

SENATE, No. 1677

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 18, 1996

By Senators SINGER and CONNORS

1 AN ACT concerning mobile intensive care units and amending
2 P.L.1984, c.146 and P.L.1992, c.160.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 6 of P.L.1984, c.146 (C.26:2K-12) is amended to read
8 as follows:

9 6. a. Only a hospital authorized by the commissioner with an
10 accredited emergency service may develop and maintain a mobile
11 intensive care unit, and provide advanced life support services utilizing
12 licensed physicians, registered professional nurses trained in advanced
13 life support nursing, and mobile intensive care paramedics.

14 b. A hospital authorized by the commissioner pursuant to
15 subsection a. of this section shall provide mobile intensive care unit
16 services on a seven- day-a-week basis.

17 c. The commissioner shall establish, in writing, criteria which a
18 hospital shall meet in order to qualify for the authorization.

19 d. The commissioner may withdraw his authorization if the hospital
20 or unit violates any provision of this act or rules or regulations
21 promulgated pursuant thereto.

22 e. Notwithstanding the provisions of section 7 of P.L.1971, c.136
23 (C.26:2H-7) to the contrary, a hospital which is authorized by the
24 commissioner to operate a mobile intensive care unit pursuant to
25 subsection a. of this section, may expand the number of mobile
26 intensive care units and hours of service which it provides, as the
27 hospital determines necessary to meet the needs of the population in
28 its geographic service area, without obtaining a certificate of need;
29 provided that any additional unit and its staff shall comply with the
30 provisions of P.L.1984, c.146 (C.26:2K-7 et seq.) and the regulations
31 adopted by the commissioner pursuant thereto.

32 (cf: P.L.1985, c.351, s.2)

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34 2. Section 19 of P.L.1992, c.160 (C.26:2H-7a) is amended to read

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 as follows:

2 19. Notwithstanding the provisions of section 7 of P.L.1971, c.136
3 (C.26:2H-7) to the contrary, the following are exempt from the
4 certificate of need requirement:

5 Community-based primary care centers;

6 Outpatient drug and alcohol services;

7 Ambulance and invalid coach services;

8 Changes in vehicles or hours of operation of a mobile intensive care
9 unit authorized pursuant to P.L.1984, c.146 (C.26:2K-7 et seq.):

10 Mental health services which are non-bed related outpatient
11 services;

12 Changes in residential health care facility services;

13 Mandatory renovations to existing facilities;

14 Mandatory replacement of fixed or moveable equipment;

15 Transfer of ownership interest except in the case of an acute care
16 hospital, or a long-term care facility in which the owner does not
17 satisfy the Department of [Health's] Health and Senior Services'
18 review of the owner's prior operating experience as well as any
19 requirements established by the federal government pursuant to Titles
20 XVIII and XIX of the Social Security Act;

21 Change of site for approved certificate of need within the same
22 county;

23 Relocation or replacement of a health care facility within the same
24 county, except for an acute care hospital;

25 Continuing care retirement communities authorized pursuant to
26 P.L.1986, c.103 (C.52:27D-330 et seq.);

27 Acquisition by a hospital of a magnetic resonance imager that is
28 already in operation in the State by another health care provider or
29 entity;

30 Adult day health care facilities;

31 Pediatric day health care facilities; and

32 Chronic renal dialysis facilities.

33 (cf: P.L.1992, c.160, s.19)

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35 3. This act shall take effect immediately.

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STATEMENT

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40 This bill would permit a hospital which is authorized by the
41 Commissioner of Health and Senior Services under P.L.1984, c.146
42 (C.26:2K-7 et seq.) to operate a mobile intensive care unit (MICU),
43 to expand the number of MICU's and hours of service which it
44 provides, as it determines necessary to meet the needs of the
45 population in its geographic service area, without obtaining a
46 certificate of need (CON), provided that any additional MICU and its

1 staff comply with the provisions of P.L.1984, c.146 and the
2 regulations of the commissioner with respect to the provision of
3 advanced life support services pursuant to that law.

4 This bill is intended to provide hospitals which are currently
5 providing MICU services in accordance with standards required by the
6 Department of Health and Senior Services (DHSS) with the flexibility
7 to expand those services as they determine necessary to meet the
8 growing demand for advanced life support services in their respective
9 geographic service areas, without having to go through the CON
10 process. By doing so, this bill addresses a growing need to increase
11 the availability of advanced life support services for critically ill and
12 injured New Jersey citizens who must rely upon MICU's to avert
13 needless deaths and suffering, without changing the requirement that
14 MICU services be provided in accordance with DHSS standards
15 governing the operation of each MICU and its staff.

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21 Permits a hospital authorized to operate a mobile intensive care unit
22 to expand number of vehicles and hours of service without obtaining
a certificate of need.