

**Representative Katy Hall** proposes the following substitute bill:

**HEALTH CARE FACILITY AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Katy Hall**

Senate Sponsor: \_\_\_\_\_

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**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

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*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.**



26 (1) For purposes of this section:

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

29 (i) provides emergency care or critical care; or

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

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

32 ~~Section 59-12-801.] ←H~~

33 [(+) (2) General acute hospitals and specialty hospitals shall remain open and be  
34 continuously ready to receive patients 24 hours of every day in a year and have an attending  
35 medical staff consisting of one or more physicians H→ who are:

35a (a) ←H licensed to practice medicine and surgery

36 under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah

37 Osteopathic Medical Practice Act H→ [-] ; and

37a (b) board eligible or board certified in emergency medicine or have 10 years of direct patient

37b care experience in an emergency medicine setting. ←H

38 [(2)] (3) A specialty hospital shall provide on-site all basic services required of a  
39 general acute hospital that are needed for the diagnosis, therapy, or rehabilitation offered to or  
40 required by patients admitted to or cared for in the facility.

41 [(3)] (4) (a) A home health agency shall provide at least licensed nursing services or  
42 therapeutic services directly through the agency employees.

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

45 [(4)] (5) Beginning January 1, 2023, a hospice program shall provide at least one  
46 qualified medical provider, as that term is defined in Section 26B-4-201, for the treatment of  
47 hospice patients.

48 (6) (a) This Subsection (6) does not apply to freestanding emergency departments  
49 providing rural emergency medical services H→ in counties of the third, fourth, fifth, or sixth  
49a class ←H .

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

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

54 (A) CT scans;

55 (B) ultrasounds;

56 (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.