

30 States require that the ASC either have a transfer agreement in place with a hospital or physicians performing surgery have admitting privileges at the hospital.

14 states require an established transfer agreement.

Alabama

- a. Written transfer agreement with a hospital that has a provider contract with the Alabama Medicaid Agency; and
- b. All physicians performing surgery in the center shall have admitting privileges at the hospital.

Alaska

Written agreement with a general acute hospital for transfer of patients who require medical or emergency care beyond the scope of the ability or license of the facility.

Arkansas

Written agreement with a local hospital for transfer of a patient in a medical emergency of a nature which can't be handled by the ASC.

Connecticut

Written agreement with one or more hospitals to ensure patient is transferred from the center to the hospital and ensured timely admission to the hospital when physician determines it is medically appropriate.

Illinois

Agreement with an acute care hospital that must be located within 15 minutes travel time.

Kentucky

The agreement must include designation of responsibility for transfer of information, provision of transportation, sharing of services, equipment and personnel, provision of total care or portions thereof in relation to facility and agency capability, and patient record confidentiality.

Mississippi

Transfer agreement with one or more acute general hospitals located within 15 minutes travel time from the hospital for patients requiring attention for an emergency or other condition necessitating hospitalization.

Nevada

Written agreement concerning the transfer of patients with a licensed general hospital.

New York

Documented plan and procedure for the transfer of patients to a nearby hospital when hospitalization is indicated.

North Carolina

Transfer agreement required to facilitate the transfer of patients in need of emergency care. The ASC is still considered to be in compliance if it has documentation to support its efforts to establish a transfer agreement with a hospital and has been unable to secure an agreement.

Ohio

Written agreement with a hospital for transfer of patients in the event of medical complications, emergency situations, and for other needs as they arise.

South Dakota

Transfer agreement with a hospital sufficiently close to accept emergency transfer of patients.

Tennessee

Written agreement with a local hospital.

Washington

Written agreement with a local hospital licensed under chapter 70.41 RCW and approved by ambulatory surgical facility's medical staff.

Wyoming

- a. Offsite pre-planned transfers shall be made only to other licensed health care facilities that can provide the level of care necessary to meet the needs of the patient.
- b. The ASC shall have a written agreement with any and each licensed facility that admits patients for post surgical care.

14 states require either an established transfer agreement or physicians performing surgery to have hospital admitting privileges.

Colorado

- a. There shall be a written transfer agreement with an emergency center or hospital, or all physicians performing surgery in the ASC shall have admitting privileges at the hospital.
- b. The ASC shall be allowed to have offsite pre-planned transfers to other licensed facilities that can provide the level of care necessary to meet the needs of the patient.

Florida

When the physician does not have staff privileges to perform the same procedure as being performed at the ASC at a licensed hospital within reasonable proximity, a transfer agreement needs to be in place with a local hospital within reasonable proximity (not to exceed 30 minutes transport time)

Georgia

- a. The ASC shall have a hospital affiliation agreement with a hospital within a reasonable distance from the facility; or
- b. The medical staff at the center has admitting privileges or other acceptable documented arrangement to ensure the necessary backup for the center for medical complications.
- c. The center must have the capability to transfer a patient immediately to a hospital within a reasonable distance from the facility with adequate emergency room services.
- d. Hospitals shall not unreasonably deny a transfer agreement to the center.

Indiana

A practitioner who performs a procedure that requires anesthesia in an office based setting, or who directs/supervises the administration of anesthesia, must have:

- a. Admitting privileges at a nearby hospital
- b. Transfer agreement with another practitioner who has admitting privileges at a nearby hospital; or
- c. An emergency transfer agreement with a nearby hospital.

Kansas

- a. Written transfer agreement with a licensed hospital in the community; or

b. Practitioners are privileged to perform these procedures in at least one licensed hospital in the community in which the ASC is located.

Maine

a. Written transfer agreement with a local, Medicare-participating hospital or a local, non-participating hospital that meets the requirements for payments for emergency services under 42 Code of Federal Regulations, Section 482.2.; or

b. All physicians must have admitting privileges at such a hospital.

Maryland

a. Written transfer agreement with a local Medicare participating hospital; or

b. All practitioners performing surgery in the ASC are required to have admitting privileges at a participating hospital.

Massachusetts

a. The ASC must either have a written transfer agreement with a hospital; or

b. Physicians with surgical privileges at the center must have admitting privileges at the hospital

c. The hospital must be a Medicaid-participating provider, and must be licensed to operate in accordance with 105 CMR 130,000 or with its own state's licensing agency.

Missouri

a. Surgical procedures must be performed by physicians who are privileged to perform surgical procedures in at least one licensed hospital in the community in which the ASC is located;

b. Alternatively, need a working agreement with at least one licensed hospital in the community in which the ASC is located, guaranteeing the transfer for emergency treatment whenever necessary.

Oklahoma

a. Transfer agreement with a general hospital no more than 20 minute travel distance; or

b. All physicians performing surgery in the ASC shall have admitting privileges at a general hospital located not more than 20 minutes travel distance from the center.

Pennsylvania

a. Written transfer agreement with a hospital which has emergency and surgical services available; or

b. Physicians performing surgery in the ASF shall have admitting privileges at a hospital in close proximity to the ASF, to which patients may be transferred.

Rhode Island

a. Written transfer agreement for transferring patients to nearby hospital when hospitalization is indicated; or

b. Permit elective surgery only by licensed practitioners who have similar privileges at a nearby licensed hospital and approved by the ASC's governing body.

South Carolina

Provide documentation that the applicant has sought cooperative agreements such as transfer agreements with other facilities, as applicable.

Texas

a. The ASC needs a written transfer agreement with a hospital; or

b. All physicians performing surgery at the ASC shall have admitting privileges at a local hospital.

Utah

- a. ASC shall maintain hospital admitting procedures for all staff; or
- b. Shall have a written transfer agreement with one or more full-service licensed hospitals located within an overall travel time of 15 minutes or less from the facility.