

Senate File 2160 - Enrolled

Senate File 2160

AN ACT

RELATING TO AMBULATORY SURGICAL CENTERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 10A.711, subsection 2, Code 2024, is amended to read as follows:

2. *"Ambulatory surgical center"* means ~~ambulatory surgical center as defined in [section 135R.1](#)~~ a distinct facility that operates primarily for the purpose of providing surgical services to patients not requiring hospitalization and in which the expected duration of services does not exceed twenty-four hours following an admission. *"Ambulatory surgical center"* includes a facility certified or seeking certification as an ambulatory surgical center under the federal Medicare program or under the medical assistance program established pursuant to chapter 249A. *"Ambulatory surgical center"* does not include the individual or group practice office of a private physician, podiatrist, or dentist who there engages in the lawful practice of surgery, or the portion of a licensed hospital designated for outpatient surgical treatment.

Sec. 2. Section 10A.713, subsection 2, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *g.* Cosmetic, reconstructive, or plastic surgery services provided in an ambulatory surgical center

licensed under chapter 135R.

Sec. 3. Section 135R.3, subsection 1, Code 2024, is amended to read as follows:

1. An applicant for an ambulatory surgical center license shall submit an application to the department. Applications shall be upon such forms and shall include such information as the department may reasonably require, which may include affirmative evidence of the ability to comply with reasonable rules and standards prescribed under [this chapter](#) but which shall not exceed either the requirements for applications required by Medicare, or an accreditation standard for the joint commission, the American association for accreditation of ambulatory surgical facilities, the accreditation association for ambulatory health care, or 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.

Sec. 4. Section 135R.4, subsection 1, Code 2024, is amended to read as follows:

1. The department, with the advice and approval of the council on health and human services, shall adopt rules specifying the standards for ambulatory surgical centers to be licensed under [this chapter](#). The rules shall be consistent with and shall not exceed the requirements of [this chapter](#) and the conditions for coverage in the federal Medicare program for ambulatory surgical centers under [42 C.F.R. pt. 416,](#) American association for accreditation of ambulatory surgical facilities, the accreditation association for ambulatory health care, or 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.

Sec. 5. Section 135R.5, subsection 2, Code 2024, is amended to read as follows:

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.

AMY SINCLAIR
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2160, Ninetieth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2024

KIM REYNOLDS
Governor