

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Public Health
Division of Prevention and Quality Improvement
(New Administrative Regulation)

902 KAR 20:470. Kentucky heart attack response and treatment recognition process.

RELATES TO: KRS 211.340, 211.341, 211.342

STATUTORY AUTHORITY: KRS 194A.050, 211.343

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to operate the programs and fulfill the responsibilities vested in the cabinet. KRS 211.343 requires the Department for Public Health to promulgate administrative regulations in accordance with KRS Chapter 13A to implement a statewide system for heart attack response and treatment by recognizing licensed hospitals according to an assigned level of cardiac care. This administrative regulation establishes the hospital recognition process for Kentucky's cardiac care system.

Section 1. Definition. "Department" is defined by KRS 211.340.

Section 2. Hospital Level of Heart Attack Response and Treatment Recognition.

(1) A hospital seeking recognition in the statewide system for heart attack response and treatment shall complete and submit to the department the Step-by-Step Guide for Recognition in the Kentucky Statewide System for Heart Attack Response and Treatment.

(2) The application shall include a copy of the hospital's certificate or certification letter from a nationally recognized guidelines-based organization that provides certification for heart attack response and treatment, and that includes the:

- (a) Name of the certifying organization;
- (b) Name of the certification received;
- (c) Date of certification; and
- (d) Expiration date of certification.

(3) A hospital that holds a current certificate of need (CON) for percutaneous coronary intervention (PCI) or open-heart surgery may submit an application for recognition in the statewide system for heart attack response and treatment. The application shall include:

- (a) A copy of the hospital's accreditation by a nationally recognized organization; and
- (b) Evidence of the current certificate of need.

(4) A hospital's application for recognition in the statewide system for heart attack response and treatment by the department is voluntary.

(5) Upon receipt of the information required by subsection (2) or (3) of this section, the department shall list the hospital according to the designated level of cardiac care.

(6) A recognized hospital shall annually verify continuation of:

- (a) Certification by a nationally recognized guidelines-based organization; or
- (b) State issued CON for PCI or open heart surgery.

Section 3. Revocation of Recognition.

(1) A recognized hospital that is unable to maintain current designation as a Level I Comprehensive Cardiac Center, Level II Primary Heart Attack Center, or Level III Acute Heart Attack Ready in accordance with KRS 211.341 shall notify the department within twenty (20) business days.

(2) If the department becomes aware of a significant change in the status of the hospital that may potentially affect recognition status, the department may request confirmation of current certification or certificate of need from the hospital.

(3) If the hospital is unable to provide the documentation requested, the department may revoke the hospital's recognition.

(4) If the recognition is revoked, the hospital may reapply for recognition by providing the information required by Section 2 of this administrative regulation.

(5) Following the re-application required by subsection (4) of this section, the department shall reinstate the recognition.

Section 4. Incorporation by Reference.

(1) The "Step-by-Step Guide for Recognition in the Kentucky Statewide System for Heart Attack Response and Treatment," 9/2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department for Public Health, Commissioner's Office, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m. and is available at <https://chfs.ky.gov/agencies/dph/dpqi/cdpb/Pages/heartdiseasestroke.aspx>.

STEVEN J. STACK, MD, MBA, Commissioner

ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: September 22, 2022

FILED WITH LRC: October 12, 2022 at 11:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on December 21, 2022, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by December 14, 2022, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until December 31, 2022. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

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