

1 10A NCAC 13C .0103 is proposed for amendment as follows:
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3 **10A NCAC 13C .0103 DEFINITIONS**

4 As used in this Subchapter, unless the context clearly requires otherwise, the following terms have the meanings
5 specified:

- 6 (1) "Adequate" means, when applied to various areas of services, that the services are at least
7 satisfactory in meeting a referred to need when measured against contemporary professional
8 standards of practice.
- 9 (2) "AAAASF" means American Association for Accreditation of Ambulatory Surgery Facilities.
- 10 (3) "AAAHHC" means Accreditation Association for Ambulatory Health Care.
- 11 (4) "Ancillary nursing personnel" means persons employed to assist registered nurses or licensed
12 practical nurses in the care of patients.
- 13 (5) "Anesthesiologist" means a physician whose specialized training and experience qualify him or her
14 to administer anesthetic agents and to monitor the patient under the influence of these agents. For
15 the purpose of these Rules the term "anesthesiologist" shall not include podiatrists.
- 16 (6) "Anesthetist" means a physician or dentist qualified, as defined in Item ~~(22)~~(26) of this Rule, to
17 administer anesthetic agents or a registered nurse qualified, as defined in Item ~~(22)~~(26) of this Rule,
18 to administer anesthesia.
- 19 (7) "Authority Having Jurisdiction" means the Division of Health Service Regulation.
- 20 (8) "Chief executive officer" or "administrator" means a qualified person appointed by the governing
21 authority to act in its behalf in the overall management of the facility and whose office is located in
22 the facility.
- 23 (9) "Commission" means the North Carolina Medical Care Commission.
- 24 (10) "Current Procedural Terminology (CPT)" means a medical code set developed by the American
25 Medical Association.
- 26 ~~(9)~~(11) "Dentist" means a person who holds a valid license issued by the North Carolina Board of Dental
27 Examiners to practice dentistry.
- 28 ~~(10)~~(12) "Department" means the North Carolina Department of Health and Human Services.
- 29 ~~(11)~~(13) "Director of nursing" means a registered nurse who is responsible to the chief executive officer and
30 has the authority and direct responsibility for all nursing services and nursing care for the entire
31 facility at all times.
- 32 (14) "Financial Assistance" means a policy, including charity care, describing how the organization will
33 provide assistance at its facility. Financial assistance includes free or discounted health services
34 provided to persons who meet the organization's criteria for financial assistance and are unable to
35 pay for all or a portion of the services. Financial assistance does not include:
36 (a) bad debt;

- 1 **(b) uncollectable charges that the organization recorded as revenue but wrote off due**
2 **to a patient’s failure to pay;**
- 3 **(c) the cost of providing such care to such patients;**
- 4 **(d) the difference between the cost of care provided under Medicare or other**
5 **government programs, and the revenue derived therefrom.**
- 6 ~~(12)~~**(15)** "Governing authority" means the individual, agency or group or corporation appointed, elected or
7 otherwise designated, in which the ultimate responsibility and authority for the conduct of the
8 ambulatory surgical facility is vested.
- 9 **(16)** "Health Insurer" means **service benefit plans, managed care organizations, or other parties that are**
10 **by statute, contract, or agreement, legally responsible for payment of a claim for a health care item**
11 **or service as a condition of doing business in the State. This excludes self-insured plans and**
12 **group health plans as defined in section 607(1) of the Employee Retirement Income Security Act**
13 **of 1974.**
- 14 **(17)** "Healthcare Common Procedure Coding System (HCPCS)" means a three tiered medical code set
15 **consisting of Level I, II and III services and contains the CPT code set in Level I.**
- 16 ~~(13)~~**(18)** "JCAHO" or "**Joint Commission**" means Joint Commission on Accreditation of Healthcare
17 Organizations.
- 18 ~~(14)~~**(19)** "Licensing agency" means the Department of Health and Human Services, Division of Health
19 Service Regulation.
- 20 ~~(15)~~**(20)** "Licensed practical nurse" (L.P.N.) means any person licensed as such under the provisions of G.S.
21 90-171.
- 22 ~~(16)~~**(21)** "Nursing personnel" means registered nurses, licensed practical nurses and ancillary nursing
23 personnel.
- 24 ~~(17)~~**(22)** "Operating room" means a room in which surgical procedures are performed.
- 25 ~~(18)~~**(23)** "Patient" means a person admitted to and receiving care in a facility.
- 26 ~~(19)~~**(24)** "Person" means an individual, a trust or estate, a partnership or corporation, including associations,
27 joint stock companies and insurance companies; the state, or a political subdivision or
28 instrumentality of the state.
- 29 ~~(20)~~**(25)** "Pharmacist" means a person who holds a valid license issued by the North Carolina Board of
30 Pharmacy to practice pharmacy in accordance with G.S. 90-85.
- 31 ~~(21)~~**(26)** "Physician" means a person who holds a valid license issued by the North Carolina Medical Board
32 to practice medicine. For the purpose of carrying out these Rules, a "physician" may also mean a
33 person holding a valid license issued by the North Carolina Board of Podiatry Examiners to practice
34 podiatry.
- 35 **(27)** "Public or Private Third Party" means **the State, federal government employers, health insurers,**
36 **third-party administrators and managed care organizations.**
- 37 ~~(22)~~**(28)** "Qualified person" when used in connection with an occupation or position means a person:

1 (a) who has demonstrated through relevant experience the ability to perform the required
2 functions; or

3 (b) who has certification, registration or other professional recognition.

4 ~~(23)~~(29) "Recovery area" means a room used for the post anesthesia recovery of surgical patients.

5 ~~(24)~~(30) "Registered nurse" means a person who holds a valid license issued by the North Carolina Board of
6 Nursing to practice nursing as defined in G.S. 90-171.

7 ~~(25)~~(31) "Surgical suite" means an area which includes one or more operating rooms and one or more
8 recovery rooms.

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10 *History Note:* Authority *G.S. 131E-149; S.L. 2013-382(s.10.1),(s.13.1);*

11 *Eff. October 14, 1978;*

12 *Amended Eff. November 1, 2014; April 1, 2003; November 1, 1989.*