***Effective 7/1/2025***

**26B-2-203 Services required -- General acute hospitals -- Specialty hospitals -- Home health agencies -- Satellite emergency departments.**

(1) As used in this section:
  (a) "Satellite emergency department" means a satellite operation that:
    (i) provides emergency care or critical care; or
    (ii) holds itself out as providing emergency care or critical care.
  (b) "Satellite operation" means a health care treatment facility that:
    (i) is operated or administered by a parent hospital, within the scope of the license under which the parent hospital operates;
    (ii) is located farther than 250 yards from the parent hospital's campus, including areas determined by the department to be part of the parent hospital's campus;
    (iii) is not subject to licensure under this part; and
    (iv) complies with this chapter and any applicable rules the department adopts in accordance with Subsection (9).
(2) General acute hospitals and specialty hospitals shall remain open and be continuously ready to receive patients 24 hours of every day in a year and have an attending medical staff consisting of one or more physicians licensed to practice medicine and surgery under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.
(3) A specialty hospital shall provide on-site all basic services required of a general acute hospital that are needed for the diagnosis, therapy, or rehabilitation offered to or required by patients admitted to or cared for in the facility.
(4)
  (a) A home health agency shall provide at least licensed nursing services or therapeutic services directly through the agency employees.
  (b) A home health agency may provide additional services itself or under arrangements with another agency, organization, facility, or individual.
(5) Beginning January 1, 2023, a hospice program shall provide at least one recommending medical provider, as that term is defined in Section 26B-4-201, for the treatment of hospice patients.
(6)
  (a) A satellite emergency department located in a county of the first or second class shall have available on-site, during operating hours, at minimum:
    (i) the equipment and personnel to conduct and use:
      (A) CT scans;
      (B) x-rays; and
      (C) clinical laboratory tests and analyses that are customarily used on-site in emergency medical settings, meeting the standards of care for scope, timeliness, and accuracy that apply in hospital-based emergency departments;
    (ii) a physician who is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, and:
      (A) is board certified or board eligible in emergency medicine; or
      (B) has at least 10 years experience providing emergency medical services;
    (iii) two registered nurses who:
      (A) are licensed under Title 58, Chapter 31b, Nurse Practice Act; and
      (B) have specialized training providing emergency medical services;
    (iv) a staff member who:

(A) is specifically trained, certified, or licensed in respiratory care, sufficient to support the needs of patients in a timely and appropriate manner, as determined by the satellite emergency department's clinical protocols;
(B) completes annual training and education in emergency respiratory care; and
(C) is in addition to the physician and nurses under Subsections (6)(a)(ii) and (iii);
(v) a certified or board-eligible medical laboratory scientist or technologist who is capable of conducting the laboratory tests and analyses described in Subsection (6)(a)(i)(C);
(vi) security personnel capable of maintaining the personal safety of patients and providers; and
(vii) two units of packed red blood cells suitable for emergency use.
(b) A satellite emergency department located in a county of the first or second class shall have available, on-site or on-call to be physically present at the satellite emergency department, during operating hours, at minimum, a certified sonographer and the equipment to conduct and use an ultrasound.
(c) A satellite emergency department shall:
(i) clearly identify itself as an emergency department, using, at minimum, prominently lighted external signage that includes the word "EMERGENCY" or "ER" in conjunction with the name of the satellite emergency department's parent hospital; and
(ii) prominently display, at locations that are readily accessible to and visible by patients outside the entrance to the satellite emergency department and in patient waiting areas, signage that:
(A) states "THIS IS AN EMERGENCY DEPARTMENT"; and
(B) unless the satellite emergency department shares a premises and a public entrance with an urgent care center, "THIS IS NOT AN URGENT CARE CENTER. EMERGENCY DEPARTMENT RATES ARE BILLED FOR SERVICES."
(d)
(i) A satellite emergency department may not hold itself out to the public as an urgent care center.
(ii) Notwithstanding Subsection (6)(d)(i), if a satellite emergency department is located on the same premises as an urgent care center, the signage may also identify the urgent care center.
(7) A satellite emergency department that fails to meet a requirement of Subsections (6)(a) through (d) may not hold itself out as providing critical or emergency care.
(8) A health care organization may not operate a higher number of satellite emergency departments than two times the number of hospital emergency departments the health care organization operates in the state.
(9) The department shall:
(a) adopt and enforce rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish the process and applicable fees for initial and renewal applications to operate a satellite emergency department;
(b) assess and collect the application and renewal fees described in Subsection (9)(a); and
(c) deposit any fees collected under Subsection (9)(b) into the General Fund, as a dedicated credit, to be used solely to pay for or offset the department's costs incurred to perform the duties under this Subsection (9).

Amended by Chapter 392, 2025 General Session