

HEALTH FACILITY COMMITTEE
MAY 19, 2004, ROOM 125, 9:00 – 12:00
288 North 1460 West, SLC, Utah 84116

Members Present:

Glade Bigler; Paul Clayton; Joyce Wanta; Keith Tintle; Carol Bloswick; Jill Andrews; Paul Fairholm; Galen Ewer; Tracy Stocking; John Kesler; and Denell Bredsguard.

Members Excused:

Susan Marquardt

Members Absent:

Mary Petersen

Staff Present:

Joel Hoffman; Debra Wynkoop; Marsha Bentley; Allan Elkins; Kimberlee Jessop; Donna Riley; Laurie Miller; and Joan Isom.

1. **Minutes:**

Mr. Bigler made a motion to accept the minutes with no amendments. Ms. Bloswick seconded the motion. The **MOTION PASSED** unanimously.

2. **Ambulatory Health Services Committee:** Dr. Clayton

Dr. Clayton reported that the American Society of Anesthesiologists has compiled a list of the states and regulations adopted for office based surgery settings. Currently thirteen states have passed office-based surgery and anesthesia regulations. Dr. Clayton proposed that the sub-committee draft a proposed rule that will include office-based surgeries and other ambulatory health facilities where sedation is administered. The rule will provide a safety net for regulation of sedation in all settings in the state. Dr. Clayton will report at the next Health Facility Committee Meeting in September.

3. **Activity Therapy Sub-committee:** Keith Tintle

Mr. Tintle reported that the sub-committee has reached a consensus that there is no need to amend the rules. The sub-committee has referred the music therapists to seek professional licensing in lieu of modifying the activity service rules which require a licensed recreational therapist. Mr. Hoffman will continue to coordinate any further amendments to the rules to assist the music therapists.

4. **Hospice Sub-committee:** Paul Fairholm

Mr. Fairholm reported that the State Fire Marshal has adopted a rule (R710-3) which requires a variance for an individual receiving hospice care in an assisted living setting. If the sub-committee eliminates the need for a variance for individuals receiving hospice in assisted living settings, a conflict with the fire code would exist. Mr. Hoffman reported that a discussion with the Fire

Marshal concurred that they do not need the hospice wording in their rules and they would be willing to eliminate that rule. After the fire code has been amended the sub-committee will reconvene. The sub-committee recommends that this item be continued to the next meeting agenda.

5. **Physician Services:** Galen Ewer
Mr. Ewer proposed rule language that will make our state rules more consistent with federal regulations. Ms. Wynkoop explained that the sub-committee has proposed a rule change which eliminates the physician visit, within five days, if a patient is admitted to a nursing care facility by a physician assistant or nurse practitioner. If there is a medical need then the physician would examine or treat the patient. Mr. Ewer made a motion that the ruled be accepted. Dr. Clayton seconded the motion. The **MOTION PASSED** unanimously. The Bureau shall file the rule.
6. **Banking Beds:** Paul Fairholm
Mr. Fairholm proposed a rule change which will reflect a facilities licensed capacity with operational and banked beds differentiated on the license. An operational bed may not be currently in use, however it can be opened for occupancy within 24 hours. A “banked bed” can be converted to “operational” once a year. Mr. Fairholm clarified that to be “operational” is more than putting a bed in a room, it includes appropriate staffing and supplies are available. Mr. Fairholm specified that if a bed was banked, and the health and safety codes change, and the bed is converted to operational, that occupied area would not be required to upgrade to the new codes, but would be grandfathered under the same life safety code that existed when the bed was banked. One goal is to have a more accurate count of the available operational bed capacity statewide. Mr. Fairholm made a motion to accept the rule with the additional language defining a “banked bed”. Mr. Kesler seconded the motion. The **MOTION PASSED** unanimously. The Bureau is requested to file the rule.
7. **Independent Audit:** Debra Wynkoop
The Adverse Drug Event rule required all hospitals and surgical centers to have an independent audit completed by December 2004. Eight JCAHO facilities have had surveys or are scheduled for surveys which will not meet the time frames. The Department proposes, as an alternative, to have Lori West and Iona Thraen approved to audit these eight facilities. The proposed audit tool and qualifications are submitted for the committee approval. Dr. Clayton made a motion to approve the Department audit as an alternative. Mr. Tintle seconded the motion. The **MOTION PASSED** unanimously. The Bureau shall notify the facilities.
8. **Credentialing:** Debra Wynkoop
The HRSA sub-committee has requested a rule amendment to require all hospitals to have policies and procedures in place to temporarily credential

medical staff who are assisting patients during a disaster or mass casualty event.

Mr. Tintle made a motion to have the HRSA sub-committee approve the rule and bring the final rule to the September meeting. Dr. Clayton seconded the motion. The **MOTION PASSED** unanimously.

9. **Dining Assistant:** Paul Fairholm
Mr. Fairholm explained the change in the federal regulation which allows an employee or volunteer who only assists residents with eating and drinking be trained and supervised in long-term care settings without being a certified nurse aide. Mr. Kesler requested that the word “unrelated” be added in #1A after the word “individual”. Dr. Clayton made a motion to accept the rule with the changes discussed. Mr. Stocking seconded the motion. The **MOTION PASSED** unanimously.
10. **Health Facility Committee Vacancies:** Debra Wynkoop
Ms. Wynkoop explained that we have several committee members whose terms have expired. The Department is seeking nominations for two consumers and several committee members may re-apply for another four-year appointment. Ms. Wynkoop requested that committee members seek nominations from individuals that might be interested in serving on the Health Facility Committee contact the Bureau with any interested parties.
11. **Bureau of Licensing Reorganization:** Debra Wynkoop
Ms. Wynkoop introduced Allan Elkins and explained the Bureau’s reorganization combining the licensing and certification of health care facilities into a single Bureau. Mr. Elkins will be the Bureau Director and the Executive Secretary for the Health Facility Committee. Mr. Ewer requested an organization chart for the Health Facility Committee members. Mr. Elkins will be introducing the Bureau’s Program Managers, at the September meeting. Dr. Clayton made a motion to acknowledge Ms. Wynkoop’s leadership. Ms. Andrews seconded the motion. The **MOTION PASSED** unanimously.
Mr. Bigler made a motion to dismiss the meeting.

Joyce Wanta, Chairperson

Debra Wynkoop, Executive Secretary