

**HEALTH FACILITY COMMITTEE**

**MEMBERSHIP**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christopher N. Herrod**

Senate Sponsor: Mark B. Madsen

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ adds a representative of ambulatory surgical facilities to the membership of the Health Facility Committee within the Department of Health; and
- ▶ increases the number of members that constitutes a quorum of the Health Facility Committee.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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



28           **26-21-3. Health Facility Committee -- Members -- Terms -- Organization --**  
 29 **Meetings.**

30           (1) The Health Facility Committee created by Section 26-1-7 consists of [~~13~~]

30a **~~H~~→ [~~14~~] 15 ←~~H~~**

31 members appointed by the governor with the consent of the Senate. The appointed members  
 32 shall be knowledgeable about health care facilities and issues. The membership of the  
 33 committee is:

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

37           (b) one hospital administrator;

38           (c) one hospital trustee;

39           (d) one representative of **~~H~~→ a freestanding ←~~H~~** ambulatory surgical

39a **~~H~~→ [~~facilities~~] facility ←~~H~~ ;**

39b **~~H~~→ (e) one representative of an ambulatory surgical facility that is affiliated**

39c **with a hospital; ←~~H~~**

40           [~~(f)~~] **~~H~~→ [~~(e)~~] (f) ←~~H~~** two representatives of the nursing care facility industry;

41           [~~(e)~~] **~~H~~→ [~~(f)~~] (g) ←~~H~~** one registered nurse, licensed to practice under Title 58,

41a Chapter 31b, Nurse

42 Practice Act;

43           [~~(f)~~] **~~H~~→ [~~(g)~~] (h) ←~~H~~** one professional in the field of mental retardation not affiliated

43a with a nursing

44 care facility;

45           [~~(g)~~] **~~H~~→ [~~(h)~~] (i) ←~~H~~** one licensed architect or engineer with expertise in health

45a care facilities;

46           [~~(h)~~] **~~H~~→ [~~(i)~~] (j) ←~~H~~** two representatives of assisted living facilities licensed under

46a this chapter;

47           [~~(i)~~] **~~H~~→ [~~(j)~~] (k) ←~~H~~** two consumers, one of whom has an interest in or expertise

47a in geriatric care;

48 and

49           [~~(j)~~] **~~H~~→ [~~(k)~~] (l) ←~~H~~** one representative from either a home health care provider

49a or a hospice

50 provider.

51           (2) (a) Except as required by Subsection (2)(b), members shall be appointed for a term

52 of four years.

53 (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the  
54 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
55 committee members are staggered so that approximately half of the committee is appointed  
56 every two years.

57 (c) When a vacancy occurs in the membership for any reason, the replacement shall be  
58 appointed for the unexpired term by the governor, giving consideration to recommendations

59 made by the committee, with the consent of the Senate.

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

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

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

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

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**Legislative Review Note**  
**as of 12-10-07 2:54 PM**

**Office of Legislative Research and General Counsel**

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**H.B. 268 - Health Facility Committee Membership**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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