**Section 205.110 Definitions**

"Act" means the Ambulatory Surgical Treatment Center Act.

"Ambulatory Surgical Center" shall have the meaning ascribed to it in 42 CFR 416.

"Ambulatory Surgical Treatment Center"

The term "Ambulatory Surgical Treatment Center" or "ASTC" or "facility", for the purposes of this Part, includes:

*Any institution or building devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures*, and *any place that meets and complies with the definition of an ambulatory surgical treatment center under the* Act and this Part, as evidenced by use of the facilities by physicians, podiatrists or dentists in the performance of surgical procedures that constitutes more than 50 percent of the activities at that location.

*Any place,* located within an institution or building, such as a surgical suite or an operating room with related facilities in a physician's office or group practice clinic, *devoted primarily to the performance of surgical procedures.* This provision shall apply regardless of whether or not the institution or building in which the place is located is devoted primarily to the maintenance and operation of facilities for the performance of surgical procedures. This provision shall include any place that meets the definition of an ambulatory surgical center under the rules of the federal Centers for Medicare & Medicaid Services. However, when a place is located within, and operated in conjunction with, the offices of a single physician, podiatrist, or dentist, or a group of physicians, podiatrists, or dentists, it shall not be considered an ambulatory surgical treatment center unless: it meets the definition of and has expressed an intent to apply for certification as an ambulatory surgical center under the rules of the federal Centers for Medicare & Medicaid Services; or it is used by physicians, podiatrists, or dentists who are not part of the practice; or it is utilized by the physicians or podiatrists for surgical procedures that constitute more than 50 percent of the activities at that location.

The term "Ambulatory Surgical Treatment Center", for the purposes of this Part, does not include:

Hospitals: *Any institution, place, building or agency required to be licensed pursuant to the Hospital Licensing Act*.

Long-Term Care Facilities: *Any person or institution required to be licensed pursuant to the Nursing Home Care* *Act*, *the Specialized Mental Health Rehabilitation Act* of 2013*, or the ID/DD Community Care Act*.

State Facilities: *Hospitals or ambulatory surgical treatment centers maintained by the State or any Department or agency thereof, where such department or agency has authority under law to establish and enforce standards for the hospitals or ambulatory surgical treatment centers under its management and control.*

Federal Facilities: *Hospitals or ambulatory surgical treatment centers maintained by the federal government or agencies thereof.*

Dental Surgery Facilities: *Any place, agency, clinic, or practice, public or private, whether organized for profit or not, devoted exclusively to the performance of dental or oral surgical procedures.*

Other Facilities: *Any facility in which the performance of abortion procedures, including procedures to terminate a pregnancy or to manage pregnancy loss, is limited to those performed without general, epidural, or spinal anesthesia, and which is not otherwise required to be an ambulatory surgical treatment center. For purposes of this* definition, *"general, epidural, or spinal anesthesia" does not include local anesthesia or intravenous sedation. Nothing in* the Act and this Part *shall be construed to limit* a facility of this type *from voluntarily electing to apply for licensure as an ambulatory surgical treatment center.* (Section 3(A) of the Act)

"Certified Registered Nurse Anesthetist" means a registered professional nurse who has been certified as a nurse anesthetist by the American Association of Nurse Anesthetists.

"Credentials Committee" means the qualified consulting committee, or another committee designated by the qualified consulting committee, that appraises and reviews physician credentials.

*"Department" means the Department of Public Health of the State of Illinois.* (Section 3(C) of the Act)

"Hospital" shall have the meaning ascribed to it in the Hospital Licensing Act.

"Licensed Practical Nurse" means a person licensed under the Nurse Practice Act to practice practical nursing.

"Overnight Stay" means the expected duration of services exceeds 24 hours following an admission.

"Qualified Anesthesiologist" means a physician who is licensed to practice medicine in all its branches in the State of Illinois and who is a Diplomate of the American Board of Anesthesiology; or who is a Diplomate of the American Osteopathic Board of Anesthesiology; or who is Board eligible or possesses training and experience equivalent to that eligibility; or who possesses training and experience acceptable to the Department and whose primary practice is anesthesiology.

"Qualified Consulting Committee" means a committee whose members are qualified surgeons, obstetricians, gynecologists, anesthesiologists or pathologists or other consulting physicians consisting of not fewer than three members who shall establish the required standards commensurate with the size, scope, extent and complexity of service programs and procedures for which the facility is licensed. The qualified consulting committee or other committee designated by the qualified consulting committee shall act as the credentials committee.

"Qualified Consulting Surgeon, Obstetrician, Gynecologist, Anesthesiologist, Pathologist, or other Consulting Physician" means a physician who is licensed in the State of Illinois and who is a Diplomate of an appropriate specialty board or who has completed the training and experience required for specialty board certification.

"Qualified Dentist" means a dentist who is licensed to practice under the Illinois Dental Practice Act.

"Qualified Infection Control Professional" means an individual who either has training, education and experience or has certification in the principles and methods of infection control. The individual shall maintain his or her qualifications through ongoing education and training.

"Qualified Physician" means an individual who is licensed to practice medicine in all its branches in the State of Illinois under the Medical Practice Act of 1987.

"Qualified Podiatrist" means a podiatrist who is licensed to practice under the Podiatric Medical Practice Act of 1987.

"Qualified Practitioner" means a licensed practitioner who is authorized within his or her scope of practice to perform a history and physical examination and who is authorized by the ASTC to conduct a history and physical examination. This may include nurse practitioners and physician assistants.

"Registered Professional Nurse" or "RN" means a registered professional nurse who is licensed under the Nurse Practice Act and practices professional nursing.

"Student Nurse" means a person enrolled in a course of instruction at an approved school of professional or practical nursing and who is supervised by a nursing instructor of the school.

*"Surgical smoke plume" means the by-product of the use of energy-based devices on tissue during surgery and containing hazardous materials, including, but not limited to, bioaerosols, smoke, gases, tissue and cellular fragments and particulates, and viruses.* (Section 6.9(a) of the Act)

*"Surgical smoke plume evacuation system" means a dedicated device that is designed to capture, transport, and filter surgical smoke plume at the site of origin and before it can diffuse and pose a risk to the occupants of the operating or treatment room.* (Section 6.9(a) of the Act)

(Source: Amended at 46 Ill. Reg. 14215, effective July 28, 2022)