

SENATE BILL No. 390

May 19, 2011, Introduced by Senators MARLEAU and YOUNG and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 22216.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 22216. (1) IF A CERTIFICATE OF NEED REVIEW STANDARD FOR
2 SURGICAL SERVICES IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION
3 CONFLICTS WITH A STANDARD UNDER THIS SECTION, THE STANDARD IN THIS
4 SECTION PREVAILS. THIS SECTION ESTABLISHES CERTAIN STANDARDS
5 REQUIRED FOR APPROVAL AND DELIVERY OF SERVICES FOR ALL PROJECTS
6 APPROVED AND CERTIFICATES OF NEED ISSUED UNDER THIS PART THAT
7 INVOLVE THE INITIATION, EXPANSION, REPLACEMENT, RELOCATION, OR
8 ACQUISITION OF SURGICAL SERVICES PROVIDED IN A VASCULAR ACCESS
9 CENTER.

1 (2) FOR THE PURPOSE OF EVALUATING COMPLIANCE WITH CERTIFICATE
2 OF NEED MINIMUM VOLUME REQUIREMENTS FOR A VASCULAR ACCESS CENTER,
3 THE DEPARTMENT SHALL USE ALL OF THE FOLLOWING TO DETERMINE THE
4 NUMBER OF SURGICAL CASES, HOURS OF USE, OR BOTH, AS APPLICABLE:

5 (A) ALL ROOMS CONSTRUCTED AND EQUIPPED TO PERFORM VASCULAR
6 ACCESS PROCEDURES THAT ARE LOCATED ON A STERILE CORRIDOR IN WHICH
7 VASCULAR ACCESS PROCEDURES ARE PERFORMED.

8 (B) ALL VASCULAR ACCESS CASES OR HOURS OF USE PERFORMED IN THE
9 ROOMS DESCRIBED IN SUBDIVISION (A).

10 (3) A VASCULAR ACCESS CENTER APPLICANT FOR A CERTIFICATE OF
11 NEED THAT IS REQUIRED TO PROJECT VOLUMES OF SERVICE SHALL SPECIFY
12 HOW THE VOLUME PROJECTIONS WERE DEVELOPED AND SHALL INCLUDE ONLY
13 THOSE VASCULAR ACCESS PROCEDURES PERFORMED IN THE ROOMS DESCRIBED
14 IN SUBSECTION (2) (A). THE APPLICANT SHALL OTHERWISE COMPLY WITH ALL
15 OF THE REQUIREMENTS REGARDING DOCUMENTATION OF PROJECTIONS
16 CONTAINED IN THE CERTIFICATE OF NEED REVIEW STANDARDS FOR SURGICAL
17 SERVICES.

18 (4) A VASCULAR ACCESS CENTER APPLICANT FOR A CERTIFICATE OF
19 NEED MAY USE PATIENTS CURRENTLY BEING SERVED BY THAT CENTER TO
20 DETERMINE OR PROJECT VOLUMES OF SERVICE UNDER THIS SECTION.

21 (5) AS USED IN THIS SECTION, "VASCULAR ACCESS CENTER" MEANS A
22 PHYSICIAN OFFICE PRACTICE THAT PRIMARILY PERFORMS VASCULAR ACCESS
23 SERVICES NECESSARY TO MAINTAIN DIALYSIS ACCESS FOR END STAGE RENAL
24 DISEASE PATIENTS AND THAT MEETS THE PHYSICAL REQUIREMENTS OF AN
25 AMBULATORY SURGERY CENTER CERTIFIED UNDER TITLE XVIII.