

State of Arizona  
House of Representatives  
Forty-fifth Legislature  
First Regular Session  
2001

# HOUSE BILL 2493

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-696; MAKING APPROPRIATIONS; RELATING TO FAMILY PLANNING SERVICES.

(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 6, article 5, Arizona Revised Statutes,  
3 is amended by adding section 36-696, to read:

4 36-696. Family planning services; report; definitions

5 A. SUBJECT TO LEGISLATIVE APPROPRIATION, THE DEPARTMENT OF HEALTH  
6 SERVICES SHALL ESTABLISH A PROGRAM TO PROVIDE FAMILY PLANNING SERVICES TO  
7 ELIGIBLE PARTICIPANTS THROUGH COUNTY HEALTH DEPARTMENTS. THE DEPARTMENT OF  
8 HEALTH SERVICES SHALL PROVIDE A FORM THAT EACH COUNTY HEALTH DEPARTMENT MUST  
9 USE TO DETERMINE ELIGIBILITY.

10 B. THE DEPARTMENT SHALL CONDUCT AN ANNUAL EVALUATION OF THE  
11 EFFECTIVENESS OF THIS PROGRAM, INCLUDING EXPANDED ACCESS TO FAMILY PLANNING  
12 SERVICES AND ANY REDUCTION OF UNINTENTIONAL PREGNANCIES. ON OR BEFORE  
13 NOVEMBER 15 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A WRITTEN REPORT OF ITS  
14 FINDINGS TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE  
15 HOUSE OF REPRESENTATIVES, AND SHALL PROVIDE A COPY OF THIS REPORT TO THE  
16 SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES  
17 AND PUBLIC RECORDS.

18 C. EXCEPT AS NOTED IN THIS SUBSECTION, COUNTY HEALTH DEPARTMENTS SHALL  
19 NOT SUBCONTRACT WITH ANY OTHER ORGANIZATION FOR THE DELIVERY OF ANY FAMILY  
20 PLANNING SERVICES OFFERED PURSUANT TO THE PROGRAM ESTABLISHED BY THIS  
21 SECTION. IF A COUNTY PUBLIC HEALTH DEPARTMENT DOES NOT WISH TO PROVIDE THE  
22 SERVICES DIRECTLY, THE COUNTY MAY PETITION THE DIRECTOR FOR APPROVAL TO  
23 DELIVER SERVICES THROUGH ANOTHER NEARBY COUNTY HEALTH DEPARTMENT OPERATING A  
24 PROGRAM PURSUANT TO THIS SECTION. IF REQUIRED, A COUNTY PUBLIC HEALTH  
25 DEPARTMENT MAY CONTRACT WITH:

26 1. AN INDIVIDUAL LICENSED HEALTH CARE PRACTITIONER OR A GROUP OF  
27 LICENSED HEALTH CARE PRACTITIONERS TO PROVIDE FAMILY PLANNING SERVICES TO  
28 ELIGIBLE PARTICIPANTS AT COUNTY FACILITIES.

29 2. LICENSED LABORATORIES.

30 3. FIRMS TO PROVIDE FAMILY PLANNING SUPPLIES TO COUNTY FACILITIES.

31 D. FOR PURPOSES OF THIS SECTION:

32 1. "CONTRACEPTIVE SUPPLIES" MEANS BIRTH CONTROL METHODS, DEVICES AND  
33 SUPPLIES APPROVED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN  
34 SERVICES AND FEDERAL DRUG ADMINISTRATION. CONTRACEPTIVE SUPPLIES DOES NOT  
35 MEAN A DRUG, MEDICATION OR PROCEDURE INTENDED TO TERMINATE AN EXISTING  
36 PREGNANCY.

37 2. "ELIGIBLE PARTICIPANT" MEANS AN ADULT WHO HAS AN INCOME AT OR BELOW  
38 TWO HUNDRED PER CENT OF THE FEDERAL POVERTY GUIDELINES.

39 3. "FAMILY PLANNING SERVICES" MEANS:

40 (a) CONTRACEPTIVE SUPPLIES.

41 (b) ROUTINE GYNECOLOGICAL CARE.

42 (c) INFERTILITY SERVICES.

43 (d) CERVICAL AND BREAST CANCER SCREENING.

44 (e) MEDICAL EXAMINATIONS.

- 1 (f) PREGNANCY TESTS AND OTHER LAB TESTS.
- 2 (g) HEALTH SCREENING, EDUCATION AND COUNSELING.
- 3 (h) HUMAN IMMUNODEFICIENCY VIRUS PREVENTION, EDUCATION, TESTING AND
- 4 COUNSELING.
- 5 (i) INFORMATION PROMOTING ABSTINENCE.

6 E. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION SHALL NOT PROVIDE  
7 ABORTIONS.

8 Sec. 2. Appropriations; exemption

9 A. The sum of \$1,500,000 is appropriated from the federal temporary  
10 assistance for needy families block grant in each of fiscal years 2001-2002  
11 and 2002-2003 to the department of health services for distribution to county  
12 health departments for the purposes of this act. The department may not use  
13 more than three per cent of these monies for administrative purposes.

14 B. The appropriations made in subsection A of this section are exempt  
15 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
16 lapsing of appropriations, except that all monies remaining unencumbered or  
17 unexpended on June 30, 2004 revert to the federal temporary assistance for  
18 needy families block grant.