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Jack Confer
Executive Director

Dear Arizona Licensed Respiratory Therapist:

The Arizona Board of Respiratory Care Examiners (“Board”) has made several significant changes concerning the renewal of your license. Starting June 1, 2017 the biennial renewal fee will increase by \$30.00. (Online \$153.00 or Paper \$150.00)

In addition, the total number of hours required to renew your license remains at twenty (20). However, the following changes have been made for approved continuing education units (CEU):

- 1) New list of approved CEU providers;
- 2) New definition of acceptable documentation;
- 3) New mandate of at least two (2) hours of Ethics CEU every renewal period;
- 4) New mandate to keep and maintain CEU documentation for five (5) years;
- 5) New limit fifteen (15) online CEUs for any renewal (initial or biennial);
- 6) New limit of five (5) CEUs awarded for any combination of Advanced Cardiac Life Support, Neonatal Advanced Life Support, Neonatal Resuscitation Program or Pediatric Advanced Life Support for a renewal. You will only be able to obtain CEUs for **one of these classes** and not 5 for each;
- 7) New exclusion that Basic Life Support CEU is not acceptable;
- 8) New limit of no more than ten (10) cumulative CEU for any combination of NBRC specialty examinations for any renewal time frame;
- 9) No CEU will be awarded for the NBRC Therapist Multiple Choice or Clinical Simulation Examinations for the CRT or RRT Credential.

The Board has established a transitional time frame for compliance and enforcement of these new rules concerning the type and kind of acceptable CEU. This will have a grandfather effect on CEU obtained prior to this change and of you being able to renew your license under the old or new rule until January 1, 2018. After January 1, 2018 these new rules will apply. (Fee increase will still be effective on June 1, 2017)

I have attached the Arizona Administrative Register which further details the changes described above.

If you have any questions, please feel free to contact the office at (602) 542-5990 or by email at info@rb.az.gov

Thank you and Respectfully,

Jack Confer
Executive Director



NOTICES OF EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Exempt Rulemaking.

It is not uncommon for an agency to be exempt from all steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act (APA) or Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10.

An agency's exemption is either written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters; or a court has

determined that an agency, board or commission is exempt from the rulemaking process.

The Office makes a distinction between certain exemptions as provided in these laws, on a case by case basis, as determined by an agency. Other rule exemption types are published elsewhere in the Register.

Notices of Exempt Rulemaking as published here were made with no special conditions or restrictions; no public input; no public hearing; and no filing of a Proposed Exempt Rulemaking.

NOTICE OF EXEMPT RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 45. BOARD OF RESPIRATORY CARE EXAMINERS

[R17-42]

PREAMBLE

- 1. Article, Part or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
3. The effective date of the rules and the agency's reason it selected the effective date:
4. A list of all notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:
7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material.



- 8. **A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable
- 9. **The summary of the economic, small business, and consumer impact, if applicable:**
Not applicable
- 10. **A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and the final rulemaking package (if applicable):**
Not applicable
- 11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
Not applicable
- 12. **All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
Not applicable
 - a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
Not applicable
 - b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:**
Not applicable
 - c. **Whether a person submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states:**
Not applicable
- 13. **A list of incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
None
- 14. **Whether the rule was previously made, amended, repealed, or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:**
Not applicable
- 15. **The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 45. BOARD OF RESPIRATORY CARE EXAMINERS**

ARTICLE 1. GENERAL PROVISIONS

Section
R4-45-102. Fees

ARTICLE 2. LICENSURE

Section
R4-45-208. Continuing Education Requirement
R4-45-209. ~~Approved~~ Acceptable Continuing Education
R4-45-210. ~~Criteria for Approved Continuing Education~~ Repealed

ARTICLE 1. GENERAL PROVISIONS

R4-45-102. Fees

- A. Under the authority provided by A.R.S. § 32-3526 or other specified statutes, the Board establishes and shall collect the following fees:
 - 1. Application for a license, \$100;
 - 2. Application based on a diploma from a foreign respiratory therapy school, \$200;
 - 3. Initial license, \$120;
 - 4. Biennial renewal of a license, ~~\$120~~ \$150;
 - 5. Verifying an Arizona license to another state:
 - a. Current valid license, \$25;
 - b. Expired license, \$50;
 - 6. Duplicate license or duplicate wallet license card, \$25;
 - 7. Copy of the Board's Respiratory Care Practitioner Register compiled under A.R.S. § 32-3504(A)(7):
 - a. Noncommercial, \$25;
 - b. Commercial, \$25 or the amount allowed under A.R.S. § 39-121.03(A), whichever is greater;
 - 8. Insufficient funds check submitted to the Board as payment of any fee, \$25;
 - 9. Fingerprint fee, authorized by A.R.S. § 41-1750(L), remitted by credit card, certified check, or money order, \$50; and
 - 10. Copy of the audiotape of a hearing under A.R.S. § 41-1092.07(E), \$25.
- B. No change



