

Personal Care Licensing Summary

Summary of Scope	This Licensing Summary is a resource for current and prospective business owners who wish to understand the requirements for obtaining licensure for personal care services. This summary is intended to be inclusive of all requirements that are readily accessible and available. Requirements can change without notice. This Licensing Summary will be reviewed and updated regularly to provide the most up-to date information. This summary will not include any requirements related to Medicare, Medicaid services, or waiver programs. This summary is not intended to guide current and prospective business owners through every step of licensing, but to provide the necessary information for assistance with the process.
Agency(s)	Arizona Department of Health Services (DHS)
Key Contacts	Arizona Department of Health Services 150 N 18th Ave. Phoenix, AR 85007 Phone 602-542-1025
Agency Website	Arizona Department of Health Services www.azdhs.gov Arizona Secretary of State www.azsos.gov
License (Homemaker & Companion Care)	The State of Arizona does not require non-medical home care businesses to be licensed. There is no regulatory body or government agency in Arizona that oversees or regulates the delivery of non-medical care. However, the state does have the Arizona Home Care Disclosure Law. The Arizona Home Care Disclosure Law can be found at this link: https://law.justia.com/codes/arizona/2022/title-36/section-36-144/ Ariz. Rev. Stat. Ann. § 36-144 The law requires unlicensed agencies to annually report and disclose certain information to their home care clients. Clients are to be informed if criminal background checks were completed on employees/contractors and the agency policy on providing services with employees who do have a criminal history. The agency must notify their clients of the name and position of the person who is responsible for the day-to-day management of the employees/contractors and the name of the person responsible for the hiring and firing of employees/contractors. Information on the kind of training employees have received including first aid and cardiopulmonary resuscitation must be provided as well as a description of the agencies policy on service agreements and the process necessary to terminate an agreement. This information must be provided to clients at least annually. Ariz. Rev. Stat. Ann. § 36-144

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	A person or agency who violates the law is guilty of a class 3 misdemeanor for each violation. In the instance of continuing violation, each day constitutes a separate offense. Ariz. Rev. Stat. Ann. § 36-140 All Arizona class 3 misdemeanor offenses carry a maximum charge of up to \$500.00 and/or maximum of thirty (30) days in jail.
License (Personal Care)	Arizona does not require non-medical home care businesses to be licensed. There is no regulatory body or government agency in Arizona that oversees or regulates the delivery of non-medical care. However, the Arizona Home Care Disclosure Law requires unlicensed agencies to annually report and disclose certain information to their home care clients. Clients are to be informed if criminal background checks were completed on employees/contractors and the agency policy on providing services with employees who do have a criminal history. The agency must notify their clients of the name and position of the person who is responsible for the day- to-day management of the employees/contractors and the name of the person responsible for the hiring and firing of employees/contractors. Information on the kind of training employees have received per agency policy, including first aid and cardiopulmonary resuscitation must be provided as well as a description of the agencies policy on service agreements and the process necessary to terminate an agreement. This information must be provided to clients at least annually. Ariz. Rev. Stat. Ann. § 36-144 A person or agency who violates the law is guilty of a class 3 misdemeanor for each violation. In the instance of a continuing violation, each day constitutes a separate offense. Ariz. Rev. Stat. Ann. § 36-140. All Arizona class 3 misdemeanor offenses carry a maximum charge of up to \$500.00 and/or maximum thirty (30) days in jail.
Certificate of Need	NA
Moratorium	NA
License Costs	NA
Licensure Term	NA
Renewal Late Fee Process	NA

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Application Process Summary	NA
Branches and Workstations (Satellite Offices)	NA
Application Form	NA
Change of Ownership	NA
Change in License Category or Classification Process	NA
Change of Name Process	NA
Change of Address Process	NA
Changes to information in last submitted license application	NA
Closure Process	NA
Key Personnel Requirements and Qualifications	All caregivers must provide evidence of either: 1. Documentation of a negative Mantoux skin test or other tuberculosis screening test recommended by the U.S. Centers for Disease Control and Prevention (CDC) administered within twelve (12) months before the date the individual begins providing services for your agency, or 2. If the individual had a positive Mantoux skin test or other tuberculosis screening test, a written statement that the individual is free from infectious tuberculosis signed by a medical practitioner dated within

