

CHAPTER 288

HEALTH AND ENVIRONMENT

HOUSE BILL 08-1234

BY REPRESENTATIVE(S) Primavera, McGihon, Borodkin, Frangas, Merrifield, Labuda, and Stafford;
also SENATOR(S) Gordon, and Boyd.

AN ACT

**CONCERNING DEEMED STATUS FOR AMBULATORY SURGICAL CENTERS, AND MAKING AN
APPROPRIATION IN CONNECTION THEREWITH.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 1 of article 3 of title 25, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

25-3-102.1. Deemed status for certain facilities. (1) IN THE LICENSING OF AN AMBULATORY SURGICAL CENTER FOLLOWING THE ISSUANCE OF INITIAL LICENSURE BY THE DEPARTMENT, THE VOLUNTARY SUBMISSION OF SATISFACTORY EVIDENCE THAT THE APPLICANT IS ACCREDITED BY THE JOINT COMMISSION, THE AMERICAN ASSOCIATION FOR AMBULATORY HEALTH CARE, THE ACCREDITATION ASSOCIATION FOR AMBULATORY HEALTH CARE, THE AMERICAN OSTEOPATHIC ASSOCIATION, OR ANY SUCCESSOR ENTITIES, SHALL BE DEEMED TO MEET CERTAIN REQUIREMENTS FOR LICENSE RENEWAL SO LONG AS THE STANDARDS FOR ACCREDITATION APPLIED BY THE ACCREDITING ORGANIZATION ARE AT LEAST AS STRINGENT AS THE LICENSURE REQUIREMENTS OTHERWISE SPECIFIED BY THE DEPARTMENT. UPON SUBMISSION OF A COMPLETED APPLICATION FOR LICENSE RENEWAL, THE DEPARTMENT SHALL ACCEPT PROOF OF THE ACCREDITATION IN LIEU OF LICENSING INSPECTIONS OR OTHER REQUIREMENTS. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO EXEMPT AN ACCREDITED AMBULATORY SURGICAL CENTER FROM INSPECTIONS OR FROM OTHER FORMS OF OVERSIGHT BY THE DEPARTMENT AS NECESSARY TO ENSURE PUBLIC HEALTH AND SAFETY.

(2) IN DETERMINING FEES OTHERWISE PAYABLE BY AN AMBULATORY SURGICAL CENTER FOR LICENSE RENEWAL, THE DEPARTMENT SHALL GIVE DUE CONSIDERATION TO EFFICIENCIES AND SAVINGS GENERATED IN CONNECTION WITH THE DEEMED STATUS PROCESS IN SUBSECTION (1) OF THIS SECTION AND SHALL SPECIFICALLY

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

PROVIDE AN APPROPRIATE CREDIT OR REDUCED FEE TO AN AMBULATORY SURGICAL CENTER THAT ACHIEVES LICENSE RENEWAL THROUGH DEEMED STATUS.

SECTION 2. Adjustments to the 2008 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2008, for the licensure of ambulatory surgical centers, from the health facilities general licensure cash fund created in section 25-3-103.1 (1), Colorado Revised Statutes, to the department of public health and environment, health facilities and emergency medical services division, licensure, health facilities general licensure, shall be adjusted as follows:

(a) The appropriation for personal services is decreased by eleven thousand seventy-one dollars (\$11,071) cash funds, and 0.2 FTE.

(b) The appropriation for operating expenses is decreased by four thousand four hundred ninety-eight dollars (\$4,498) cash funds.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: May 27, 2008