

FEB 20 2003  
STATE GOVERNMENT

HOUSE FILE 256  
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BODDICKER, MERTZ, BOAL, WATTS,  
and ROBERTS

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the regulation of office-based surgical sites.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 256

1 Section 1. NEW SECTION. 135M.1 OFFICE-BASED SURGICAL  
2 SITES.

3 1. Beginning October 1, 2003, an office-based surgical  
4 site shall not be established or operated in this state  
5 without first obtaining a license pursuant to this chapter.

6 2. a. A license for an office-based surgical site shall  
7 be valid for one year from the date of issuance, unless  
8 revoked prior to that date.

9 b. A license issued to an office-based surgical site shall  
10 be posted in a conspicuous place on the license premises.

11 3. a. The department of inspections and appeals shall  
12 adopt rules for the licensing of office-based surgical sites.  
13 The rules shall include procedures for denial, suspension, or  
14 revocation of a license, including an appeals process.

15 b. At a minimum, the rules shall require both of the  
16 following:

17 (1) That the site maintain an advance transfer agreement  
18 with the emergency room of the hospital located in closest  
19 proximity to the site.

20 (2) That the site has available, on the premises,  
21 appropriate monitoring and emergency equipment and staff  
22 appropriately trained to use the equipment.

23 4. For the purposes of this chapter, "office-based  
24 surgical site" means a site, other than a hospital or  
25 ambulatory surgical center, but including a clinic and a  
26 physician's private office, in which invasive surgical  
27 procedures are performed, with or without anesthesia,  
28 analgesia, or sedation, for which the known surgical  
29 complications may require emergency transfer ambulance  
30 services or life-support measures.

31 EXPLANATION

32 This bill requires that beginning October 1, 2003, an  
33 office-based surgical site shall not be established or  
34 operated in Iowa without first obtaining a license. The bill  
35 provides that a license for an office-based surgical site is

1 valid for one year from the date of issuance, unless revoked  
2 prior to that date and that the license is to be posted in a  
3 conspicuous place on the license premises. The bill directs  
4 the department of inspections and appeals to adopt rules for  
5 the licensing of office-based surgical sites. The rules are  
6 to include procedures for denial, suspension, or revocation of  
7 a license, including an appeals process, and, at a minimum,  
8 are to require that the site maintain an advance transfer  
9 agreement with the emergency room of the hospital located in  
10 closest proximity to the site and that the site has available,  
11 on the premises, appropriate monitoring and emergency  
12 equipment and staff appropriately trained to use the  
13 equipment.

14 The bill defines "office-based surgical site" as a site,  
15 other than a hospital or ambulatory surgical center, but  
16 including a clinic and a physician's private office, in which  
17 invasive surgical procedures are performed, with or without  
18 anesthesia, analgesia, or sedation, for which the known  
19 surgical complications may require emergency transfer  
20 ambulance services or life-support measures.

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