

Wyoming Administrative Rules

Health, Department of

Health Quality

Chapter 1: Health Care Facilities Licensure Fees

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**RULES AND REGULATIONS
FOR HEALTH CARE FACILITIES LICENSURE FEES**

CHAPTER 1

Assessment of Fees to Wyoming Health Care Facilities

Section 1. Authority. The Department of Health, pursuant to W.S. 35-2-904(a)(ii) of the Hospitals, Health Care Facilities, and Health Services Act and the Wyoming Administrative Procedure Act (W.S. 16-3-101 through 16-3-115) is authorized to establish reasonable fees to recover administrative and operational expenses of the department in conducting its licensure program under this article.

Section 2. Definitions.

(a) "Adult Day Care Facility" means any facility not otherwise certified by the Department of Health, engaged in the business of providing activities of daily living support and supervision services programming based on a SOCIAL MODEL, to four (4) or more persons twenty-one (21) years of age or older with physical or mental disabilities.

(b) "Accrediting Agency" means an inspecting body nationally recognized and approved by federal regulations and having facility standards that meet or exceed the state standards for licensure;

(c) "Acute Care" means short term inpatient care provided in a hospital;

(d) "Ambulatory Surgical Center" means a facility which provides surgical treatment to patients not requiring hospitalization and is not part of a hospital or office of private physicians, dentists or podiatrists;

(e) "Assisted Living Facility" means a dwelling operated by any person, firm or corporation engaged in providing limited nursing care, personal care and boarding home care but not habilitative care, for persons not related to the owner of the facility;

(f) "Bed Capacity" means the number of beds the facility is requesting a license for;

(g) "Birthing Center" means a facility which operates for the primary purpose of performing deliveries and is not part of a hospital;

(h) "Boarding Home" means a dwelling or rooming house operated by any person, firm, or corporation engaged in the business of operating a home for the purpose of letting rooms for rent and providing meals and personal daily living care, but not habilitative or nursing care, for persons not related to the owner. Boarding home does not include a lodging facility or an apartment in which only room and board is provided;

- (i) "Department" means the department of health;
- (j) "Freestanding Diagnostic Testing Center" means a mobile or permanent facility which provides diagnostic testing but not treatment and is not part of the private offices of health care professionals operating within the scope of their licenses;
- (k) "Freestanding Emergency Center" means a clinic built to provide emergency or routine treatment but does not include the private offices of health care professionals operating within the scope of their licenses;
- (l) "Health Care Facility" means any ambulatory surgical center, assisted living facility, birthing center, boarding home, freestanding diagnostic testing center, freestanding emergency center, home health agency, hospice, hospital, intermediate care facility for the mentally retarded, medical assistance facility, nursing care facility, rehabilitation facility or renal dialysis center;
- (m) "Home Health Agency" means an agency primarily engaged in arranging and directly providing nursing or other health care services to persons at their residence;
- (n) "Hospice" means a program of care for the terminally ill and their families given in a home or health facility which provides medical, palliative, psychological, spiritual and supportive care and treatment;
- (o) "Hospital" means an institution or a unit in an institution providing one (1) or more of the following to patients by or under the supervision of an organized medical staff;
 - (i) Diagnostic and therapeutic services for medical diagnosis, treatment and care of injured, disabled or sick persons;
 - (ii) Rehabilitation services for the rehabilitation of injured, disabled or sick persons;
 - (iii) Acute care;
 - (iv) Psychiatric care;
 - (v) Swing beds.
- (p) "Intermediate Care Facility For The Mentally Retarded" means a facility which provides on a regular basis health related care and training to mentally retarded individuals or persons with related conditions, who do not require the degree of care and treatment of a hospital or nursing facility but who do require services in excess of those provided by a boarding home;
- (q) "Medical Assistance Facility" means a facility which provides inpatient care to ill or injured persons prior to their transportation to a hospital or provides inpatient care to persons needing that care for a period of no longer than sixty (60) hours and is located more than thirty (30) miles from the nearest Wyoming hospital;

