

1 **HEALTH FACILITY COMMITTEE**

2 **MEMBERSHIP**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Christopher N. Herrod**

6 Senate Sponsor: Mark B. Madsen

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8 **LONG TITLE**

9 **General Description:**

10 This bill amends the Health Care Facility Licensing and Inspection Act within the Utah  
11 Health Code.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ adds one representative of a freestanding ambulatory surgical facility and one  
15 representative of an ambulatory surgical facility that is affiliated with a hospital to  
16 the membership of the Health Facility Committee within the Department of Health;  
17 and

18 ▶ increases the number of members that constitutes a quorum of the Health Facility  
19 Committee.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **26-21-3**, as last amended by Laws of Utah 2007, Chapter 158

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

29 Section 1. Section **26-21-3** is amended to read:

30           **26-21-3. Health Facility Committee -- Members -- Terms -- Organization --**  
31 **Meetings.**

32           (1) The Health Facility Committee created by Section 26-1-7 consists of [~~13~~] 15  
33 members appointed by the governor with the consent of the Senate. The appointed members  
34 shall be knowledgeable about health care facilities and issues. The membership of the  
35 committee is:

36           (a) one physician, licensed to practice medicine and surgery under Title 58, Chapter 67,  
37 Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act,  
38 who is a graduate of a regularly chartered medical school;

39           (b) one hospital administrator;

40           (c) one hospital trustee;

41           (d) one representative of a freestanding ambulatory surgical facility;

42           (e) one representative of an ambulatory surgical facility that is affiliated with a hospital;

43           [~~(d)~~] (f) two representatives of the nursing care facility industry;

44           [~~(e)~~] (g) one registered nurse, licensed to practice under Title 58, Chapter 31b, Nurse  
45 Practice Act;

46           [~~(f)~~] (h) one professional in the field of mental retardation not affiliated with a nursing  
47 care facility;

48           [~~(g)~~] (i) one licensed architect or engineer with expertise in health care facilities;

49           [~~(h)~~] (j) two representatives of assisted living facilities licensed under this chapter;

50           [~~(i)~~] (k) two consumers, one of whom has an interest in or expertise in geriatric care;

51 and

52           [~~(j)~~] (l) one representative from either a home health care provider or a hospice  
53 provider.

54           (2) (a) Except as required by Subsection (2)(b), members shall be appointed for a term  
55 of four years.

56           (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the  
57 time of appointment or reappointment, adjust the length of terms to ensure that the terms of

58 committee members are staggered so that approximately half of the committee is appointed  
59 every two years.

60 (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
61 appointed for the unexpired term by the governor, giving consideration to recommendations  
62 made by the committee, with the consent of the Senate.

63 (d) A member may not serve more than two consecutive full terms or ten consecutive  
64 years, whichever is less. However, a member may continue to serve as a member until he is  
65 replaced.

66 (e) The committee shall annually elect from its membership a chair and vice chair.

67 (f) The committee shall meet at least quarterly, or more frequently as determined by the  
68 chair or five members of the committee.

69 (g) [~~Seven~~ Eight] members constitute a quorum. A vote of the majority of the members  
70 present constitutes action of the committee.