

**§1812-E. Ambulatory surgical facility**

**1. Definition.** As used in this chapter, unless the context otherwise indicates, "ambulatory surgical facility" means a facility with a primary purpose of providing elective surgical care to a patient who is admitted to and discharged from the facility within the same day. In order to meet this primary purpose, a facility must at least administer anesthetic agents, maintain a sterile environment in a surgical suite and charge a facility fee separate from the professional fee. "Ambulatory surgical facility" does not include:

- A. A facility that is licensed as part of a hospital; [PL 1991, c. 752, §1 (NEW).]
- B. A facility that provides services or accommodations for patients who stay overnight; [PL 1991, c. 752, §1 (NEW).]
- C. A facility existing for the primary purpose of performing terminations of pregnancies; or [PL 1991, c. 752, §1 (NEW).]
- D. The private office of a physician or dentist in individual or group practice, unless that facility or office is certified as a Medicare ambulatory surgical center. [PL 1991, c. 752, §1 (NEW).]  
[PL 1991, c. 752, §1 (AMD).]

**2. Standards.** The department shall establish standards for the licensure of ambulatory surgical facilities effective July 1, 1992. The standards must provide that ambulatory surgical facilities that are certified for the federal Medicare and Medicaid programs meet the requirements for state licensure. [PL 1991, c. 752, §1 (AMD).]

**3. Annual inspection.** The department shall inspect annually ambulatory surgical facilities, except that state inspections need not be performed during a year when a Medicare inspection is performed. [PL 1991, c. 752, §1 (NEW).]

**SECTION HISTORY**

PL 1989, c. 572, §2 (NEW). PL 1991, c. 752, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.