

ENROLLED ACT NO. 49, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING  
2016 BUDGET SESSION

AN ACT relating to public health and safety; providing a definition for freestanding emergency centers; including freestanding emergency centers in the definition of a health care facility for purposes of licensure as specified; establishing requirements for freestanding emergency centers; providing licensure exceptions for free standing emergency centers as specified; specifying licensure requirements for special districts that operate freestanding emergency centers as specified; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 35-2-913 is created to read:

**35-2-913. Exceptions.**

(a) No freestanding emergency center shall require separate licensure under this act when operated by the provider based emergency department of a Wyoming licensed hospital.

(b) On and before June 30, 2019, freestanding emergency centers operated by a hospital district or rural health care district shall not require licensure under this act provided a hospital transfer agreement is in place.

(c) Any freestanding emergency center shall accept patients regardless of age, Medicare, Medicaid or other insurance status or ability to pay. A freestanding emergency center not owned by a Wyoming hospital shall have an appropriate hospital transfer agreement in place.

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(d) A license to operate a freestanding emergency center shall not be construed as a license to operate a hospital and shall not allow any freestanding emergency center to hold a patient within its facility for more than twenty-four (24) hours unless an emergency arises that prevents the safe transport of the patient.

**Section 2.** W.S. 35-2-901(a)(x), by creating a new paragraph (xxvi) and by amending and renumbering (xxvi) as (xxvii) and 42-6-102(a)(ii) and (iii)(B) are amended to read:

**35-2-901. Definitions; applicability of provisions.**

(a) As used in this act:

(x) "Health care facility" means any ambulatory surgical center, assisted living facility, adult day care facility, adult foster care home, alternative eldercare home, birthing center, boarding home, freestanding diagnostic testing center, home health agency, hospice, hospital, freestanding emergency center, intermediate care facility for people with intellectual disability, medical assistance facility, nursing care facility, rehabilitation facility and renal dialysis center;

(xxvi) "Freestanding emergency center" means a facility that provides services twenty-four (24) hours a day, seven (7) days a week for life threatening emergency medical conditions and is at a location separate from a hospital;

~~(xxvi)~~(xxvii) "This act" means W.S. 35-2-901 through ~~35-2-912~~35-2-913.

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**42-6-102. Definitions.**

(a) As used in this act:

(ii) "Adult foster care home" means any family home or facility in which residential care is provided in a homelike environment for five (5) or fewer adults who are not related to the provider by blood, marriage or adoption, except in special circumstances. "Adult foster care home" does not include any residential facility otherwise licensed or funded by the state of Wyoming. The homes shall be regulated in accordance with W.S. 35-2-901 through ~~35-2-912~~ 35-2-913 and this act which shall govern in case of conflict;

(iii) "Alternative eldercare home" means a facility and program which:

(B) Shall be licensed as a health care facility pursuant to W.S. 35-2-901 through ~~35-2-912~~ 35-2-913;

ORIGINAL SENATE  
FILE NO. SF0057

ENGROSSED

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**Section 3.** This act is effective July 1, 2016.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk