
By: Senator Astle

Introduced and read first time: February 2, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Ambulatory Surgical Facilities - Certificate of Need**

3 FOR the purpose of altering the definition of an ambulatory surgical facility that is
4 subject to the requirement for obtaining a certificate of need from the Maryland
5 Health Resources Planning Commission; eliminating a certain exemption from the
6 certificate of need requirement; and generally relating to altering the definition of
7 an ambulatory surgical facility that is subject to the requirement for obtaining a
8 certificate of need.

9 BY repealing and reenacting, without amendments,
10 Article - Health - General
11 Section 19-101(a)
12 Annotated Code of Maryland
13 (1990 Replacement Volume and 1995 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article - Health - General
16 Section 19-101(b)
17 Annotated Code of Maryland
18 (1990 Replacement Volume and 1995 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Health - General**

22 19-101.

23 (a) In Part I of this subtitle the following words have the meanings indicated.

24 (b) [(1)] "Ambulatory surgical facility" means any center, service, office, facility,
25 or office of one or more health care practitioners or a group practice, as defined in §
26 1-301 of the Health Occupations Article, that:

27 [(i)] (1) Has [two] THREE or more operating rooms;

28 [(ii)] (2) Operates primarily for the purpose of providing surgical
29 services to patients who do not require overnight hospitalization; and

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1 [(iii)] (3) Seeks reimbursement from payors as an ambulatory surgical
2 facility.

3 [(2) For purposes of this subtitle, the office of one or more health care
4 practitioners or a group practice with two operating rooms may be exempt from the
5 certificate of need requirements under this subtitle if the Commission finds, in its sole
6 discretion, that:

7 (i) A second operating room is necessary to promote the efficiency,
8 safety, and quality of the surgical services offered; and

9 (ii) The office meets the criteria for exemption from the certificate of
10 need requirements as an ambulatory surgical facility in accordance with regulations
11 adopted by the Commission.]

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 1996.