

**4675.0300 LICENSURE.**

Subpart 1. **Application.** Application for a license to establish and operate an outpatient surgery center shall be made in writing and submitted on forms provided by the department. The application shall be made by the person or persons who will be the licensee, operate the facility, and be responsible for its operation. Documentation shall be submitted which provides full disclosure of ownership.

Subp. 2. **Corporation application.** If the applicant is a corporation, the applicant shall furnish the department names and addresses of the governing body and names of current officers of the corporation.

Subp. 3. **Out-of-state corporations.** In addition to the documentation required in subpart 2 out-of-state corporations shall furnish the department with a copy of the certificate of authority to do business in the state of Minnesota.

Subp. 4. **License.** A license shall be issued by the commissioner of health when compliance has been made with the requirements of parts 4675.0100 to 4675.2800. It is issued for one year. Renewal of a license is subject to demonstrated compliance with parts 4675.0100 to 4675.2800. A license is not transferable. A change in ownership requires a new application. Separate licenses are required for facilities maintained on separate sites, even though operated by the same ownership. The license shall be conspicuously posted in a public area in the center. The licensee shall notify the department in writing of any change of name or address of the licensee and of the administrator.

Subp. 5. **Fire safety requirements.** A center which has been determined by the state fire marshal to be out of compliance with the fire safety requirements of the state fire marshal is not eligible for licensing.

Subp. 6. **New centers.** Architectural and engineering drawings and specifications for new centers or modifications of facilities in existing centers shall be submitted to and approved by the department. New centers and their staffing require approval prior to licensure.

Subp. 7. **Waiver.** Physical plant deficiencies relating to required area sizes or distance limits may be waived by the commissioner of health for a recognized existing center which was functioning prior to the effective date of parts 4675.0100 to 4675.2800 when such deficiencies do not constitute an unacceptable compromise in patient treatment and safety and correction would involve major remodeling and cause unusual hardship.

Subp. 8. **Fees.** Fees shall be paid in accordance with part 4735.0200.

**Statutory Authority:** *MS s 144.56*

**History:** *L 1977 c 305 s 39*

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