



# Notice of Intent to Adopt Rules

Revised October 2014

**1. General Information**

a. Agency/Board Name		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Contact Person		f. Contact Telephone Number
g. Contact Email Address		
h. Date of Public Notice		i. Comment Period Ends
j. Program		

**2. Rule Type and Information:** For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted:

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed  
*Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.*

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

c.  The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

	<p>Complete all that apply:</p> <p><input type="checkbox"/> The following chapters <u>do not</u> differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">(Provide chapter numbers)</p> <p><input type="checkbox"/> These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">(Provide chapter numbers)</p> <p><input type="checkbox"/> N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).</p>
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d.  N/A  In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules\* may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

\* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

### 3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled.  Yes  No

	If "Yes:"	Date:	Time:	City:	Location:

b. What is the manner in which interested persons may present their views on the rulemaking action?

- By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.  
 At the following URL: \_\_\_\_\_

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

- To the Agency at the physical and/or email address listed in Section 1 above.  
 At the following URL: \_\_\_\_\_

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

### 4. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements.  Yes  No

	If "Yes:"	Applicable Federal Law or Regulation Citation:
		Indicate one (1): <input type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements. <input type="checkbox"/> The proposed rules exceed minimum federal requirements.
		Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to: <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____

### 5. State Statutory Requirements

a. Indicate one (1):

- The proposed rule change *MEETS* minimum substantive statutory requirements.  
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

- The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:  
 By contacting the Agency at the physical and/or email address listed in Section 1 above.  
 At the following URL: \_\_\_\_\_  
 Not Applicable.

### 6. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

#### Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at [Criss.Carlson@wyoleg.gov](mailto:Criss.Carlson@wyoleg.gov).
- Secretary of State: Electronic version of Notice of Intent sent to [Rules@wyo.gov](mailto:Rules@wyo.gov).

## CHAPTER 13

### Wyoming Emergency Medical Services Rules Designation of Heart Attack and Stroke Centers Intent to Adopt Rules

#### Statement of Reasons

The Wyoming Department of Health proposes to amend the following rules pursuant to the provisions of Wyo. Stat. Ann. § 35-2-1001, 2015 Wyoming Session Laws Ch. 170, and the Wyoming Administrative Procedure Act at Wyo. Stat. Ann. §§ 16-3-101 through 115.

The Department is promulgating these rules to add the category of “Acute Stroke Ready Center” into the existing rules for the designation of Wyoming hospitals as Heart Attack and Stroke Centers. 2015 Wyoming Session Laws Ch. 170, 2015 SEA 73, requires the Department to promulgate rules to include the designation of “Acute Stroke Ready Centers” into the existing rules for the Designation of Heart Attack Centers. These designations are currently found in The Department of Health’s Rules for Emergency Medical Services, Chapter 13, Section 4.

The Section headings in this chapter were also updated to comport with the Wyoming Secretary of State’s Rules on Rules. The Department is removing the underlining from the section headings and bolding them instead.

As required by Wyo. Stat. Ann. § 16-3-103(a)(i)(G), these rules for the Designation of Heart Attack and Stroke Centers meet minimum substantive state statutory requirements.

## CHAPTER 13

### DESIGNATION OF HEART ATTACK AND STROKE CENTERS

#### Section 1. **Authority.**

(a) This Chapter is promulgated by the Department of Health pursuant to W.S. §§ 35-2-1001 and the Wyoming Administrative Procedure Act at W.S. §§ 16-3-101 through 16-3-115.

(b) The Department may issue manuals, bulletins, or both to interpret the provisions of this rule. Such manuals and bulletins shall be consistent with and reflect the policies contained in this rule and regulation. The provisions contained in manuals or bulletins shall be subordinate to the provisions of this rule and regulation.

Section 2. **Definitions.** The following definitions shall apply in the interpretation and enforcement of this chapter. Except as otherwise specified, the terminology used in this chapter is intended to have the standard meaning used in healthcare.

(a) “Accreditation” means the recognition or certification made by an independent agency establishing that a hospital has met the criteria specified by that agency for recognition as outlined in this chapter.

(b) “Accrediting agency” means the American Heart Association, the Society for Cardiovascular Patient Care or the Joint Commission.

(c) “Heart Attack Receiving Center” means a hospital that has applied for and received designation as a Heart Attack Receiving Center under the provisions of this chapter. Heart Attack Receiving Centers shall be considered a higher level of care than Heart Attack Referring Centers.

(d) “Heart Attack Referring Center” means a hospital that has applied for and received designation as a Heart Attack Referring Center under the provisions of this chapter.

(e) “Higher level of care” means a hospital capable of providing diagnostic, interventional or tertiary care beyond the capacity of the hospital from which a patient originates.

