

26 (1) For purposes of this section:

27 (a) "Freestanding emergency department" means a licensed satellite service operation,
28 hospital outpatient department, or branch location that:

29 (i) provides emergency care or critical care; or

30 (ii) holds itself out as providing emergency care or critical care.

31 ~~H→ [(b) "Rural emergency medical services" means the same as that term is defined in~~
32 ~~Section 59-12-801.] ←H~~

33 [(+) (2) General acute hospitals and specialty hospitals shall remain open and be
34 continuously ready to receive patients 24 hours of every day in a year and have an attending
35 medical staff consisting of one or more physicians ~~H→~~ who are:

35a (a) ~~←H~~ licensed to practice medicine and surgery

36 under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah

37 Osteopathic Medical Practice Act ~~H→~~ [-] ; and

37a (b) board eligible or board certified in emergency medicine or have 10 years of direct patient
37b care experience in an emergency medicine setting. ~~←H~~

38 [(2)] (3) A specialty hospital shall provide on-site all basic services required of a
39 general acute hospital that are needed for the diagnosis, therapy, or rehabilitation offered to or
40 required by patients admitted to or cared for in the facility.

41 [(3)] (4) (a) A home health agency shall provide at least licensed nursing services or
42 therapeutic services directly through the agency employees.

43 (b) A home health agency may provide additional services itself or under arrangements
44 with another agency, organization, facility, or individual.

45 [(4)] (5) Beginning January 1, 2023, a hospice program shall provide at least one
46 qualified medical provider, as that term is defined in Section 26B-4-201, for the treatment of
47 hospice patients.

48 (6) (a) This Subsection (6) does not apply to freestanding emergency departments
49 providing ~~H→~~ [rural] ←H emergency medical services ~~H→~~ in counties of the third, fourth, fifth,
49a or sixth
49b class ←H .

50 (b) A freestanding emergency department shall have ~~H→~~ [available, at a minimum, on-site,
51 and on a continuous basis during operating hours] available on-site during operating hours, at a
51a minimum ←H :

52 (i) the capability and the certified personnel ~~H→~~ [available] ←H to conduct and implement the
53 use of:

54 (A) CT scans;

55 (B) ultrasounds;

56 (C) x-rays; and

57 (D) clinical laboratory tests and analysis that are customarily used in emergency
58 medical settings;

59 (ii) a physician who:

60 (A) is licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Chapter 68,
61 Utah Osteopathic Medical Practice Act; and

62 (B) has specialized training and experience in providing emergency medical services;

63 (iii) two registered nurses who:

64 (A) are licensed under Title 58, Chapter 31b, Nurse Practice Act; and

65 (B) ~~H~~→ [has] have ←~~H~~ specialized training and experience in providing emergency
65a medical services;

66 (iv) a respiratory therapist who is licensed under Title 58, Chapter 57, Respiratory Care
67 Practices Act; and

68 (v) a certified medical laboratory scientist or a certified medical laboratory
69 technologist.

70 **Section 2. Effective date.**

71 This bill takes effect on July 1, 2024.