MEMORANDUM

TO: Office of State Budget & Management

FROM: Nadine Pfeiffer, DHSR Rule-making Coordinator

DATE: February 19, 2020

RE: Federal Certification for Ambulatory Surgical Facility Licensing Rules

Rule-making Coordinator’s Certificate
As Required by GS 150B-19.1(g)
For Proposed Permanent and Temporary Rules Adopted to
Implement a Federal Law or which upon Receipt of Federal Funds is Conditioned

The attached rule-making package applies to rules 10A NCAC 13C .0202, .0301, .0501, .0702, and .0902. These rules apply to the licensure of ambulatory surgical facilities. These rules are being proposed for the readoption of requirements for issuance of the license, governing body, provision of anesthesia services, and nursing personnel. The rules are also proposed for the amendment of regulations for performed services.

The readoption and amendment of these rules are necessary to come in compliance with federal regulations 42 CFR 416.2 that governs Definitions, 42 CFR 416.40 that governs Condition for coverage-Compliance with State licensure law, 42 CFR 416.41 that governs Condition for coverage-Governing body and management, 42 CFR 416.42 that governs Condition for coverage-Surgical services, 42 CFR 416.46 that governs Condition for coverage-Nursing services, and 42 CFR 416.49 that governs Condition for coverage-Laboratory and radiologic services.