

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB File No. R100-14

August 1, 2014

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 449.0302.

A REGULATION relating to ambulatory surgical centers; revising provisions relating to the surgical services that may be provided by an ambulatory surgical center; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Board of Health to adopt licensing standards for certain medical facilities, including surgical centers for ambulatory patients. (NRS 449.0302) Under existing regulations, such a center, also known as an ambulatory surgical center, may be operated only for the purpose of providing surgical services to patients who do not require care for more than 24 hours. (NAC 449.9837)

This regulation newly provides that the surgical services which may be provided by an ambulatory surgical center are limited to those procedures where, in the opinion of the surgeon, the patient will not require: (1) care as a patient in the ambulatory surgical center for more than 24 hours; and (2) admission to another medical facility within 24 hours after the patient's discharge from the ambulatory surgical center for medical services related to the surgical services provided by the ambulatory surgical center.

Section 1. NAC 449.9837 is hereby amended to read as follows:

449.9837 1. An ambulatory surgical center:

(a) May be operated only for the purpose of providing surgical services to patients who ~~do not require care~~, *in the opinion of the surgeon, will not require:*

(1) Care in the ambulatory surgical center for more than 24 hours ~~+~~; and

(2) Admission to another licensed medical facility within 24 hours after discharge from the ambulatory surgical center for medical services related to the surgical services provided at the ambulatory surgical center.

(b) Except as otherwise provided in subsection 2, may not be operated in:

(1) Conjunction with any other medical facility; or

(2) A common area with any other medical facility during its hours of operation.

2. The provisions of subsection 1 do not prohibit an ambulatory surgical center from:

(a) Being located in the same building as a physician's office or clinic if the center is physically separated from the office or clinic by at least one fire wall that is rated to withstand a fire for at least 1 hour.

(b) Sharing a lobby with another medical facility.

3. The records of an ambulatory surgical center must be maintained separately from the records of any other medical facility.