

## HOUSE AMENDMENTS TO HOUSE BILL 3269

By COMMITTEE ON HEALTH CARE

May 4

1 On page 1 of the printed bill, line 5, delete “1 to 5” and insert “2 to 7”.

2 In line 8, after the period insert “In lieu of its own inspection, the department may accept the  
3 results of an inspection conducted by the Joint Commission on Accreditation of Healthcare Organ-  
4 izations, the Accreditation Association for Ambulatory Health Care or similar accreditation organ-  
5 ization approved by the department.”.

6 In line 11, after “systems” delete the rest of the line and lines 12 through 30 and insert “as re-  
7 quired by the Joint Commission on Accreditation of Healthcare Organizations, the Accreditation  
8 Association for Ambulatory Health Care or a similar accreditation organization approved by the  
9 Department of Human Services.

10 **“SECTION 4. (1) An ambulatory surgical center may not perform surgical procedures for  
11 which the patient typically would be expected to remain at the facility after midnight on the  
12 date of the procedure and may not perform procedures that:**

13 **“(a) Generally result in extensive blood loss;**

14 **“(b) Require major or prolonged invasion of body cavities;**

15 **“(c) Directly involve major blood vessels; or**

16 **“(d) Are emergent or life threatening in nature, unless no hospital is available for the  
17 procedure and the need for surgery could not have been anticipated.**

18 **“(2) This section does not prevent any health care facility from providing medical ser-  
19 vices to patients at any time of the day or night while conducting sleep apnea and other sleep  
20 disorder studies.**

21 **“SECTION 5. An ambulatory surgical center must evaluate all of a patient’s risk factors  
22 before permitting a surgical procedure to be performed on the patient in the facility. During  
23 the evaluation of risk factors, an ambulatory surgical center may not consider whether the  
24 patient has coverage by a third party, health insurance, Medicaid or Medicare.**

25 **“SECTION 6. (1) If a physician, podiatric physician and surgeon or dentist refers a pa-  
26 tient for treatment at an ambulatory surgical center in which the physician, podiatric phy-  
27 sician and surgeon or dentist, or an immediate family member of the physician, podiatric  
28 physician and surgeon or dentist, has a financial interest, the physician, podiatric physician  
29 and surgeon or dentist shall notify the patient orally and in writing of that financial interest  
30 at the time of the referral.**

31 **“(2) For purposes of this section, ‘financial interest’ means a direct ownership or in-  
32 vestment interest.**

33 **“SECTION 7. An ambulatory surgical center shall post a notice in the facility, in a  
34 prominent place and in prominent font size, advising patients of how patients may express  
35 concerns regarding the ambulatory surgical center and services provided at the ambulatory**

1 **surgical center. The posting shall include but need not be limited to the address and tele-**  
2 **phone number for contacting the Department of Human Services to express the concerns.”.**

3 On page 2, delete lines 1 through 15.

4 Delete lines 30 through 34 and insert:

5 “(3) In addition to the other requirements of this section, if the physician or podiatric physician  
6 and surgeon must obtain informed consent for treatment that will take place in an ambulatory sur-  
7 gical center, the admitting licensed independent practitioner performing the procedure also shall  
8 disclose:

9 “(a) The medical risks, benefits and alternatives associated with performing the procedure in the  
10 ambulatory surgical center or in a hospital; and”.

11 On page 3, line 6, before the period insert “, maxillofacial trauma services and orthognathic  
12 surgery”.

13 In line 8, delete “solely”.

14 Delete lines 10 and 11 and insert “typically do not require hospitalization, but who require  
15 continuous medical supervision following the surgical procedure performed and prior to discharge  
16 from the facility.”.

17 On page 6, line 19, delete “\$2,000” and insert “\$1,400”.