

1 10A NCAC 14C .2101 is proposed for amendment under temporary procedures as follows:

2
3 **SECTION .2100 – CRITERIA AND STANDARDS FOR SURGICAL SERVICES AND OPERATING**
4 **ROOMS**

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6 **10A NCAC 14C .2101 DEFINITIONS**

7 The following definitions apply to all rules in this Section:

- 8 (1) "Ambulatory surgical facility" means a facility as defined in G.S. 131E-176(1b).
- 9 (2) ~~"Operating room" means a room as defined in G.S. 131E-176(18c), which includes an inpatient~~
10 ~~operating room, an outpatient or ambulatory surgical operating room, or a shared operating room.~~
11 "Ambulatory surgical program" means a program as defined in G.S. 131E-176(1c).
- 12 (3) ~~"Ambulatory surgical program" means a program as defined in G.S. 131E-176(1c).~~ "Approved
13 operating rooms" means those operating rooms that were approved for a certificate of need prior to
14 the date on which the applicant's proposed project was submitted to the Agency but that have not
15 been licensed.
- 16 (4) "Dedicated cesarean section operating room" or "Dedicated C-section operating room" means an
17 operating room as defined in the applicable Chapter 6 in the 2018 State Medical Facilities Plan. For
18 purposes of this Section, Chapter 6 in the 2018 State Medical Facilities Plan is hereby incorporated
19 by reference including subsequent amendments and editions. This document is available at no cost
20 at <https://www2.ncdhhs.gov/dhsr/ncsmfp/index.html>.
- 21 (5) "Existing operating rooms" means those operating rooms in ambulatory surgical facilities and
22 hospitals which that were reported in the License Application for Ambulatory Surgical Facilities
23 and Programs Facility License Renewal Application Form and in Part III of the Hospital Licensure
24 License Renewal Application Form submitted to the Acute and Home Care Licensure and
25 Certification Section of the Division of Health Service Regulation and which that were licensed and
26 certified prior to the beginning of the review period.
- 27 (6) ~~"Approved operating rooms" means those operating rooms that were approved for a certificate of~~
28 ~~need by the Certificate of Need Section prior to the date on which the applicant's proposed project~~
29 ~~was submitted to the Agency but that have not been licensed.~~ "Health system" shall have the same
30 meaning as defined in Chapter 6 in the 2018 State Medical Facilities Plan.
- 31 (7) ~~"Multispecialty ambulatory surgical program" means a program as defined in G.S. 131E-176(15a).~~
32 "Inpatient operating room" means an operating room in a hospital as defined in G.S. 131E-176(13)
33 used solely for the performance of surgical procedures on inpatients.
- 34 (8) ~~"Outpatient or ambulatory surgical operating room" means an operating room used solely for the~~
35 ~~performance of surgical procedures which require local, regional or general anesthesia and a period~~
36 ~~of post-operative observation of less than 24 hours.~~ "Multispecialty ambulatory surgical program"
37 means a program as defined in G.S. 131E-176(15a).

- 1 (9) ~~"Related entity" means the parent company of the applicant, a subsidiary company of the applicant~~
2 ~~(i.e., the applicant owns 50 percent or more of another company), a joint venture in which the~~
3 ~~applicant is a member, or a company that shares common ownership with the applicant (i.e., the~~
4 ~~applicant and another company are owned by some of the same persons). "Operating room" means~~
5 ~~a room as defined in G.S. 131E-176(18c), and includes an inpatient operating room, an outpatient~~
6 ~~or ambulatory surgical operating room, or a shared operating room.~~
- 7 (10) ~~"Service area" means the Operating Room Service Area as defined in the applicable State Medical~~
8 ~~Facilities Plan. "Operating Room Need Methodology" means the Methodology for Projecting~~
9 ~~Operating Room Need in Chapter 6 in the 2018 State Medical Facilities Plan.~~
- 10 (11) ~~"Shared operating room" means an operating room that is used for the performance of both~~
11 ~~ambulatory and inpatient surgical procedures. "Outpatient or ambulatory surgical operating room"~~
12 ~~means an operating room used solely for the performance of surgical procedures that require local,~~
13 ~~regional, or general anesthesia, and a period of post-operative observation of less than 24 hours.~~
- 14 (12) ~~"Specialty area" means an area of medical practice in which there is an approved medical specialty~~
15 ~~certificate issued by a member board of the American Board of Medical Specialties and includes~~
16 ~~the following: gynecology, otolaryngology, plastic surgery, general surgery, ophthalmology,~~
17 ~~urology, orthopedics, and oral surgery. "Service area" means the Operating Room Service Area as~~
18 ~~defined in Chapter 6 in the 2018 State Medical Facilities Plan.~~
- 19 (13) ~~"Specialty ambulatory surgical program" means a program as defined in G.S. 131E-176(24e).~~
20 ~~"Shared operating room" means an operating room that is used for the performance of both~~
21 ~~ambulatory and inpatient surgical procedures.~~
- 22 (14) ~~"Surgical case" means an individual who receives one or more surgical procedures in an operating~~
23 ~~room during a single operative encounter. "Specialty ambulatory surgical program" means a~~
24 ~~program as defined in G.S. 131E-176(24f).~~
- 25 (15) ~~"Specialty area" means an area of medical practice in which there is an approved medical specialty~~
26 ~~certificate issued by a member board of the American Board of Medical Specialties and includes~~
27 ~~the following: gynecology, otolaryngology, plastic surgery, general surgery, ophthalmology,~~
28 ~~urology, orthopedics, and oral surgery.~~

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30 *History Note: Authority G.S. 131E-177(1); 131E-183(b);*
31 *Eff. November 1, 1990;*
32 *Amended Eff. March 1, 1993;*
33 *Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent rule*
34 *becomes effective, whichever is sooner;*
35 *Amended Eff. January 4, 1994;*
36 *Temporary Amendment Eff. January 1, 1999;*
37 *Temporary Eff. January 1, 1999 Expired on October 12, 1999;*

1 *Temporary Amendment Eff. January 1, 2000;*
2 *Temporary Amendment effective January 1, 2000 amends and replaces a permanent rulemaking*
3 *originally proposed to be effective August 2000;*
4 *Amended Eff. April 1, 2001;*
5 *Temporary Amendment Eff. January 1, 2002; July 1, 2001;*
6 *Amended Eff. August 1, 2002;*
7 *Temporary Amendment effective January 1, 2002 amends and replaces the permanent rule effective*
8 *August 1, 2002;*
9 *Amended Eff. April 1, 2003;*
10 *Temporary Amendment Eff. January 1, 2005;*
11 *Amended Eff. November 1, 2005;*
12 *Temporary Rule Eff. February 1, 2006;*
13 *Amended Eff. November 1, 2006;*
14 *Temporary Amendment Eff. February 1, 2008;*
15 *Amended Eff. November 1, ~~2008~~, 2008;*
16 *Temporary Amendment Eff. February 1, 2018.*