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	twelve (12) months before the date the individual begins providing services for your agency. Ariz. Admin. Code R9-10-113
Background Check Requirements	Arizona requires a state and federal criminal background check for employees providing direct care. Agency owners, employees and volunteers must apply for a valid fingerprint clearance card within twenty (20) days of employment. Your agency cannot employ an individual who has been denied a fingerprint clearance card or who has been denied approval. The Applicant Clearance Card Team (ACCT) at the Arizona Department of Public Service (DPS), receives applications and reviews criminal history records of applicants to determine their suitability to receive a fingerprint clearance card, and periodically updates the status of current fingerprint clearance cards. Contact ACCT at (602) 223-2279 or visit their website at https://www.azdps.gov/services/public-services-portal/fingerprint-clearance-card to order clearance cards, check the status of a clearance card, or for other information. Ariz. Rev. Stat. Ann. § 36-144
Initial Caregiver Training Requirements	Companion care and personal care agencies are not regulated by the state of Arizona. Your agency will depend on its policy and procedure manual for guidance in operations, finance, personnel, and client care. The Home Care Disclosure Law requires companion and personal care agencies disclose the type of trainings that have been provided per agency policy to caregivers including cardiopulmonary resuscitation and first aid training. This must be disclosed at least annually. Ariz. Rev. Stat. Ann. § 36-144 Training requirements for employees of unlicensed agencies are not mandated by the state.
Ongoing Caregiver Training Requirements	The state does not regulate companion care or personal care agencies, but your agency will want to ensure staff receive ongoing training to maintain compliance with your policy and procedures.
Survey Tags & Interpretive Guidelines	NA
Complaints, inspections, investigations	Your companion care/personal care agency is not licensed by the Arizona DHS and as such the Department does not have jurisdiction over your agency. Complaints received by the DHS that are about issues such as professional

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and enforcement	practice are referred to the licensing/professional standards boards (i.e., Nursing Board) for review and action as they deem necessary. In this situation, the licensing board can visit your agency to review the complaint with your management team as a part of their investigation. Your agency will have a policy in your policy and procedure manual that pertains to complaints. The policy will review the process, documentation and record keeping regarding complaints.
Application Corrections Requested by the Department	NA
Conditional & Provisional License	NA
Revisit Fee	NA
Reporting Requirements for Fraud, Abuse & Neglect	Arizona mandates certain people to report suspected abuse. Mandated reporters include but are not limited to physicians, nurses, certified nursing assistants or any other person who has responsibility for the care of a vulnerable adult and who has reason to believe that abuse, neglect or exploitation has occurred. The report must be made immediately by telephone or online. A report made by phone must be followed by a written report online within forty-eight (48) hours or on the next working day if the forty-eight (48) hours expires on a weekend or a holiday. Any violation of this law is class 1 misdemeanor. If the individual is unable to file the written report online, call Adult Protective Services (APS) for instructions on where to send the report. The report must contain: 1. The names and addresses of the adult and any persons having control or custody of the adult, if known. 2. The adult's age and the nature and extent of the adult's vulnerability. 3. The nature and extent of the abuse, neglect or exploitation. 4. Any other information that the person reporting believes might be helpful in establishing the cause of the abuse, neglect or exploitation. File an online report: https://hssazapsprod.wellsky.com/assessments/?WebIntake=1F74FCDA-C6AB-4192-9CEE-F8D20DE98850 Adult Protective Services (APS) 877-767-2385 For more information, call the Task Force Against Senior Abuse (TASK): 844-894-4735 Ariz. Rev. Stat. §§46-451, 46-454, 46-456

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Licensure Marketing	NA
Additional Considerations	NA
Relevant Statutes & Regulations	Ariz. Admin. Code R9-10-1201- R9-10-1211 Home Health Agencies Ariz. Admin. Code R9-10-101- R9-10-120 Health Care Institutions Licensing Ariz. Rev. Stat. § 36-144 Home care services; disclosure Ariz. Rev. Stat. § 36-411 Home health agencies; fingerprinting requirements Ariz. Rev. Stat. § 36-425.01 Home health agencies; licensure; definition Ariz. Rev. Stat. §§46-451, 46-454, 46-456 Adult Protective Services; mandatory reporters