(r) "Nursing Care Facility" means a facility providing nursing care, rehabilitative and other related services;

(s) "Physician" means a doctor of medicine or osteopathy licensed to practice medicine or surgery under state law;

(t) "Psychiatric Care" means the inpatient care and treatment of persons with a mental diagnosis;

(u) "Rehabilitation Facility" means an outpatient facility which is operated for the primary purpose of assisting the rehabilitation of disabled persons by providing comprehensive medical evaluations and services, psychological and social services, or vocational evaluations and training or any combination of these services and in which the major portion of the services is furnished within the facility;

(v) "Renal Dialysis Center" means a freestanding facility for treatment of kidney diseases;

(w) "Revised License" means a new license issued to a facility because of changes incurred in the facility's name, location, or number of beds;

(x) "This Act" means W.S. 35-2-901 through 35-2-910.

Section 3. License Fees.

(a) Health care facilities shall pay a fee for the issuance of a license, as applicable. Health care facilities shall also pay a fee to reapply for a license. The total of fees collected by the department must be sufficient to cover the general costs of issuing health care facilities licenses under the Hospitals, Health Care Facilities, and Health Services Act.

(b) Said licensure fee amounts shall be set by the department and shall be based on the health care facility bed capacity or the type of health services provided. Said licensure fee shall be assessed and payable at least annually. The methodology used to determine the amount of said fees is found in Section 6 and Section 7 of this Chapter.

(c) Said Health Care Facility license shall be effective from the date of issuance through the following June 30.

Section 4. Fee for Revised License. If, after a health care facility is issued a license, it changes its name, location, or the number of beds, the health care facility must pay a fee to cover the cost of issuing a revised license.

(a) Revised License fees shall be assessed at \$50 per health care facility.

Section 5. Fee for License of an Accredited Hospital. A hospital shall be issued a license after notification of approval of accreditation from an accrediting agency.

(a) Except for accredited hospitals with swing bed programs, license fees shall be \$100 per accredited hospital.

(b) License fees for Accredited Hospitals with swing bed programs shall be \$200.

Section 6. Fee Schedule Amounts for Health Care Facilities with Beds. Other than Accredited Hospitals.

(a) There are five (5) schedules of health care facilities for the purpose of determining the fee amount a health care facility is assessed. Each health care facility is placed into one of the five following schedules based on the health care facility's bed capacity:

(i) *Schedule A.* The health care facility has a bed capacity of at least one (1) but not more than fifty (50);

(ii) *Schedule B.* The health care facility has a bed capacity of more than fifty (50) but not more than one hundred (100);

(iii) *Schedule C.* The health care facility has a bed capacity of more than one hundred (100) but not more than one hundred fifty (150);

(iv) *Schedule D.* The health care facility has a bed capacity of more than one hundred fifty (150) but not more than two hundred (200);

(v) *Schedule E.* The health care facility has a bed capacity of more than two hundred (200).

(b) License fees for health care facilities in this section shall be:

(i) Schedule A facility - \$100;

(ii) Schedule B facility - \$200;

(iii) Schedule C facility - \$300;

(iv) Schedule D facility - \$400;

(v) Schedule E facility - \$500.

Section 7. Fee Schedule Amounts for Health Care Facilities with Services.

- (a) The following types of health care facilities shall be assessed a license fee of \$100:
- (i) Adult Day Care Facility;
 - (ii) Ambulatory Surgical Center;
 - (iii) Birthing Center;
 - (iv) Freestanding Diagnostic Testing Center;
 - (v) Freestanding Emergency Center;
 - (vi) Home Health Agency;
 - (vii) Hospice;
 - (viii) Intermediate Care Facility For The Mentally Retarded;
 - (ix) Medical Assistance Facility;
 - (x) Rehabilitation Facility;
 - (xi) Renal Dialysis Center.

