

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.

~~Ĥ→ [(b) "Rural emergency medical services" means the same as that term is defined in~~

~~Section 59-12-801.] ←Ĥ~~

~~[(+)] (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 ~~Ĥ→~~ who are:

~~(a) ←Ĥ~~ 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 ~~Ĥ→~~ [-] ; and

~~(b) board eligible or board certified in emergency medicine or have 10 years of direct patient care experience in an emergency medicine setting. ←Ĥ~~

~~[(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 Ĥ→ in counties of the third, fourth, fifth, or sixth class ←Ĥ .~~

(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.