

2017 Act 70

HEALTH CARE FACILITIES ACT - ABROGATING REGULATIONS

Act of Dec. 22, 2017, P.L. 1226, No. 70

Cl. 35

Session of 2017

No. 2017-70

HB 1234

AN ACT

Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An act relating to health care; prescribing the powers and duties of the Department of Health; establishing and providing the powers and duties of the State Health Coordinating Council, health systems agencies and Health Care Policy Board in the Department of Health, and State Health Facility Hearing Board in the Department of Justice; providing for certification of need of health care providers and prescribing penalties," in licensing of health care facilities, further providing for definitions; and abrogating regulations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "ambulatory surgical facility" in section 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, is amended to read:

Section 802.1. Definitions.

The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given them in this section:

* * *

"Ambulatory surgical facility." A facility or portion thereof not located upon the premises of a hospital which provides specialty or multispecialty outpatient surgical treatment. Ambulatory surgical facility does not include individual or group practice offices of private physicians or dentists, unless such offices have a distinct part used solely for outpatient surgical treatment on a regular and organized basis. For the purposes of this provision, outpatient surgical treatment means surgical treatment to patients who do not require hospitalization, but who require constant medical supervision following the surgical procedure performed[.] **and in which the expected duration of services would not exceed 24 hours following an admission.**

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Section 2. The provisions of 28 Pa. Code § 551.21 are abrogated insofar as they are inconsistent with the amendment of the definition of "ambulatory surgical facility" in section 802.1 of the act.

Section 3. This act shall take effect in 60 days.

APPROVED--The 22nd day of December, A.D. 2017.

TOM WOLF