

1 SENATE BILL 245

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Elizabeth "Liz" Stefanics and Stuart Ingle

5
6
7
8
9
10 AN ACT

11 RELATING TO PUBLIC HEALTH; ALLOWING RURAL HEALTH FACILITIES TO
12 APPLY FOR RURAL EMERGENCY HOSPITAL LICENSURE; ESTABLISHING
13 RURAL EMERGENCY HOSPITAL LICENSURE REQUIREMENTS.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the Public Health Act is
17 enacted to read:

18 "[NEW MATERIAL] RURAL EMERGENCY HOSPITAL LICENSURE--
19 LICENSING REQUIREMENTS.--

20 A. The department shall promulgate rules to
21 establish a rural emergency hospital license that enables
22 certain hospitals to apply to receive federal health care
23 reimbursement as rural emergency hospitals.

24 B. The department shall only issue a rural
25 emergency hospital license to a health facility that:

.223893.2

underscored material = new
[bracketed material] = delete

1 (1) on December 27, 2020, was:

2 (a) designated as a critical access
3 hospital by the centers for medicare and medicaid services; or

4 (b) licensed as a hospital with less
5 than fifty licensed beds and located in a county in a rural
6 area as defined in Section 1886(d)(2)(D) or Section
7 1886(d)(8)(E) of the federal Social Security Act;

8 (2) provides rural emergency hospital services
9 in the facility twenty-four hours per day and is staffed
10 twenty-four hours per day, seven days per week with a
11 physician, nurse practitioner, clinical nurse specialist or
12 physician assistant;

13 (3) has a transfer agreement in effect with a
14 level I or level II trauma center;

15 (4) does not have an annual average patient
16 length of stay over twenty-four hours; and

17 (5) meets any other requirements that the
18 department finds necessary to implement state licensure and
19 satisfy centers for medicare and medicaid services requirements
20 for reimbursement as a rural emergency hospital.

21 C. A health facility that applies to the department
22 for licensure as a rural emergency hospital shall include with
23 the licensure application:

24 (1) an action plan for initiating rural
25 emergency hospital services, including a detailed transition

underscoring material = new
~~[bracketed material] = delete~~

1 plan that lists the specific services that the facility will
2 retain, modify, add and discontinue;

3 (2) a description of services that the
4 facility intends to provide on an outpatient basis; and

5 (3) any other information required by rules of
6 the department.

7 D. A rural emergency hospital shall not have
8 inpatient beds, but a rural emergency hospital may have a unit
9 that is a distinct part of the hospital that is licensed as a
10 skilled nursing facility and provides post-hospital extended
11 care services.

12 E. For the purposes of this section:

13 (1) "department" means the department of
14 health; and

15 (2) "rural emergency hospital" means a health
16 facility that provides emergency and observational care and
17 meets the licensure requirements outlined in Subsection B of
18 this section."