

Definition of “ambulatory surgical center” in CON law and S.73

CON law (18 V.S.A. § 9432)	S.73 as passed by Senate
<p>(1) “Ambulatory surgical center” means a facility or portion of a facility that provides surgical care not requiring an overnight stay. The office of a dentist in which activities are limited to dentistry and oral or maxillofacial surgical procedures shall not be deemed an ambulatory surgical center for purposes of this subchapter. In order to be considered an ambulatory surgical center, a facility shall meet all the following criteria:</p> <p>(A) charge, or intend to charge, a facility fee in addition to professional fees for the services performed;</p> <p>(B) have an operating room or recovery room in the facility;</p> <p>(C) use an anesthesiologist or nurse anesthetist;</p> <p>(D) provide one or more outpatient services for which Medicare coverage is provided.</p>	<p>(1) “Ambulatory surgical center” means any distinct entity that operates primarily for the purpose of providing surgical services to patients not requiring hospitalization and for which the expected duration of services would not exceed 24 hours following an admission. The term does not include:</p> <p>(A) a facility that is licensed as part of a hospital; or</p> <p>(B) a facility that is used exclusively as an office or clinic for the private practice of one or more licensed health care professionals, unless one or more of the following descriptions apply:</p> <p>(i) the facility holds itself out to the public or to other health care providers as an ambulatory surgical center, surgical center, surgery center, surgicenter, or similar facility using a similar name or a variation thereof;</p> <p>(ii) procedures are carried out at the facility using general anesthesia, except as used in oral or maxillofacial surgery or as used by a dentist with a general anesthesia endorsement from the Board of Dental Examiners; or</p> <p>(iii) patients are charged a fee for the use of the facility in addition to the fee for the professional services of one or more of the health care professionals practicing at that facility.</p>