(f) “Comprehensive Stroke Center” means a hospital that has applied for and received designation as a Comprehensive Stroke Center under the provisions of this chapter. Comprehensive Stroke Centers shall be considered a higher level of care than Primary Stroke Centers.

(g) “Department” means the Wyoming Department of Health.

(h) “Designated hospital” means a hospital designated under the provisions of this chapter.

(i) “OEMS” means the Wyoming Office of Emergency Medical Services.

(j) “Primary Stroke Center” means a hospital that has applied for and received designation as a Primary Stroke Center under the provisions of this chapter.

(k) “The Joint Commission” means the not-for-profit organization known until January 1, 2007 as the “Joint Commission on Accreditation of Healthcare Organizations” (JCAHO).

Section 3. **Severability.** If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.

Section 4. **Categories of Recognition and Accrediting Agencies.**

(a) Hospitals may apply for and receive designation under this chapter as one or more of the following:

(i) Heart Attack Receiving Center

(ii) Heart Attack Referring Center

(iii) Comprehensive Stroke Center

(iv) Primary Stroke Center

(v) Acute Stroke Ready Center

(b) Designation of hospitals under the provisions of this chapter shall be contingent on the accreditation of the facility by an accrediting agency as specified by this chapter.

Section 5. **Application, Recognition and Renewal Process.** Any hospital desiring recognition under the provisions of this chapter shall complete the following application process:

(a) Prior to the initiation of an accreditation process with an independent agency, hospitals will submit a Letter of Intent to the OEMS declaring the following:

(i) The category of accreditation and recognition being sought;

(ii) The anticipated accrediting agency;

(iii) The expected timeframe of completion;

(iv) Contact information for the designated person with oversight of the hospital's accreditation process.

(b) Upon receiving recognition by an accrediting agency the hospital will provide to the OEMS:

(i) A Letter of Completion of the Accreditation Process from the facility to the Department;

(ii) A completed Facility Designation Application;

(iii) Copies of documentation establishing the successful completion of the accreditation process and recognition by the accrediting agency, to include but not limited to, certificates, letters or other means provided by the accrediting agency;

(iv) Copies of agreements required under Section 7 of this chapter;

(v) Other documentation as may be required by the OEMS.

(c) Within thirty (30) days of receipt of the materials specified under paragraph (b) of this section, the OEMS will provide a letter of recognition stating that the hospital is duly recognized under the requirements of this chapter or a request for further documentation in support of the application.

(d) Hospitals already accredited or certified according to the provisions of this chapter prior to the effective date of these rules may submit documentation as specified in paragraph (b) of this section and request recognition under this chapter.

(e) No less than ninety (90) days prior to the expiration of an accreditation as outlined in Section 6 of this chapter, a hospital designated under the provisions of this chapter will submit the following to the OEMS:

(i) A Letter of Intent to Renew Accreditation; or

(ii) A Notice of Voluntary Withdrawal pursuant to Section 6(a) of this chapter.

Section 6. **Withdrawal of designation.** Hospitals designated under the provisions of this chapter may have the designation withdrawn under the following provisions:

(a) Voluntary Withdrawal. If a hospital designated under the provisions of this chapter chooses to withdraw designation under this chapter, the hospital shall provide a letter stating its intent to withdraw from these provisions, and the reason(s) for withdrawal.

(b) Involuntary Withdrawal. The OEMS shall provide a written Notice of Involuntary Withdrawal when it determines that any of the following conditions exist:

(i) The receipt of notice by the OEMS from the accrediting agency that the hospital is no longer compliant with the agency's criteria.

(ii) The suspension, revocation or denial of accreditation or renewal of accreditation by the accrediting agency.

(iii) Failure to comply with the provisions of this chapter.

(c) Declaration of action. Hospitals designated under the provisions of this chapter shall provide written notice of suspension, revocation, denial of accreditation or any other disciplinary, corrective, or administrative action taken by the accrediting agency to the OEMS within ten (10) days of receipt of such action.

**Section 7. Coordination among designated hospitals.** Hospitals designated under the provisions of this chapter will provide for the coordination of the referral and transfer of acute heart attack and stroke patients by ensuring the following:

(a) The establishment of written agreement(s) with a facility or facilities determined to be the next higher level of care whether such facility exists within the state or outside of the state.

(b) The establishment of written agreement(s) with Wyoming licensed ambulance services, both ground and air ambulance, to provide for the timely transfer of patients to the next higher level of care.

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(ii) The suspension, revocation or denial of accreditation or renewal of accreditation by the accrediting agency.

(iii) Failure to comply with the provisions of this chapter.

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