



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 818

PRINTERS NO. 1833

PRIME SPONSOR: J. Ward

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	\$0

SUMMARY: Senate Bill 818, Printer's Number 1833, amends the Health Care Facilities Act regarding surgical procedures at ambulatory surgical facilities. This legislation would be effective 60 days following enactment.

ANALYSIS: SB 818 provides that ambulatory surgical facilities (ASFs) may seek an exception from the Department of Health (DOH) to perform a surgical procedure not specified in the Centers for Medical and Medicaid Services (CMS) 2022 Ambulatory Surgical Center Covered Procedures List in effect on January 1, 2022, or any other procedure that is prohibited by state regulation.

The bill provides that DOH must provide a written response to a request for an exception within 60 days of receipt. A request for an exception is deemed approved if DOH takes no action within 60 days. A denial of a request must include the basis for the denial, including statutory or regulatory citations. If DOH determines that a request is incomplete, it must specify the necessary information for DOH to make a determination. DOH must act on a resubmitted request within 60 days.

The bill provides that ASFs may perform surgical procedures that are permitted under federal or state law or regulation as well as procedures that are included the CMS 2022 Ambulatory Surgical Center Covered Procedures List that do not conflict with state regulations relating to license, classification, construction and design standards, personnel, equipment, governance and management, and notification requirements.

FISCAL IMPACT: Enactment of this legislation would have no adverse impact on Commonwealth funds.

PREPARED BY: Nick McClure
House Appropriations Committee (R)

DATE: June 29, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.