Section 1. Section 12-2801, Arizona Revised Statutes, is amended to read:

12-2801. Definitions

In this chapter, unless the context otherwise requires:

1. "Genetic test" or "genetic testing":
   (a) Means a test of a person's genes, genetic sequence, gene products or chromosomes for abnormalities or deficiencies, including carrier status, that:
      (i) Are linked to physical or mental disorders or impairments.
      (ii) Indicate a susceptibility to any illness, disease, impairment or other disorder, whether physical or mental.
      (iii) Demonstrate genetic or chromosomal damage due to any environmental factor.
   (b) Does not include:
      (i) Chemical, blood and urine analyses that are widely accepted and used in clinical practice and that are not used to determine genetic traits.
      (ii) Tests THAT ARE used in a criminal investigation or prosecution or as a result of a criminal conviction.
      (iii) Tests for the presence of the human immunodeficiency virus.
      (iv) Tests to determine paternity THAT ARE conducted pursuant to title 25, chapter 6, article 1.
      (v) Tests THAT ARE given for use in biomedical research that is conducted to generate scientific knowledge about genes or to learn about the genetic basis of disease or for developing pharmaceutical and other treatment of disease.
      (vi) DIRECT TO CONSUMER TESTS THAT ARE PERFORMED IN A PERSON'S HOME, THAT ARE NOT ORDERED BY A LICENSED HEALTH CARE PROVIDER AND THAT ARE NOT USED FOR DIAGNOSTIC PURPOSES.
2. "Health care decision maker" means a person who is authorized to make health care treatment decisions for the patient, including a parent of a minor and a person who is authorized to make these decisions pursuant to title 14, chapter 5, article 2 or 3 or section 8-514.05, 36-3221, 36-3231 or 36-3281.

3. "Health care provider" means physicians licensed pursuant to title 32, chapter 13 or 17, physician assistants licensed pursuant to title 32, chapter 25, registered nurse practitioners licensed pursuant to title 32, chapter 15, health care institutions as defined in section 36-401 and clinical laboratories licensed pursuant to title 36, chapter 4.1."

Renumber to conform

Page 2, strike line 17

Renumber to conform

Line 20, after "ENTITY" insert ", OTHER THAN A DISABILITY INSURER,"

Between lines 22 and 23, insert:

"B. A PATHOLOGIST WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17 AND WHO PROVIDES DIAGNOSTIC SERVICES THAT ARE ORDERED FOR A PATIENT MAY ORDER AND PERFORM GENETIC TESTING FOR THAT PATIENT AND RECEIVE THE RESULTS OF THAT TESTING."

Reletter to conform

Page 3, strike lines 8 through 45

Strike pages 4 and 5

Page 6, strike lines 1 through 30

Renumber to conform

Amend title to conform

MICHELLE UDALL

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