

S.73 – Potential ASC licensure requirements (in bold) for HHC discussion

§ 2153. LICENSE REQUIREMENTS

(a) Upon receipt of an application for a license and the licensing fee, the Department of Health shall issue a license if it determines that the applicant and the ambulatory surgical center facilities meet the following minimum standards:

(1) The applicant shall demonstrate the capacity to operate an ambulatory surgical center in accordance with rules adopted by the Department.

(2) The applicant shall demonstrate that its facilities comply fully with standards for health, safety, and sanitation as required by State law, including standards set forth by the State Fire Marshal and the Department of Health, and municipal ordinance.

(3) The applicant shall have a clear process for responding to patient complaints.

(4) The applicant shall participate in the Patient Safety Surveillance and Improvement System established pursuant to chapter 43A of this title.

(5) **(NEW)** The applicant shall maintain certification from the Centers for Medicare and Medicaid Services and shall accept Medicare and Medicaid patients.

(6) **(NEW)** The applicant shall be an active participant in Vermont’s systemwide payment and delivery system reform initiatives.

(7) **(FOR FURTHER DISCUSSION)** The applicant shall have a transport agreement with at least one emergency medical services provider for emergency patient transportation.

(8) **(FOR FURTHER DISCUSSION)** The applicant shall post on its website the commercial, self-pay, and Medicare prices for each of the 25 most frequently performed procedures and surgeries, or the commercial, self-pay, and Medicare practices for each of

the procedures and surgeries that comprise at least 75 percent of the applicant’s overall volume, whichever results in disclosure of a greater number of prices. The applicant shall update and post the information at least quarterly, regardless of whether the prices have changed.

(9) **(FOR FURTHER DISCUSSION)** The applicant shall maintain a policy to provide charity care to patients that is comparable to those of the hospitals in the geographic region in which the ambulatory surgical center is located.

(10) **(NEW)** The applicant shall provide each patient with an itemized, detailed, and understandable explanation of charges, regardless of the source of payment, and provide patients with information about the applicant’s:

(A) health care prices;

(B) financial assistance; and

(C) billing and collections practices.

(12) **(FOR FURTHER DISCUSSION)** The applicant shall participate in any voluntary or compulsory quality reporting program offered by the Centers for Medicare and Medicaid Services. The applicant shall provide its performance results for each quality measure to the Department at least annually, or as otherwise directed by the Department, for posting on the Department’s website.

(13) **(FOR FURTHER DISCUSSION)** The ambulatory surgical center facilities, including the buildings and grounds, shall be subject to inspection by the Department, its designees, and other authorized entities at all times.

(b) A license is not transferable or assignable and shall be issued only for the premises and persons named in the application.