

135B.1 Definitions.

As used in [this chapter](#):

1. “*Department*” means the department of inspections, appeals, and licensing.
2. “*Governmental unit*” means the state, or any county, municipality, or other political subdivision or any department, division, board or other agency of any of the foregoing.
3. “*Hospital*” means a place which is devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care over a period exceeding twenty-four hours of two or more nonrelated individuals suffering from illness, injury, or deformity, or a place which is devoted primarily to the rendering over a period exceeding twenty-four hours of obstetrical or other medical or nursing care for two or more nonrelated individuals, or any institution, place, building or agency in which any accommodation is primarily maintained, furnished or offered for the care over a period exceeding twenty-four hours of two or more nonrelated aged or infirm persons requiring or receiving chronic or convalescent care; and shall include sanatoriums or other related institutions within the meaning of [this chapter](#). Provided, however, nothing in [this chapter](#) shall apply to hotels or other similar places that furnish only food and lodging, or either, to their guests or to a freestanding hospice facility which operates a hospice program in accordance with [42 C.F.R. §418](#). “*Hospital*” shall include, in any event, any facilities wholly or partially constructed or to be constructed with federal financial assistance, pursuant to Pub. L. No. 79-725, 60 Stat. 1040, approved August 13, 1946.
4. “*Person*” means any individual, firm, partnership, corporation, company, association, or joint stock association; and includes any trustee, receiver, assignee or other similar representative thereof.
5. “*Rural emergency hospital*” means a facility that provides rural emergency hospital services in the facility twenty-four hours per day, seven days per week; does not provide any acute care inpatient services with the exception of any distinct part of the facility licensed as a skilled nursing facility providing posthospital extended care services; and meets the criteria specified in [section 135B.3A](#) and the federal Consolidated Appropriations Act, Pub. L. No. 116-260, §125.
6. “*Rural emergency hospital services*” means the following services provided by a rural emergency hospital that do not exceed an annual per patient average of twenty-four hours in such a rural emergency hospital:
 - a. Emergency department services and observation care. For purposes of providing emergency department services, an emergency department of a rural emergency hospital shall be considered staffed if a physician, advanced registered nurse practitioner, or physician assistant is available to furnish rural emergency hospital services in the facility twenty-four hours per day.
 - b. At the election of the rural emergency hospital, with respect to services furnished on an outpatient basis, other medical and health services as specified in regulations adopted by the United States secretary of health and human services.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §135B.1]

[90 Acts, ch 1107, §1](#); [90 Acts, ch 1204, §2](#); [2006 Acts, ch 1010, §52](#); [2023 Acts, ch 16, §1, 20, 21](#); [2023 Acts, ch 19, §1883](#); [2023 Acts, ch 119, §37, 47, 48](#)

Referred to in [§10A.711](#), [135C.33](#), [135D.2](#), [139A.2](#), [142D.2](#), [144.31B](#), [144A.2](#), [144C.2](#), [144D.1](#), [144F.1](#), [147.136A](#), [147.163](#), [152B.4](#), [233.1](#), [235E.1](#), [427.1\(14\)\(a\)](#)

Subsections 5 and 6 apply to a facility or, due to change in ownership, a successor facility that was, on or before December 27, 2020, a general hospital with no more than fifty licensed beds, located in a county in a rural area as specified in [section 135B.3A](#) with a specified population, and operating on and prior to a specified date under a valid certificate of need; [2023 Acts, ch 16, §20](#)

Subsection 1 amended
NEW subsections 5 and 6