

TITLE 9. HEALTH SERVICES
CHAPTER 18. DEPARTMENT OF HEALTH SERVICES
LOCAL HEALTH DEPARTMENT SERVICES

ARTICLE 1. PER CAPITA MATCHING FUNDS

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ARTICLE 1. PER CAPITA MATCHING FUNDS**R9-18-101. Definitions**

In this Article, unless otherwise specified:

1. "Application" means the information and documents submitted to the Department by a local health department to obtain approval from the Department to receive funds through a Per Capita Matching Grant.
2. "Business hours" means the specific time period during a day in which a local health department is open to provide local health department services.
3. "Clinical services" means activities performed by a local health department that are:
 - a. Provided to an individual within a local health department building or at a location specified by the local health department, and
 - b. Intended to provide medical or nursing services to the individual.
4. "Communicable disease" means the same as in A.A.C. R9-6-101.
5. "Communicable disease control services" means activities intended to identify, prevent, or reduce the incidence, spread, or severity of communicable diseases.
6. "Department" means the Arizona Department of Health Services.
7. "Designated service area" means a geographical section of Arizona, specified by a local health department, in which local health department services are provided.
8. "Direction" means the same as in A.R.S. § 36-401.
9. "Electronic" means the same as in A.R.S. § 44-7002.
10. "Environmental health services" means activities intended to identify, prevent, or reduce the exposure of an individual to substances or conditions in air, water, food, soil, or objects with which the individuals may come into contact, which may adversely impact human health.
11. "Epidemiologic investigation" means the same as in A.A.C. R9-6-101.
12. "Health education" means supplying oral or written information to an individual or a group of individuals for the purpose of enabling the individual or group of individuals to attain or maintain optimal health.
13. "High-risk population" means individuals in a designated service area who have medical, social, financial, or other problems that increase the chances that the individuals will need more help than most other individuals in order to maintain or attain optimal health.
14. "Immunization" means the same as in A.R.S. § 36-671.
15. "Local health department" means the same as in A.R.S. § 36-671.
16. "Local health department services" means activities performed by a local health department within a designated service area that:
 - a. Are funded in part by a Per Capita Matching Grant;
 - b. Assist individuals, groups of individuals, and populations to improve health and prevent disease;
 - c. Address:
 - i. Communicable disease control services,
 - ii. Maternal and child health services, or
 - iii. Environmental health services; and
 - d. Include activities such as:
 - i. Providing public health nursing services;
 - ii. Providing clinical services to individuals;
 - iii. Providing health education;
 - iv. Performing epidemiologic investigations;
 - v. Planning for public health emergencies and mobilizing community resources during emergencies;
 - vi. Assisting individuals to access state or federal health programs;
 - vii. Coordinating local services concerning nutrition, health-related services, financial assistance with health-related expenses, or other services needed by an individual;
 - viii. Serving as a resource for local programs; and
 - ix. Evaluating the effects of activities and services provided by the local health department.
17. "Maternal and child health services" means activities, such as those specified in A.R.S. § 36-132, that are intended to promote the health of women and children.
18. "Medical services" means the same as in A.R.S. § 36-401.
19. "Modification" means a change to the local health department services identified in a local health department's narrative plan, as specified in R9-18-102(A)(1)(b).
20. "Nursing services" means the same as in A.R.S. § 36-401.
21. "Per Capita Matching Grant" means an allocation of funds by the Department to a local health department as provided in A.R.S. § 36-189.
22. "Population" means a group of individuals who share a specific characteristic or set of characteristics.
23. "Public health emergency" means any local emergency, as defined in A.R.S. § 26-301, that may affect the health of individuals or populations within a designated service area.
24. "Public health nursing services" means activities performed by a local health department within a designated service area that include:
 - a. Assessing the health and health needs of individuals and populations;
 - b. Developing and administering nursing services to meet the health needs of high-risk populations;
 - c. Evaluating the effects of nursing services on the health of an individual or a population;
 - d. Coordinating nursing or medical services for an individual or a population;
 - e. During planning for public health emergencies, recommending strategies to meet the health needs of individuals and high-risk populations; and
 - f. Performing nursing services in response to public health emergencies.

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25. "Registered nurse" means an individual licensed under A.R.S. Title 32, Chapter 15, Article 2, to practice professional nursing, as defined in A.R.S. § 32-1601.
26. "Registered sanitarian" means an individual who meets the requirements for a registered sanitarian specified in A.R.S. § 36-136.01 and 9 A.A.C. 16, Article 4.
27. "Service population" means the specific group of individuals who are eligible to receive local health department services from a local health department.
28. "State fiscal year" means the period from July 1 of one year through June 30 of the following year.
29. "Submit" means to send a document from a local health department to the Department by mail, electronically, or by an express package delivery service.
30. "Supervision" means the same as in A.R.S. § 36-401.

