

REFERENCE TITLE: Family Planning

State of Arizona
Senate
Thirty-first Legislature
First Regular Session

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S. B. 1150

Frank Felix
Sen. Kaufman

Introduced by *Douglas Holsclaw*

AN ACT

Howard J. Baldwin
Sen. Putsch

RELATING TO PUBLIC HEALTH; PROVIDING FAMILY PLANNING METHODS, AND AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.1.

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Legislative declaration
3 The legislature finds and declares that it is desirable for the
4 health, welfare and economy of this state that persons desiring and
5 needing family planning information and methods shall have access
6 thereto without inhibitions or restrictions.

7 Sec. 2. Title 36, chapter 6, Arizona Revised Statutes, is
8 amended by adding article 4.1, sections 36-681 through 36-687, to
9 read:

ARTICLE 4.1. FAMILY PLANNING

36-681. Definitions

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "COMMISSIONER" MEANS THE COMMISSIONER OF THE DEPARTMENT
OF PUBLIC HEALTH.

2. "DEPARTMENT" MEANS THE STATE DEPARTMENT OF HEALTH.

3. "PHYSICIAN" MEANS A DOCTOR OF MEDICINE OR DOCTOR OF OSTEO-
PATHY LICENSED TO PRACTICE IN THIS STATE.

36-682. Policy; authority and prohibitions

A. ALL MEDICALLY ACCEPTABLE FAMILY PLANNING METHODS AND INFORMA-
TION SHALL BE READILY AND PRACTICABLY AVAILABLE TO ANY PERSON IN THIS

1 STATE WHO REQUESTS SUCH SERVICE OR INFORMATION, REGARDLESS OF SEX, RACE,
2 AGE, INCOME, NUMBER OF CHILDREN, MARITAL STATUS, CITIZENSHIP OR MOTIVE.

3 B. A HOSPITAL, CLINIC, MEDICAL CENTER, PHARMACY, AGENCY, INSTI-
4 TUTION OR ANY UNIT OF LOCAL GOVERNMENT SHALL NOT HAVE ANY POLICY WHICH
5 INTERFERES WITH EITHER THE PHYSICIAN-PATIENT RELATIONSHIP OR ANY PHY-
6 SICIAN OR PATIENT DESIRING TO USE MEDICALLY ACCEPTABLE FAMILY PLANNING
7 PROCEDURES, SUPPLIES OR INFORMATION.

8 C. DISSEMINATION OF MEDICALLY ACCEPTABLE FAMILY PLANNING INFORMA-
9 TION IN STATE AND COUNTY HEALTH DEPARTMENTS, STATE AND LOCAL WELFARE
10 OFFICES AND AT OTHER AGENCIES AND INSTRUMENTALITIES OF THE STATE IS
11 CONSISTENT WITH PUBLIC POLICY.

12 D. THIS ARTICLE DOES NOT PROHIBIT A PHYSICIAN FROM REFUSING TO
13 PROVIDE FAMILY PLANNING METHODS OR INFORMATION FOR MEDICAL REASONS.

14 E. A PRIVATE INSTITUTION OR PHYSICIAN OR ANY AGENT OR EMPLOYEE
15 OF SUCH INSTITUTION OR PHYSICIAN MAY REFUSE TO PROVIDE FAMILY PLANNING
16 METHODS AND INFORMATION AND NO SUCH INSTITUTION, EMPLOYEE, AGENT OR
17 PHYSICIAN SHALL BE HELD LIABLE FOR SUCH REFUSAL.

18 36-683. Furnishing services to minor

19 A PHYSICIAN MAY FURNISH FAMILY PLANNING SERVICES TO A MINOR WHO
20 IN THE JUDGMENT OF THE PHYSICIAN IS IN SPECIAL NEED OF AND REQUESTS
21 SUCH SERVICES. THE CONSENT OF THE PARENT, PARENTS OR LEGAL GUARDIAN
22 OF THE MINOR IS NOT NECESSARY TO AUTHORIZE SUCH FAMILY PLANNING SERVICES.

23 36-684. Performing surgery

24 A PHYSICIAN MAY PERFORM APPROPRIATE SURGICAL PROCEDURES FOR THE
25 PREVENTION OF CONCEPTION UPON ANY ADULT WHO REQUESTS SUCH PROCEDURE IN
26 WRITING.

27 36-685. Duties, powers of department

28 A. IN ORDER THAT FAMILY PLANNING SERVICES SHALL BE AVAILABLE TO ALL
29 PERSONS, THE DEPARTMENT MAY RECEIVE AND DISBURSE SUCH FUNDS AS MAY BECOME
30 AVAILABLE TO IT FOR FAMILY PLANNING PROGRAMS.

31 B. FOR THE PURPOSE OF PROVIDING SERVICES PURSUANT TO SUBSECTION
32 A, THE DEPARTMENT MAY CONTRACT WITH PHYSICIANS OR ORGANIZATIONS, PUBLIC
33 OR PRIVATE, ENGAGED IN PROVIDING FAMILY PLANNING METHODS AND INFORMATION.

- 1 **36-686. Acceptance of funds**
2 **THE DEPARTMENT MAY ACCEPT PUBLIC OR PRIVATE FUNDS, GRANTS OR**
3 **DONATIONS IN AID OF ANY PROGRAM AUTHORIZED BY THIS ARTICLE.**
4 **36-687. Rules, regulations**
5 **THE COMMISSIONER MAY ADOPT AND ISSUE RULES AND REGULATIONS NECES-**
6 **SARY TO ENABLE THE DEPARTMENT TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE.**