the board of
5 fingerprinting, the Arizona game and fish department, the Arizona
6 department of agriculture, the board of examiners of nursing care
7 institution administrators and assisted living facility managers, the state
8 board of dental examiners, the Arizona state board of pharmacy, the board
9 of physical therapy, the state board of psychologist examiners, the board
10 of athletic training, the board of occupational therapy examiners, the
11 state board of podiatry examiners, the acupuncture board of examiners, the
12 state board of technical registration, the board of massage therapy, **THE**
13 **BOARD OF BEHAVIORAL HEALTH EXAMINERS** or the Arizona department of housing.

14 2. "Division" means the fingerprinting division in the department of
15 public safety.

16 3. "Electronic or internet-based fingerprinting services" means a
17 secure system for digitizing applicant fingerprints and transmitting the
18 applicant data and fingerprints of a person or entity submitting
19 fingerprints to the department of public safety for any authorized purpose
20 under this title. For the purposes of this paragraph, "secure system"
21 means a system that complies with the information technology security
22 policy approved by the department of public safety.

23 4. "Good cause exception" means the issuance of a fingerprint
24 clearance card to an applicant pursuant to section 41-619.55.

25 5. "Person" means a person who is required to be fingerprinted
26 pursuant to any of the following:

- 27 (a) Section 3-314.
- 28 (b) Section 8-105.
- 29 (c) Section 8-322.
- 30 (d) Section 8-463.
- 31 (e) Section 8-509.
- 32 (f) Section 8-802.
- 33 (g) Section 15-183.
- 34 (h) Section 15-503.
- 35 (i) Section 15-512.
- 36 (j) Section 15-534.
- 37 (k) Section 15-763.01.
- 38 (l) Section 15-782.02.
- 39 (m) Section 15-1330.
- 40 (n) Section 15-1881.
- 41 (o) Section 17-215.
- 42 (p) Section 28-3228.
- 43 (q) Section 28-3413.
- 44 (r) Section 32-122.02.
- 45 (s) Section 32-122.05.

1 (t) Section 32-122.06.
2 (u) Section 32-823.
3 (v) Section 32-1232.
4 (w) Section 32-1276.01.
5 (x) Section 32-1284.
6 (y) Section 32-1297.01.
7 (z) Section 32-1904.
8 (aa) Section 32-1941.
9 (bb) Section 32-1982.
10 (cc) Section 32-2022.
11 (dd) Section 32-2063.
12 (ee) Section 32-2108.01.
13 (ff) Section 32-2123.
14 (gg) Section 32-2371.
15 (hh) SECTION 32-3271.
16 ~~(hhh)~~ (ii) Section 32-3430.
17 ~~(iii)~~ (jj) Section 32-3620.
18 ~~(jjj)~~ (kk) Section 32-3668.
19 ~~(kkk)~~ (ll) Section 32-3669.
20 ~~(lll)~~ (mm) Section 32-3922.
21 ~~(mmm)~~ (nn) Section 32-3924.
22 ~~(nnn)~~ (oo) Section 32-4128.
23 ~~(ooo)~~ (pp) Section 32-4222.
24 ~~(ppp)~~ (qq) Section 36-113.
25 ~~(qqq)~~ (rr) Section 36-207.
26 ~~(rrr)~~ (ss) Section 36-411.
27 ~~(sss)~~ (tt) Section 36-425.03.
28 ~~(ttt)~~ (uu) Section 36-446.04.
29 ~~(uuu)~~ (vv) Section 36-594.01.
30 ~~(vvv)~~ (ww) Section 36-594.02.
31 ~~(www)~~ (xx) Section 36-766.01.
32 ~~(xxx)~~ (yy) Section 36-882.
33 ~~(yyy)~~ (zz) Section 36-883.02.
34 ~~(zzz)~~ (aaa) Section 36-897.01.
35 ~~(aaa)~~ (bbb) Section 36-897.03.
36 ~~(bbb)~~ (ccc) Section 36-3008.
37 ~~(ccc)~~ (ddd) Section 41-619.52.
38 ~~(ddd)~~ (eee) Section 41-619.53.
39 ~~(eee)~~ (fff) Section 41-1964.
40 ~~(fff)~~ (ggg) Section 41-1967.01.
41 ~~(ggg)~~ (hhh) Section 41-1968.
42 ~~(hhh)~~ (iii) Section 41-1969.
43 ~~(iii)~~ (jjj) Section 41-2814.
44 ~~(jjj)~~ (kkk) Section 41-4025.
45 ~~(kkk)~~ (lll) Section 46-141, subsection A or B.

