

DEPARTMENT OF HEALTH & SOCIAL SERVICES



PROPOSED CHANGES TO REGULATIONS

AMBULATORY SURGICAL CENTER REQUIREMENTS AND MISCELLANY

- 7 AAC 12. Facilities and Local Units.



PUBLIC REVIEW DRAFT

December 2, 2020.

COMMENT PERIOD ENDS: January 15, 2021

**Please see the public notice for details about how to
comment on these proposed changes.**

Notes to reader:

- 1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
- 2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined.*
- 3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
- 4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
- 5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

Title 7 Health and Social Services.

Chapter 12. Facilities and Local Units.

7 AAC 12.110. Medical staff.

7 AAC 12.110(c)(11) is repealed and readopted to read:

(11) ensure that pre-surgical assessments meet the requirements of 42 C.F.R.

416.52(a);

(Eff. 11/19/83, Register 88; am 5/4/97, Register 142; am 9/1/2000, Register 155; am 6/23/2006, Register 178; am 12/3/2006, Register 180; am 9/30/2007, Register 183; am ____/____/____, Register____)

Authority: AS 47.32.010 AS 47.32.020 AS 47.32.030

7 AAC 12.120. Surgical service.

7 AAC 12.120(c) is amended to read:

(c) Before a surgical procedure begins, either the surgeon or the person responsible for administering anesthesia, and the surgical supervisor or **their** [HIS] designee shall confirm the patient's identity and the site and side of the body to be operated upon, and ascertain that the

patient's medical record contains **adequate information** [A COMPLETE HISTORY AND PHYSICAL EXAMINATION] for the current admission, appropriate current screening tests based on the needs of the patient, and signed informed consent for the surgery. [IN THE CASE OF AN EMERGENCY, THE HISTORY AND PHYSICAL EXAMINATION REQUIREMENTS ARE WAIVED.]

(Eff. 11/19/83, Register 88; am 5/4/97, Register 142; am 9/1/2000, Register 155; am ____/____/____, Register____)

Authority: AS 18.20.010 AS 18.20.060

7 AAC 12.338. Hiring, orientation, and training.

7 AAC 12.338(h)(4)(B) is amended to read:

(B) the prevention, transmission, and treatment of tuberculosis, **in**

accordance with 7 AAC 12.650(a)(1);

(Eff. 5/24/2007, Register 182; am____/____/____, Register____)

Authority: AS 47.32.010 AS 47.32.030

7 AAC 12.340. Employee health.

7 AAC 12.340 is repealed and readopted to read:

A hospice agency shall have an employee health program that meets the requirements of 7 AAC 12.650. The agency shall require contractors and volunteers performing patient care or services for the agency to meet the requirements of 7 AAC 12.650.

(Eff. 5/24/2007, Register 182; am____/____/____, Register____)

Authority: AS 47.32.010 AS 47.32.030

7 AAC 12.566. Infection control.

7 AAC 12.566(b)(4) is amended to read:

(4) tuberculosis, **in accordance with 7 AAC 12.650(a)(1).**

(Eff. 9/6/96, Register 139; am____/____/____, Register____)

Authority: AS 18.05.040

7 AAC 12.571. Employee health program.

7 AAC 12.571 is repealed and readopted to read:

A home health agency shall have an employee health program that meets the requirements of 7 AAC 12.650.

(Eff. 9/6/96, Register 139; am____/____/____, Register____)

Authority: AS 18.05.040

7 AAC 12.910. Contracts.

7 AAC 12.910(d) is amended to read:

(d) [AMBULATORY SURGICAL FACILITIES,] **Specialized** [SPECIALIZED] hospitals, rural primary care hospitals, critical access hospitals, nursing homes, and intermediate care facilities for individuals with an intellectual disability or related condition must have a signed agreement with a general acute care hospital for transfer of patients who require medical or emergency care beyond the scope of the ability or license of the facility.

7 AAC 12.910 is amended by adding a new subsection to read:

(e) Ambulatory surgical facilities shall provide written notice of the facility’s operation and population served to the nearest general acute care hospitals in the event that transfer of a patient who requires medical or emergency care beyond the scope of the ability or license of the facility is needed.

(Eff. 11/19/83, Register 88; am 5/4/97, Register 142; am 9/1/2000, Register 155; am 5/24/2007, Register 182; am 9/30/2007, Register 183; am____/____/____, Register____)

Authority: AS 18.05.040 AS 47.32.010 AS 47.32.030