

Representative Katy Hall proposes the following substitute bill:

HEALTH CARE FACILITY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Katy Hall

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends requirements impacting health care facilities.

Highlighted Provisions:

This bill:

- defines terms; and
- establishes minimum standards for freestanding emergency departments.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

26B-2-203, as renumbered and amended by Laws of Utah 2023, Chapter 305

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26B-2-203** is amended to read:

26B-2-203. Services required -- General acute hospitals -- Specialty hospitals --

Satellite operations and branch locations.



(1) For purposes of this section:

(a) "Freestanding emergency department" means a licensed satellite service operation, hospital outpatient department, or branch location that:

(i) provides emergency care or critical care; or

(ii) holds itself out as providing emergency care or critical care.

(b) "Rural emergency medical services" means the same as that term is defined in Section 59-12-801.

~~[(+)]~~ (2) General acute hospitals and specialty hospitals shall remain open and be continuously ready to receive patients 24 hours of every day in a year and have an attending medical staff consisting of one or more physicians licensed to practice medicine and surgery under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.

~~[(2)]~~ (3) A specialty hospital shall provide on-site all basic services required of a general acute hospital that are needed for the diagnosis, therapy, or rehabilitation offered to or required by patients admitted to or cared for in the facility.

~~[(3)]~~ (4) (a) A home health agency shall provide at least licensed nursing services or therapeutic services directly through the agency employees.

(b) A home health agency may provide additional services itself or under arrangements with another agency, organization, facility, or individual.

~~[(4)]~~ (5) Beginning January 1, 2023, a hospice program shall provide at least one qualified medical provider, as that term is defined in Section 26B-4-201, for the treatment of hospice patients.

(6) (a) This Subsection (6) does not apply to freestanding emergency departments providing rural emergency medical services.

(b) A freestanding emergency department shall have available, at a minimum, on-site, and on a continuous basis during operating hours:

(i) the capability and the certified personnel available to conduct and implement the use of:

(A) CT scans;

(B) ultrasounds;

(C) x-rays; and

57 (D) clinical laboratory tests and analysis that are customarily used in emergency
58 medical settings;

59 (ii) a physician who:

60 (A) is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Chapter 68,
61 Utah Osteopathic Medical Practice Act; and

62 (B) has specialized training and experience in providing emergency medical services;

63 (iii) two registered nurses who:

64 (A) are licensed under Title 58, Chapter 31b, Nurse Practice Act; and

65 (B) has specialized training and experience in providing emergency medical services;

66 (iv) a respiratory therapist who is licensed under Title 58, Chapter 57, Respiratory Care
67 Practices Act; and

68 (v) a certified medical laboratory scientist or a certified medical laboratory
69 technologist.

70 Section 2. **Effective date.**

71 This bill takes effect on July 1, 2024.