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-102. Grant Application

- A.** A local health department may request funds from the Department through a Per Capita Matching Grant by submitting an application to the Department that includes:
 1. A narrative plan for the period corresponding to the state fiscal year, which specifically identifies:
 - a. A designated service area;
 - b. The local health department services, such as those specified in R9-18-101(16)(d), which will be provided in the designated service area;
 - c. Which of the local health department services, identified in subsection (A)(1)(b), the local health department provided in the last three years; and
 - d. The number of individuals projected to receive the local health department services identified in subsection (A)(1)(b);
 2. A budget for the period corresponding to the state fiscal year, which identifies:
 - a. The total cost for providing local health department services within the designated service area;
 - b. A list of all sources of funds to be used by the local health department for providing local health department services within the designated service area; and
 - c. The proportionate shares of the total cost to be paid by funds obtained from the sources listed in subsection (A)(2)(b);
 3. A chart that shows the organizational structure of the local health department, including:
 - a. The names of the incumbents in each position; and
 - b. A designation of the types of local health department services performed by the incumbent in each position; and
 4. The signature of an individual authorized by the local health department's County Board of Supervisors, under A.R.S. § 11-201, to submit the application.
- B.** A local health department shall submit an application to the Department so that the application is:
 1. Received by the Department on or before December 31 of the current state fiscal year; or
 2. Postmarked, or accepted for delivery by an express package delivery service, on or before December 31 of the current state fiscal year, and received by the Department on or before January 5 of the current state fiscal year.
- C.** A local health department shall furnish to the Department any other information as may be requested by the Department, as

specified in R9-18-103(A)(2), to clarify incomplete or ambiguous information contained in the local health department's application.

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-103. Review of Application and Awarding of Grant

- A.** Within 15 calendar days of the receipt of an application from a local health department, the Department shall:
 1. Review the application to determine whether the application:
 - a. Contains all the information specified in R9-18-102(A); and
 - b. Was submitted as specified in R9-18-102(B);
 2. Request from the local health department any additional information necessary to clarify incomplete or ambiguous information contained in the local health department's application;
 3. Award a Per Capita Matching Grant to the local health department for the purposes set forth in the application if the application:
 - a. Meets the criteria specified in subsection (A)(1); or
 - b. Meets the criteria specified in subsection (A)(1)(b), and the local health department furnishes to the Department the information requested under subsection (A)(2) within seven calendar days of the Department's request; and
 4. Notify the local health department in writing whether the Per Capita Matching Grant is awarded or denied, including, if the Per Capita Matching Grant is denied, the reason for the denial.
- B.** If a Per Capita Matching Grant is awarded to a local health department, the Department shall authorize payment of per capita matching funds to the local health department within 30 days of the receipt of an application.

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-104. Minimum Standard of Personnel; Waiver

- A.** For clinical services delivered by a local health department, a local health department shall ensure that:
 1. A physician licensed under A.R.S. Title 32, Chapter 13 or 17 provides direction for medical services; and
 2. A registered nurse provides direction for and supervision of nursing services.
- B.** Except as provided in subsection (C), a local health department shall ensure that:
 1. A registered nurse provides direction for public health nursing services; and
 2. The registered nurse specified in subsection (B)(1) has:
 - a. A baccalaureate degree in the science of nursing from an institution accredited by the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education; or
 - b. Five years experience providing public health nursing services.
- C.** A local health department may submit to the Department a request for a waiver of the requirement in subsection (B)(2) that includes:
 1. The reason for the request, including what burden the requirement would impose upon the local health department;

2. The education and experience of the registered nurse, specified in subsection (B)(1), that would qualify the registered nurse to perform public health nursing services;
 3. A description of the educational activities the local health department plans to provide for the registered nurse to address differences between the education and experience of the registered nurse and the education and experience of a registered nurse who meets the requirements of subsection (B)(2); and
 4. How the waiver would affect public health, safety, or welfare.
- D.** The Department shall approve or deny a request made as specified in subsection (C):
1. Within 14 calendar days from the date of the Department's receipt of the request, and
 2. Based on:
 - a. The education and experience of the registered nurse,
 - b. The activities described in the narrative plan, specified in R9-18-102(A)(1), and
 - c. The content of the educational activities described as specified in subsection (C)(3).
- E.** A registered nurse who is providing direction for public health nursing services within the state of Arizona on the effective date of this Article is exempt from the requirement of subsection (B)(2).
- F.** A local health department shall ensure that a registered sanitarian provides environmental health services in the designated service area.

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-105. Record Retention and Review

- A.** A local health department shall maintain for review by the Department all records, reports, and accounts pertaining to the provision of local health department services.

- B.** A local health department shall maintain or store the documents specified in subsection (A) for five years from the date the local health department submitted an application, unless the Department performs a financial review of local health department services before that date. If the Department performs a financial review, the local health department shall maintain or store the documents until any dispute arising from the financial review is resolved or for five years, whichever is later.
- C.** Upon request by the Department, a local health department shall make available the documents specified in subsection (A) to the Department during business hours.
- D.** The Department may require a refund of any funds paid to a local health department under a Per Capita Matching Grant that are expended for purposes not set forth in the narrative plan described in R9-18-102 (A)(1).

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-106. Notice to Department

A local health department shall provide written notice to the Department within 30 calendar days of any change in the physician, registered nurse, or sanitarian who are specified in R9-18-104, and of any modification to the narrative plan described in R9-18-102(A)(1).

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Former R9-18-106 repealed; new R9-18-106 renumbered from R9-18-107 and amended by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).

R9-18-107. Renumbered

Historical Note

Adopted effective April 22, 1988 (Supp. 88-2). Former R9-18-107 renumbered to R9-18-106 by final rulemaking at 12 A.A.R. 3715, effective November 11, 2006 (Supp. 06-3).