

14 NYCRR Part 553
Express Terms

Subdivisions (a) and (c) of Section 553.5 of Title 14 NYCRR are amended to read as follows:

(a) *Applicability.* For purposes of this section, the term *hospital* shall mean [a psychiatric unit of] a general hospital, [that is certified] as defined in article 28 of the Public Health Law, which provides services for persons with mental illness pursuant to an operating certificate issued by the Commissioner under article 31 of the Mental Hygiene Law, [and under article 28 of the Public Health Law] operating in accordance with [Part 580] applicable provisions of this Title. The provisions of this section shall apply to such hospitals.

(c) Hospitals must comply with [the] all operational standards set forth in [Part 580] applicable provisions of this Title. As evidence of compliance with such [Part] provisions, the commissioner may accept accreditation by The Joint Commission or an accreditation agency to which the Centers for Medicare and Medicaid Services has granted deeming status and which the commissioner has determined has accrediting standards sufficient to assure the commissioner that hospitals so accredited are in compliance with such operational standards, a list of which shall be made available on the public website of the office, provided that:

(1) the hospital has a history of compliance with applicable laws, rules, and regulations and a record of providing care of good quality, as determined by the commissioner;

(2) a copy of the survey report and the certification of accreditation of The Joint Commission or other approved accrediting organization is submitted by the accrediting body to the commissioner, within seven days of issuance to the hospital;

(3) The Joint Commission or other approved accrediting organization has agreed to, and does evaluate, as part of its accreditation survey, any minimal operational standards established by the commissioner which are in addition to the minimal operational standards of accreditation of The Joint Commission or other approved accrediting organization;

(4) there are no constraints placed upon access by the commissioner to The Joint Commission or other approved accreditation organization's survey reports, plans of correction, interim self-evaluation reports, notices of noncompliance, progress reports on correction of areas of noncompliance, or any other related reports, information, communications, or materials regarding such hospital;

(5) the hospital at all times shall remain subject to inspection and visitation by the commissioner to determine compliance with applicable law, regulations, standards, or conditions as determined to be necessary by the commissioner; and

(6) the hospital at all times shall remain subject to the full range of licensing enforcement authority of the commissioner.