

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1047

Short Title: Recovery Care Centers.

(Public)

Sponsors: Senator Edwards.

Referred to: Children and Human Resources

May 4, 1995

A BILL TO BE ENTITLED

AN ACT TO CREATE RECOVERY CARE CENTERS BY ALLOWING CERTAIN
AMBULATORY SURGICAL FACILITIES TO ADMIT PATIENTS FOR UP TO
SEVENTY-TWO HOURS.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 131E-146(1) reads as rewritten:

"(1) 'Ambulatory surgical facility' means a facility designed for the provision of an ambulatory surgical program. An ambulatory surgical facility serves patients who require local, regional or general anesthesia and a period of post-operative observation. An ambulatory surgical facility may only admit patients for a period of less than 24 hours unless otherwise authorized by this subdivision and ~~must~~ shall provide at least one designated operating room and at least one designated recovery room, have available the necessary equipment and trained personnel to handle emergencies, provide adequate quality assurance and assessment by an evaluation and review committee, and maintain adequate medical records for each patient. An ambulatory surgical facility may be operated as a part of a ~~physician~~ physician's or dentist's office, provided the facility is licensed under G.S. Chapter 131E, Article 6, Part D, but the performance of incidental, limited ambulatory surgical procedures

1 ~~which that~~ do not constitute an ambulatory surgical program as defined
2 in subdivision (1a) of this section and ~~which that~~ are performed in a
3 ~~physician-physician's~~ or dentist's office does not make that office an
4 ambulatory surgical facility. An ambulatory surgical facility that has
5 received a certificate of need for a multispecialty ambulatory surgical
6 facility may admit patients needing extended recovery care for a period
7 not to exceed 72 hours. This facility may operate a number of extended
8 recovery beds that shall not exceed the number of operating rooms
9 licensed by the Department of Human Resources. This facility shall (i)
10 meet all other requirements of this subdivision and this Chapter, (ii) be
11 accredited by the Joint Commission for the Accreditation of Health Care
12 Organizations, Inc., (JCAHCO) or the Accreditation Association for
13 Ambulatory Health Care, Inc., (AAAHC), and (iii) shall report to the
14 Medical Database Commission on an annual basis regarding its
15 operation."

16 (b) G.S. 131E-146(1a) reads as rewritten:

17 "(1a) 'Ambulatory surgical program' means a formal program for providing
18 on a same-day basis unless otherwise authorized by this subdivision,
19 those surgical procedures which that require local, regional or general
20 anesthesia and a period of post-operative observation to patients whose
21 admission for more than 24 hours is determined, prior to surgery, to be
22 medically unnecessary-unnecessary, or for a period of time not to exceed
23 72 hours pursuant to the exception set out in subdivision (1) of this
24 section."

25 Sec. 2. (a) G.S. 131E-176(1a) reads as rewritten:

26 "(1a) 'Ambulatory surgical facility' means a facility designed for the provision
27 of an ambulatory surgical program. An ambulatory surgical facility
28 serves patients who require local, regional or general anesthesia and a
29 period of post-operative observation. An ambulatory surgical facility
30 may only admit patients for a period of less than 24 hours unless
31 otherwise authorized by this subdivision and must shall provide at least
32 one designated operating room and at least one designated recovery
33 room, have available the necessary equipment and trained personnel to
34 handle emergencies, provide adequate quality assurance and assessment
35 by an evaluation and review committee, and maintain adequate medical
36 records for each patient. An ambulatory surgical facility may be
37 operated as a part of a ~~physician-physician's~~ or dentist's office, provided
38 the facility is licensed under G.S. Chapter 131E, Article 6, Part D, but
39 the performance of incidental, limited ambulatory surgical procedures
40 which that do not constitute an ambulatory surgical program as defined
41 in subdivision (1a) of this section and which that are performed in a
42 physician's or dentist's office does not make that office an ambulatory
43 surgical facility. An ambulatory surgical facility that has received a

1 certificate of need for a multispecialty ambulatory surgical facility may
2 admit patients needing extended recovery care for a period not to exceed
3 72 hours. This facility may operate a number of extended recovery beds
4 that shall not exceed the number of operating rooms licensed by the
5 Department of Human Resources. This facility shall (i) meet all other
6 requirements of this subdivision and this Chapter, (ii) be accredited by
7 the Joint Commission for the Accreditation of Health Care
8 Organizations, Inc., (JCAHCO) or the Accreditation Association for
9 Ambulatory Health Care, Inc., (AAAHC), and (iii) shall report to the
10 Medical Database Commission on an annual basis regarding its
11 operation."

12 (b) G.S. 131E-176(1b) reads as rewritten:

13 "(1b) 'Ambulatory surgical program' means a formal program for providing
14 on a same-day basis unless otherwise authorized by this subdivision,
15 those surgical procedures ~~which~~that require local, regional or general
16 anesthesia and a period of post-operative observation to patients whose
17 admission for more than 24 hours is determined, prior to surgery, to be
18 medically ~~unnecessary.~~unnecessary, or for a period of time not to exceed
19 72 hours pursuant to the exception set out in subdivision (1) of this
20 section."

21 Sec. 3. The Division of Medical Assistance, Department of Human Resources,
22 shall adopt a Medicaid payment methodology to chart the needs of the expanded
23 ambulatory surgical facilities and services provided by this act.

24 Sec. 4. This act becomes effective October 1, 1995, and applies to admissions
25 on or after that date.