



OLR RESEARCH REPORT

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URGENT CARE CENTERS

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You asked how other states define or regulate urgent care, particularly regarding urgent care centers.

SUMMARY

We found few statutory definitions of urgent care in the context of urgent care centers. In general, the definitions describe urgent care as an intermediate level of care that is available without an appointment for conditions that are acute but not life-threatening.

Arizona requires a license for urgent care centers. Some states (such as Florida) license urgent care centers under a more general licensure category in some circumstances. The majority of states do not license urgent care centers (but the individual providers must be licensed).

Some states have other laws and requirements regarding urgent care centers. For example, a few states, including Delaware and New Hampshire, restrict how urgent care centers can be named or marketed. For another example, Florida generally requires urgent care centers to publish and post a schedule of charges for the medical services they offer.

Urgent care centers may undertake voluntary accreditation through national organizations such as the American Academy of Urgent Care Medicine (AAUCM) or the Joint Commission (formerly the Joint Commission on Accreditation of Healthcare Organizations or JCAHO).

Below, this report summarizes examples of state definitions or requirements regarding urgent care or urgent care centers. The report does not discuss requirements in some states for freestanding emergency centers (which typically provide care for more acute conditions than urgent care centers). It also does not discuss definitions related to urgent care for insurance purposes. For example, some states (including Connecticut) define “urgent care requests” for purposes of setting requirements for health insurers’ review of such requests.

More information about urgent care is available at the following links:

- AAUCM:
<http://aaucm.org>
- Urgent Care Association of America: <http://www.ucaoa.org/>
- Joint Commission – Accredited Urgent Care Centers:
http://www.jointcommission.org/accreditation/ambulatory_urgent_care.aspx

EXAMPLES OF STATE LAWS REGARDING URGENT CARE CENTERS

Arizona

Arizona law requires freestanding urgent care centers to be licensed. Under Arizona law, a “freestanding urgent care center” is an outpatient treatment center that, regardless of its posted or advertised name, meets any of the following requirements:

1. is open 24 hours a day, excluding at its option weekends or certain holidays, but is not licensed as a hospital;
2. claims to provide unscheduled medical services not otherwise routinely available in primary care physician offices;
3. by its posted or advertised name, gives the impression to the public that it provides medical care for urgent, immediate, or emergency conditions; or
4. routinely provides ongoing unscheduled medical services for more than eight consecutive hours for an individual patient.

The term excludes the following:

1. a medical facility that is licensed under a hospital's license and that uses the hospital's medical provider number;
2. a qualifying community health center (i.e., a community based primary care facility that provides medical care in medically underserved areas);
3. any other licensed health care institution; and
4. a physician's office that offers extended hours or same day appointments to existing and new patients and that does not meet the requirements under (1), (3), or (4) above (Ariz. Rev. Stat. Ann. § 36-401).

As a condition of the center's licensure, if a licensed physician is not on site during the center's working hours, the center must post a conspicuous sign stating that fact in the patient waiting room (Ariz. Rev. Stat. Ann. § 36-432).

Arizona law has a different definition of "urgent care center" for its provisions on special hospital taxing districts (Ariz. Rev. Stat. Ann. § 48-1901).

Delaware

Under Delaware law, if a facility, physically separate from a hospital, uses in its title or advertising the words "urgent care," the facility is deemed to be a freestanding emergency center, and thus must be licensed (Del. Code Ann. tit. 16, § 122).

Florida

Health Care Clinic Licensure. Florida law requires health care clinics to be licensed (Fla. Stat. Ann § 400.991). The application for a health care clinic license lists "urgent care center" as one of the clinic types. For this purpose, an "urgent care center" is a facility or clinic that maintains three or more locations using the same or a similar name, does not require an appointment, and holds itself out to the public as a facility or clinic that provides immediate, but not emergent, care.

More information (including the application form) is available on the Florida Agency for Health Care Administration's website:
http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/HealthCareClinic/index.shtml.

Schedule of Charges. Another Florida statute defines an “urgent care center” as a facility or clinic that provides immediate, but not emergent, ambulatory medical care to patients. The term includes a hospital’s offsite emergency department that is presented to the general public in any manner as a department where immediate and not only emergent medical care is provided. The term also includes:

1. an offsite facility of another licensed health care facility, or a joint venture between a licensed health care facility and a licensed physician, that does not require a patient to make an appointment and is presented to the general public as a facility where immediate but not emergent medical care is provided; or
2. a clinic organization that must be licensed under the health care clinic act, as described above (Fla. Stat. Ann. § 395.002).

Florida law generally requires urgent care centers to publish and post a schedule of charges for the medical services they offer to patients. Among other requirements, the schedule must:

1. describe the services in language comprehensible to a layperson;
2. include the prices charged to an uninsured person paying by cash, check, credit card, or debit card;
3. be posted in a conspicuous place in the reception area; and
4. include the 50 services most frequently provided.

The schedule may group services by three price levels, listing services in each level. The center may post the required information in a sign or through an electronic messaging board, meeting certain requirements.

Among other provisions, the law provides that if the center is affiliated with a hospital, the schedule of charges must notify insured patients whether the charges at the center are the same, or more than, charges at the affiliated hospital.

Failure to publish and post the schedule subjects the center to a fine of up to \$1,000 per day.

These requirements do not apply to urgent care centers that are operated and used exclusively for employees (and their dependents) of

the business that owns or contracts for the center (Fla. Stat. Ann § 395.107).

Kentucky

Kentucky law requires urgent treatment facilities and urgent care facilities to make available, at least once every two years, a continuing education course relating to the recognition and prevention of pediatric abusive head trauma. For this purpose, the law defines an urgent treatment or urgent care facility as a facility that delivers medically necessary ambulatory medical care apart from a hospital emergency department setting, usually on a walk-in basis (Ky. Rev. Stat. Ann § 216B.405).

Minnesota

Minnesota law defines “urgent care” for a sales tax exemption for outpatient surgical centers operated for charitable purposes. The law defines urgent care as health services furnished to a person whose medical condition is sufficiently acute to require treatment unavailable through, or inappropriate to be provided by, a clinic or physician’s office, but not so acute as to require treatment in a hospital emergency room (Minn. Stat. Ann. § 297A.70).

New Hampshire

New Hampshire law requires non-emergency walk-in care centers (NEWCC) to be licensed (N.H. Rev. Stat. Ann. § 151:2). Regulations define a NEWCC as a medical facility where a patient can receive medical care which is not of an emergency life-threatening nature, without making an appointment, and without intending to develop an ongoing care relationship with the licensed practitioner. If a facility describes itself as an urgent care center, it meets the definition of NEWCC for this purpose (N.H. Code Admin. R. He-P 806.03).

Utah

Utah law defines a “freestanding urgent care center” for specified purposes, such as provisions authorizing certain counties to impose up to a 1% sales tax to fund such centers. The term means a facility that provides outpatient health care service:

1. on an as-needed basis, without an appointment;
2. to the public;

3. for the diagnosis and treatment of a medical condition that does not require hospitalization or emergency intervention for a life threatening or potentially permanently disabling condition; and
4. includes one or more of the following services:
 - a. medical history physical examination;
 - b. an assessment of health status; or
 - c. treatment, for a variety of medical conditions, that is commonly offered in a physician's office (Utah Code Ann. § 59-12-801).

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