



1 number of patients received or the duration of their stay. The term  
2 "hospital" includes general medical surgical hospitals, specialized  
3 hospitals, critical access ~~and emergency~~ hospitals, emergency  
4 hospitals, rural emergency hospitals, and birthing centers;

5 2. "General medical surgical hospital" means a hospital  
6 maintained for the purpose of providing hospital care in a broad  
7 category of illness and injury;

8 3. "Specialized hospital" means a hospital maintained for the  
9 purpose of providing hospital care in a certain category, or  
10 categories, of illness and injury;

11 4. "Critical access hospital" means a hospital determined by  
12 the State Department of Health to be a necessary provider of health  
13 care services to residents of a rural community;

14 5. "Emergency hospital" means a hospital that provides  
15 emergency treatment and stabilization services on a twenty-four-hour  
16 basis that has the ability to admit and treat patients for short  
17 periods of time;

18 6. "Rural emergency hospital" means a hospital that provides  
19 emergency treatment and stabilization services for an average length  
20 of stay of twenty-four hours or less;

21 7. "Birthing center" means any facility, place or institution,  
22 which is maintained or established primarily for the purpose of  
23 providing services of a certified midwife or licensed medical doctor  
24 to assist or attend a woman in delivery and birth, and where a woman

1 is scheduled in advance to give birth following a normal,  
2 uncomplicated, low-risk pregnancy. Provided, however, licensure for  
3 a birthing center shall not be compulsory;

4 ~~7.~~ 8. "Day treatment program" means nonresidential, partial  
5 hospitalization programs, day treatment programs, and day hospital  
6 programs as defined by subsection A of Section 175.20 of Title 10 of  
7 the Oklahoma Statutes; and

8 ~~8.~~

9 9. a. "Primarily engaged" means a hospital shall be  
10 primarily engaged, defined by this section and as  
11 determined by the State Department of Health, in  
12 providing to inpatients the following care by or under  
13 the supervision of physicians:

14 (1) diagnostic services and therapeutic services for  
15 medical diagnosis, treatment and care of injured,  
16 disabled or sick persons, or

17 (2) rehabilitation services for the rehabilitation of  
18 injured, disabled or sick persons.

19 b. In reaching a determination as to whether an entity is  
20 primarily engaged in providing inpatient hospital  
21 services to inpatients of a hospital, the Department  
22 shall evaluate the total facility operations and  
23 consider multiple factors as provided in subparagraphs  
24 c and d of this subsection.

1 c. In evaluating the total facility operations, the  
2 Department shall review the actual provision of care  
3 and services to two or more inpatients, and the  
4 effects of that care, to assess whether the care  
5 provided meets the needs of individual patients by way  
6 of patient outcomes.

7 d. The factors that the Department shall consider for  
8 determination of whether an entity meets the  
9 definition of primarily engaged include, but are not  
10 limited to:

11 (1) a minimum of four inpatient beds,

12 (2) the entity's average daily census (ADC),

13 (3) the average length of stay (ALOS),

14 (4) the number of off-site campus outpatient  
15 locations,

16 (5) the number of provider-based emergency  
17 departments for the entity,

18 (6) the number of inpatient beds related to the size  
19 of the entity and the scope of the services  
20 offered,

21 (7) the volume of outpatient surgical procedures  
22 compared to the inpatient surgical procedures, if  
23 surgical services are provided,

24 (8) staffing patterns, and

1 (9) patterns of ADC by day of the week.

2 e. Notwithstanding any other provision of this section,  
3 an entity shall be considered primarily engaged in  
4 providing inpatient hospital services to inpatients if  
5 the hospital has had an ADC of at least two (2) and an  
6 ALOS of at least two (2) midnights over the past  
7 twelve (12) months. A critical access hospital shall  
8 be exempt from the ADC and ALOS determination. ADC  
9 shall be calculated by adding the midnight daily  
10 census for each day of the twelve-month period and  
11 then dividing the total number by days in the year. A  
12 facility that has been operating for less than (12)  
13 months at the time of the survey shall calculate its  
14 ADC based on the number of months the facility has  
15 been operational, but not less than three (3) months.  
16 If a first survey finds noncompliance with the ADC and  
17 ALOS, a second survey may be required by the  
18 Department to demonstrate compliance with state  
19 licensure.

20 SECTION 2. This act shall become effective October 1, 2023.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
22 February 15, 2023 - DO PASS AS AMENDED  
23  
24