

135R.5 Inspections or investigations.

1. The department shall make or cause to be made inspections or investigations of ambulatory surgical centers to determine compliance with [this chapter](#) and applicable rules and standards. The department shall perform inspections on a schedule that is of the same frequency required for inspections of Medicare-certified ambulatory surgical centers.

2. The department shall recognize, in lieu of its own licensure inspection, the comparable inspection and inspection findings of a Medicare conditions for coverage survey completed by the department or an accrediting organization survey from an accrediting organization with deeming authority authorized by the centers for Medicare and Medicaid services of the United States department of health and human services. An ambulatory surgical center utilizing an accrediting organization survey to satisfy the requirements of [this section](#) shall submit an accreditation certificate to the department within thirty days of completion of each accrediting organization survey.

3. A department inspector shall not participate in an inspection or investigation of an ambulatory surgical center in which the inspector or a member of the inspector's immediate family works or has worked within the last two years or in which the inspector or the inspector's immediate family has a financial ownership interest. For the purposes of [this section](#), "*immediate family member*" means a spouse, natural or adoptive parent or grandparent, child, grandchild, sibling, stepparent, stepchild, or stepsibling.

[2023 Acts, ch 16, §26](#); [2024 Acts, ch 1012, §5](#)

Subsection 2 amended