

**ARIZONA DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH LICENSING SERVICES
OFFICE OF ASSISTANT DIRECTOR
SP-019-PHL-OAD**

INTERPRETATION OF “HEALTH CARE INSTITUTION”

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes Section 41-1033 for a review of the statement.

The purpose of this substantive policy statement is to notify the public of the Department’s interpretation of the definition of “health care institution,” contained in A.R.S. § 36-401(21), as it relates to a health care institution license under A.R.S. §§ 36-424 and 36-425.

A.R.S. § 36-401(21) states: "Health care institution" means every place, institution, building or agency, whether organized for profit or not, that provides facilities with medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in section 36-151, outdoor behavioral health care programs and hospice service agencies.

The Department interprets this definition to mean that in order to be a health care institution, a place, institution, building, or agency must be providing medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services. A place, institution, building, or agency that does not provide any of these services for an extended period of time ceases to be a health care institution, because it no longer fits within the statutory definition of “health care institution.”

If the Department determines upon performing a compliance inspection for a health care institution that a licensed “health care institution” has not provided medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services for 12 consecutive months, the Department shall revoke the health care institution license on the grounds that the place, institution, building, or agency is not a health care institution and thus is ineligible for licensure.