ARTICLE 2. LICENSURE

R4-45-208. Continuing Education Requirement

- A. The following definitions apply to this Article:
 - 1. “Acceptable documentation” means:
 - a. Transcripts;
 - b. Letters from course instructors;
 - c. Certificates of Completion or other formal certifications provided by:
 - i. Hospitals;
 - ii. Course instructors; or
 - iii. Health organizations.
 - 2. “Initial licensure period” means the period of time from the date a licensee first obtains a license, to the date of the licensee’s second birthday following the date a licensee first obtains a license.
 - 3. “Two-year licensure period” means the period of time two years from the initial licensure period, including the date a licensee renews a license pursuant to subsection (C).
- B. Pursuant to A.R.S. § 32-3504(A)(9), Continuing education is required as a condition of licensure renewal:
 - 4. ~~A a licensee respiratory care practitioner shall acquire 20 CEUs during an initial licensure period and every two-year licensure period. A licensee shall acquire at least two of the 20 CEUs in ethics.~~
- C. In order to renew a license, a licensee respiratory care practitioner shall report compliance with the continuing education requirement.
- D. A licensee shall maintain acceptable documentation for all CEUs for five years from the most recent date on the documentation.
- E. Notwithstanding subsection (A), acceptable documentation other than a transcript must include the:
 - 1. Licensee’s full name;
 - 2. Title and date of the course or activity;
 - 3. Number of CEUs earned; and
 - 4. Instructor’s name and signature.
- F. A licensee respiratory care practitioner shall submit acceptable documentation showing evidence of compliance only if requested by the Board.
- G. ~~2. During the first licensure period, a licensee shall use the licensure issuance date as the beginning of the period in which the licensee is required to acquire CEUs. A licensee shall acquire 20 hours of CEUs before expiration of the first licensure period. Subsequent continuing education periods coincide with subsequent licensure periods. The Board shall accept CEUs pursuant to R4-45-209.~~

R4-45-209. Approved Acceptable Continuing Education

- A. ~~The Board shall accept for CEUs from a continuing education course approved by the American Association for Respiratory Care or the Arizona Society for Respiratory Care:~~
 - 1. American Academy of Allergy, Asthma & Immunology;
 - 2. American Academy of Pediatrics;
 - 3. American Academy of Physician Assistants;
 - 4. American Association for Respiratory Care and its state affiliates;
 - 5. American Association of Critical Care Nurses and its state affiliates;
 - 6. American College of Chest Physicians;
 - 7. American College of Emergency Physicians;
 - 8. American College of Physicians;
 - 9. American College of Health Care Executives;
 - 10. American Heart Association;
 - 11. American Lung Association and its state affiliates;
 - 12. American Medical Association and its state affiliates;
 - 13. American Nurses Association and its state affiliates;
 - 14. American Osteopathic Association and its state affiliates;
 - 15. American Thoracic Society and its state affiliates;
 - 16. Arizona Society for Respiratory Care;
 - 17. Center for Disease Control;
 - 18. Centers for Medicare Medicaid (Joint Commission);
 - 19. College of American Pathologists;
 - 20. National Asthma Educator Certification Board
 - 21. Red Cross of America;
 - 22. Society for American Anesthesiology; or
 - 23. Society of Critical Care Medicine and its state affiliates.
- B. ~~The provider of, or an individual who takes, a continuing education course that is not approved by the American Association for Respiratory Care or the Arizona Society for Respiratory Care may apply to the Board for approval under R4-45-210. The Board shall accept no more than 15 CEUs during an initial licensure period or a two-year licensure period for courses or activities a licensee completed online, except for live courses or activities a licensee completed online.~~
- C. The Board shall accept no more than five CEUs during an initial licensure period or a two-year licensure period in any one of the following courses:
 - 1. Advanced cardiac life support;
 - 2. Neonatal advanced life support or neonatal resuscitation program; and
 - 3. Pediatric advanced life support.



- ~~D. The Board shall not accept any CEUs in basic life support.~~
- ~~E. The Board shall accept no more than 10 CEUs during an initial licensure period or a two-year licensure period for each NBRC specialty examination the licensee passes during the initial licensure period or the two-year licensure period.~~
- ~~F. Notwithstanding subsection (E), the Board shall not accept CEUs for the following NBRC practitioner examinations:
 - 1. The Therapist Multiple-Choice Examination; or
 - 2. The Clinical Simulation Examination.~~

R4-45-210. Criteria for Approved Continuing Education Repealed

- ~~A. The Board shall approve for CEUs a continuing education that meets the following criteria:
 - 1. The content of the continuing education is relevant to the scope of practice of respiratory care as defined in A.R.S. § 32-3501(5);
 - 2. At least 2/3 of the continuing education hours relate to clinical practice;
 - 3. The non-clinical continuing education hours cover:
 - a. Activities relevant to specialized aspects of respiratory care, such as education, supervision, and management;
 - b. Health care cost containment or cost management;
 - c. Preventative health services and health promotion;
 - d. Required abuse reporting; or
 - e. Other subject matter required by statute or rule to be included in continuing education for a licensed health professional, and
 - 4. The faculty who provide the continuing education are knowledgeable in the continuing education subject matter as evidenced by:
 - a. A degree from an accredited college or university and verifiable experience in the subject matter, or
 - b. Teaching and clinical experience in the same or similar subject matter.~~
- ~~B. A continuing education provider that wishes to grant CEUs shall apply to the Board using an application, which is available from the Board, and provide the following information:
 - 1. List of educational objectives;
 - 2. Description of the teaching methods, for example: lecture, seminar, audio-visual materials, or simulation;
 - 3. Description of the manner in which participants will be involved in the learning activities; and
 - 4. Names and qualifications of all faculty.~~
- ~~C. A continuing education provider shall maintain a record of who attended each continuing education for three years.~~
- ~~D. A continuing education provider shall provide documentation of attendance to each participant that includes:
 - 1. The participant's name;
 - 2. The participant's respiratory care practitioner license number;
 - 3. Title of the continuing education;
 - 4. Number of CEUs earned;
 - 5. Date or dates of attendance, and
 - 6. Name and address of the continuing education provider.~~