1 ~~(111)~~ (mmm) Section 46-321.

2 6. "Rap back services" has the same meaning prescribed in section

3 41-1750.

4 7. "Vulnerable adult" has the same meaning prescribed in section

5 13-3623.

6 Sec. 4. Section 41-1758.01, Arizona Revised Statutes, is amended to

7 read:

8 41-1758.01. Fingerprinting division; powers and duties

9 A. The fingerprinting division is established in the department of

10 public safety and shall:

11 1. Conduct fingerprint background checks for persons and applicants

12 who are seeking licenses from state agencies, employment with licensees,

13 contract providers and state agencies or employment or educational

14 opportunities with agencies that require fingerprint background checks

15 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,

16 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,

17 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-823, 32-1232,

18 32-1276.01, 32-1284, 32-1297.01, 32-1904, 32-1941, 32-1982, 32-2022,

19 32-2063, 32-2108.01, 32-2123, 32-2371, 32-3271, 32-3430, 32-3620, 32-3668,

20 32-3669, 32-3922, 32-3924, 32-4128, 32-4222, 36-113, 36-207, 36-411,

21 36-425.03, 36-446.04, 36-594.01, 36-594.02, 36-766.01, 36-882, 36-883.02,

22 36-897.01, 36-897.03, 36-3008, 41-619.52, 41-619.53, 41-1964, 41-1967.01,

23 41-1968, 41-1969, 41-2814, ~~AND~~ 41-4025, section 46-141, subsection A or B

24 and section 46-321.

25 2. Issue fingerprint clearance cards. On issuance, a fingerprint

26 clearance card becomes the personal property of the cardholder and the

27 cardholder shall retain possession of the fingerprint clearance card.

28 3. On submission of an application for a fingerprint clearance card,

29 collect the fees established by the board of fingerprinting pursuant to

30 section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147, the

31 monies collected in the board of fingerprinting fund.

32 4. Inform in writing each person who submits fingerprints for a

33 fingerprint background check of the right to petition the board of

34 fingerprinting for a good cause exception pursuant to section 41-1758.03,

35 41-1758.04 or 41-1758.07.

36 5. If after conducting a state and federal criminal history records

37 check the division determines that it is not authorized to issue a

38 fingerprint clearance card to a person, inform the person in writing that

39 the division is not authorized to issue a fingerprint clearance card. The

40 notice shall include the criminal history information on which the denial

41 was based. This criminal history information is subject to dissemination

42 restrictions pursuant to section 41-1750 and Public Law 92-544.

43 6. Notify the person in writing if the division suspends, revokes or

44 places a driving restriction notation on a fingerprint clearance card

45 pursuant to section 41-1758.04. The notice shall include the criminal

1 history information on which the suspension, revocation or placement of the
2 driving restriction notation was based. This criminal history information
3 is subject to dissemination restrictions pursuant to section 41-1750 and
4 Public Law 92-544.

5 7. Administer and enforce this article.

6 B. The fingerprinting division may contract for electronic or
7 internet-based fingerprinting services through an entity or entities for
8 the acquisition and transmission of applicant fingerprint and data
9 submissions to the department, including identity verified fingerprints
10 pursuant to section 15-106. The entity or entities contracted by the
11 department of public safety may charge the applicant a fee for services
12 provided pursuant to this article. The entity or entities contracted by
13 the department of public safety shall comply with:

14 1. All information privacy and security measures and submission
15 standards established by the department of public safety.

16 2. The information technology security policy approved by the
17 department of public safety.