

## **Title 15: Mississippi State Department of Health**

### **Part 16: Health Facilities**

#### **Subpart 1: Health Facilities Licensure and Certification**

#### **CHAPTER 42        MINIMUM STANDARDS OF OPERATION FOR AMBULATORY SURGICAL FACILITIES**

##### **Subchapter 2        DEFINITIONS**

Rule 42.2.1    A list of selected terms often used in connection with these rules, regulations, and standards follows:

16. **Local Hospital.** As referenced in Rule 42.10.1(1), local hospital means that the ASC is to consider the most appropriate facility in which the ASC will transport its patients in the event of an emergency.
17. **Nursing Personnel.** The term "nursing personnel" shall mean registered nurses, graduate nurses, licensed practical nurses, nurses' aides, orderlies, attendants, and other rendering patient care.
18. **Patient.** The term "patient" shall mean a person admitted to the ambulatory surgical facility by and upon the recommendation of a physician and who is to receive medical care recommended by the physician.
19. **Pharmacy.** The term "pharmacy" shall mean a place licensed by the Mississippi State Department of Pharmacy where prescriptions, drugs, medicines and chemicals are offered for sale, compounded or dispensed, and shall include all places whose titles may imply the sale, offering for sale, compounding or dispensing of prescriptions, drugs, medicines or chemicals.
20. **Pharmacist.** The term "pharmacist" shall mean a person currently licensed by the Mississippi State Board of Pharmacy to practice pharmacy in Mississippi under the provisions contained in current state statutes.
21. **Physician.** The term "physician" shall mean a person currently licensed by the Mississippi State Board of Medical Licensure to practice medicine and surgery in Mississippi under provisions contained in current state statutes.
22. **Registered Nurse.** The term "registered nurse" (R.N.) shall mean a professional registered nurse currently licensed by the Mississippi Board of Nursing in accordance with the provisions contained in current state statutes.
23. **Person.** The term "person" means any individual, firm, partnership, corporation, company, association, or joint stock association, or any licensee herein or the legal successor thereof.

24. **May.** The term "may" indicates permission.
25. **Shall.** The term "shall" indicates mandatory requirement(s).
26. **Should.** The term "should" indicates recommendation(s).

*SOURCE: Miss. Code Ann. §41-75-13*

## **Subchapter 10      PATIENT TRANSFER**

### **Rule 42.10.1    Transfer Agreement.**

1. The ASC must have an effective procedure for the immediate transfer, to a hospital, of patients requiring medical care beyond the capabilities of the ASC. The hospital must be a local, Medicare participating hospital or a local non-participating hospital that meets the requirements for payment of emergency services. See Rule 42.2.1 (16) for definition of "local hospital".
  - a. The ASC must have a transfer agreement with a hospital that meets the requirements, as stated above, or
  - b. Ensure that all physicians performing surgery in the ASC have admitting privileges at a hospital that meets the regulatory requirements of above.
2. If the ASC does not have a transfer agreement, then the ASC must maintain documentation of the current admitting privileges of all physicians who perform surgery at the ASC at local hospitals that will satisfy the regulatory requirements of Rule 42.10.1 (1).

*SOURCE: Miss. Code Ann. §41-75-13*

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*SOURCE: Miss. Code Ann. §41-75-13*

## **Subchapter 10            PATIENT TRANSFER**

Rule 42.10.1 **Transfer Agreement.** ~~The facility shall have a written agreement with one or more acute general hospitals and be located within fifteen minutes travel time from the hospital(s) to ensure prompt referral and back-up services for patients requiring attention for an emergency or other condition necessitating hospitalization. The hospital(s) must have an emergency room staffed by an in-house physician during the hours that the ambulatory surgical facility is open. Policies shall be developed relating to preoperative and postoperative transportation.~~

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  - a. The ASC must have a transfer agreement with a hospital that meets the requirements, as stated above, or
  - b. Ensure that all physicians performing surgery in the ASC have admitting privileges at a hospital that meets the regulatory requirements of above.
2. If the ASC does not have a transfer agreement, then the ASC must maintain documentation of the current admitting privileges of all physicians who perform surgery at the ASC at local hospitals that will satisfy the regulatory requirements of Rule 42.10.1 (1).

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