

1                                   **HEALTH CARE FACILITY LICENSURE**

2   **AMENDMENTS**

3   2003 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Rosalind J. McGee**

6   **This act modifies the Health Code. The act amends the period of time for which a health**  
7   **care facility license is valid from 12 months to 24 months. The act makes conforming**  
8   **amendments and technical amendments.**

9   This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11           **26-21-8**, as last amended by Chapter 209, Laws of Utah 1997

12 *Be it enacted by the Legislature of the state of Utah:*

13           Section 1. Section **26-21-8** is amended to read:

14           **26-21-8. License required -- Not assignable or transferable -- Posting --**  
15 **Expiration and renewal -- Time for compliance by operating facilities.**

16           (1) (a) A person or governmental unit acting severally or jointly with any other person  
17 or governmental unit, may not establish, conduct, or maintain a health care facility in this state  
18 without receiving a license from the department as provided by this chapter and the rules of the  
19 committee.

20           (b) This Subsection (1) does not apply to [~~those~~] facilities [~~exempted~~] that are exempt  
21 under Section 26-21-7.

22           (2) A license issued under this chapter is not assignable or transferable.

23           (3) The current license shall at all times be posted in each health care facility in a place  
24 readily visible and accessible to the public.

25           (4) (a) The department may issue a license for a period of time not to exceed 24  
26 months from the date of issuance to health care facilities that meet the provisions of this  
27 chapter and department rules adopted pursuant to this chapter.



28            [~~(4) (a)~~] (b) Each license expires at midnight on the [~~last~~] day [~~of the month, 12 months~~  
29 ~~from date of issuance,~~] designated on the license as the expiration date, unless previously  
30 revoked by the department.

31            [~~(b)~~] (c) The license shall be renewed [~~annually~~] upon completion of the application  
32 requirements, unless the department finds the health care facility has not complied with the  
33 provisions of this chapter or the rules adopted pursuant to this chapter.

34            (5) A license may be issued under this section only for the operation of a specific  
35 facility at a specific site by a specific person.

36            (6) Any health care facility in operation at the time of adoption of any applicable rules  
37 as provided under this chapter shall be given a reasonable time for compliance as determined  
38 by the committee.

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**Legislative Review Note**  
**as of 1-27-03 8:42 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0231**

**Health Care Facility Licensure Amendments**

*13-Feb-03*

*10:52 AM*

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**AMENDED NOTE**

**State Impact**

This bill would change health care facility licenses from a one-year period of time to two years. This would result in some minimal savings and efficiencies in the Bureau of Licensing.

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**Individual and Business Impact**

If the licensing fee remains at current levels, there would be a savings to licensees. If the licensing fee were doubled with the license period, there would be some minimal savings in paperwork for the licensees.

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**Office of the Legislative Fiscal Analyst**