

Health Facility Committee

Minutes: June 3, 2025

The audio recording of this meeting can be found on dlbc.utah.gov and on the [Utah Public Notice website](#).

Members present: Chris Etherington, Cory Robison, Debora Escalante, Jennifer Webb, Kris Carter, Michael Dolan, Seraphine Kapsandoy Jones

Members excused: Abe Lindman, Jeremy Bradshaw

Staff present: Daphne Lynch, Kristi Grimes, Shannon Thoman-Black, Janice Weinman, Kamille Sheikh, Florencia Schapira De Grout

Special Guests: Rey Alonzo

Executive secretary: Jared Brown

Welcome – Chris Etherington

- Committee roll call was conducted.

Minutes

- Review and Approval of May 14, 2025 minutes. Debora Escalante motioned to approve the minutes, Seraphine Kapsandoy Jones seconded the motion.

Committee vacancies

- Physician, licensed to practice medicine
- Registered Nurse, Licensed to practice
- Representative of Freestanding Ambulatory Surgical Facilities
- Representative of Ambulatory Surgical Centers affiliated with a hospital

Old Business

Business (carried over from May) requiring a vote:

- **Rules for Legislative Compliance - Janice**
 - R432-950 Mammography has been updated to comply with HB146 (aligns with change to statute 21 CFR 900 Subpart B code of federal regulations governing mammography standards and recently simplified notification for dense breast tissue.

- Janice explained the changes, including the removal of outdated content and the addition of new requirements based on the statute that went into effect May 7th.
 - New content added to R432-950-13 Mammography Records.
 - If the report in Subsection (5) is for a patient who does not have a referring physician, the results of the report shall be communicated in person in language that is easily understood.
 - (b) The report shall indicate whether the patient needs to consult with a physician.
 - Stricken content under R432-950-14 Education Requirements. (Previously required by law but is no longer required).
 - (3) As required in Utah Code 26-21a-206, the facility shall include the following notification and information with a mammography result provided to a patient with dense breast tissue: "Your mammogram indicates that you have dense breast tissue. Dense breast tissue is common and is found in as many as half of all women. However, dense breast tissue can make it more difficult to fully and accurately evaluate your mammogram and detect early signs of possible cancer in the breast. This information is being provided to inform and encourage you to discuss your dense breast tissue and other breast cancer risk factors with your health care provider. Together, you can decide what may be best for you. A copy of your mammography report has been sent to your health care provider. Please contact them if you have any questions or concerns about this notice."
 - (4) The copy of the mammography report provided to the patient and the health care provider shall include the dense breast tissue notification required under Utah Code 26-21a-206.
 - The rule was approved by committee members with no objections.
- R432-100 General Hospital Standards to comply with HB152 (simple addition to outline conditions for operating a satellite emergency dept)
 - We are updating the general hospital standards (R432-100) to incorporate satellite emergency departments. The rule includes definitions for satellite operation and emergency department to operate under a general hospital without a separate license.
 - The rule includes definitions for satellite operation and emergency department and addresses the initial and renewal process for a general hospital to operate these facilities.

- Statutory requirements will be outlined in the interpretation manual so people that are tasked with complying with this rule to operate a satellite emergency department will have the needed information.
 - The Office of Licensing (OL) will be sending out a mass email communication to all facilities that will be affected by either of these changes.
 - The rule was approved by committee members with no objections.
- R432-31 Order for Life Sustaining Treatment for SB0134 that will go into effect January 2026 will be discussed during our next committee meeting in September.
 - R432-270 Assisted Living - Change in proposed rule removing critical incident reporting requirements in line with new R380-600 enforcement rule. This rule was previously out for public comment and approved by the committee. A public comment received led to a change in the proposed rule, clarifying critical incident reporting requirements for healthcare facilities. The rule is currently out for 30-day comment. No action is needed. Any comments can be submitted to dlbc@utah.gov

- **Construction Rules - Janice**

- R432-4 General Construction Rule was activated as previously amended in March.
 - The purpose of this amendment is to address public comments received in the previous filing and update and add materials incorporated by reference that were removed.
 - This amendment references the Centers for Medicare and Medicaid Services and State Fire Marshal's authority as they apply to health care design and construction in Section R432-4-1.
 - This rule was drafted to add back incorporations by reference of best practice standards and standardize duplicative construction rule content into one place that applies to all healthcare facilities (except Assisted Living).
 - The OL plans to work with Michael Dolan, our construction representative for this committee, and file the 12 construction rules aligned to follow R432.4. A draft will be presented to the committee to vote on.
 - The rule amendment advance was approved by committee members and will go through a 30-day comment period.
- R432-35 Background Check-Health Care Facility Licensing to address the recodification and re-titling of the Utah Criminal Code. Additional amendment included the 2-year denial timeframe to include date of completion of the administrative hearing.

- It was determined through our legal counsel and our administrative process that background check rules and processing are not subject to the healthcare facilities committee for rule writing and approvals.
- We wanted to let the committee know that this rule will be going out. It essentially clarifies there was a change to the Federal criminal codes.
- A two year denial of background check can include the completion of administrative hearing along with the date of separation.
- This is just informational for the committee to see what changes are being applied towards background checks for health care facilities.

Action Items

- Provide drafts of the 12 construction rules that reference R432-4 well in advance of the next committee meeting in September.

Upcoming meetings

- September 10, 2025

Reminders

- Committee meetings are conducted virtually, but members of the public are able to attend at a physical location upon request. To attend a future committee meeting in-person, please contact Jared Brown (jaredbrown@utah.gov) no later than 48 hours prior to the start of the committee meeting.

Documentation

- [Committee by-laws](#)
- [Committee members](#)