SPONSOR: Rep. Bentz & Rep. Smyk & Sen. S. McBride & Sen. Lopez
Reps. Briggs King, Griffith, Lambert, Mitchell, Michael Smith; Sens. Sokola, Walsh

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 161
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF HOSPITALS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 10, Title 16 of the Delaware Code by making insertions as shown by underline and deletions as shown by strike through as follows:

§1001. "Hospital" defined.

(a) As used in this chapter, "hospital" means a health-care organization that has a governing body, an organized medical and professional staff, and inpatient facilities, and provides either medical diagnosis, treatment and care, nursing and related services for ill and injured patients, or rehabilitation services for the rehabilitation of ill, injured or disabled patients 24 hours per day, 7 days per week and primarily engaged in providing inpatient services.

(b) Hospitals may be further classified as:

(1) General. — Providing diverse patient services, diagnostic and therapeutic, for a variety of medical conditions. A general hospital must provide ~~onsite:~~ on-site:

a. Diagnostic x-ray services with facilities and staff for a variety of ~~procedures;~~ procedures.

b. Clinical laboratory services with facilities and with anatomical pathology services regularly and conveniently ~~available; and~~ available.

c. Operating room service with facilities and staff.

d. Emergency department with facilities and staff.

(2) Long-term care. — Providing inpatient services for patients whose medically-complex conditions require a long hospital stay with an average length of stay of greater than 25 days.

(3) Psychiatric. — Providing services for the diagnosis and treatment of patients with psychiatric-related illness.

(4) Rehabilitation. — Providing intensive inpatient rehabilitative services for 1 or more conditions requiring rehabilitation.

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(5) Surgical. ─ Providing inpatient and outpatient surgical and related services in which the anticipated duration of the patient's stay will not exceed 72 hours following admission. A surgical hospital must provide all of the following services on-site:

a. Diagnostic x-ray services with facilities and staff for a variety of procedures.

b. Clinical laboratory services with facilities and anatomical pathology services regularly and conveniently available.

c. Operating room service with facilities and staff.

d. Basic emergency care.

(c) Hospitals classified under subsections (b)(2) through (4) shall not be required to comply with the provisions of subsection (b)(1), but must, at a minimum, provide on-site basic emergency care services.

Section 2. Nothing in this Act shall be interpreted as affecting or invalidating any services provided by hospitals in Delaware prior to the effective date of this Act.

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