

3701-84-01

General definitions.

As used in this chapter:

- (A) "Accreditation inspection report" means the written survey findings concerning the provider of a health care service, prepared by an entity that the director has determined as having standards and a process for assessing compliance for a particular HCS which equals or exceeds the applicable requirements of Chapter 3701-84 of the Administrative Code, that documents compliance with the entity's standards.
- (B) "Administrator" means the person responsible for the overall daily management of the health care service.
- (C) "Anesthesiologist" means a physician who has completed a residency training program in anesthesiology accredited by the American council of graduate medical education or the American osteopathic association.
- (D) "Bone marrow transplantation service" means the replacement or supplementation of a patient's bone marrow with autologous or allogeneic hematopoietic stem cells ~~including peripheral blood stem cells, when the patient's own bone marrow has been ablated or partially ablated by disease or therapy~~ for the purpose of achieving long-term management of certain ~~high-risk~~ hematologic, immunologic, oncologic or genetic conditions, or ~~for significantly shortening the time to recover blood production after administration of dose-intensive chemotherapy or chemo-radiation therapy~~ enzymatic deficiency disease. A bone marrow transplantation service includes a service in stem cell harvesting and reinfusion.
- (E) "Autologous/syngeneic bone marrow transplantation" means autologous, peripheral blood stem cell or syngeneic transplants.
- (F) "Low-risk allogeneic bone marrow transplantation" means fully matched allogeneic sibling donor transplants without any of the high risk features listed under paragraph (G) of this rule.
- (G) "High-risk allogeneic bone marrow transplantation" means unrelated or haploidentical transplants, or matched sibling donor transplants with any of the following features:
- (1) A primary diagnosis of myelodysplasia;
 - (2) Bone marrow transplant in relapse;

- (3) Chronic myelogenous leukemia in anything other than in chronic phase;
 - (4) Primary refractory patients;
 - (5) Patients with eastern cooperative oncology group performance status at time of transplant of greater than or equal to two; or
 - (6) Patients who are over forty years of age at the time of transplant
- (H) "Chiropractor" means a person licensed under Chapter 4734. of the Revised Code to practice chiropractic care.
- (I) "Department" or "director" means the director of health or any official or employee of the department designated by the director of health.
- (J) "Freestanding birthing center" means a facility licensed under Chapter 3702. of the Revised Code and Chapter 3701-83 of the Administrative Code.
- (K) "Health care service" or "HCS" means any of the following:
- (1) A heart, lung, liver, kidney, pancreas, small bowel, or islet cell transplantation service or all combinations of solid organ transplant services, collectively referred to as a solid organ transplant service;
 - (2) A bone marrow transplant service;
 - (3) A cardiac catheterization service;
 - (4) An open heart surgery service;
 - (5) An obstetric and newborn care service;
 - (6) A pediatric intensive care service;
 - (7) A linear accelerator, cobalt radiation, or gamma knife service;
 - (8) A pediatric cardiac catheterization service;
 - (9) A pediatric cardiovascular surgery service.

- (L) "Hospital" means an institution required to be registered under section 3701.07 of the Revised Code.
- (M) "Level classification" means a perinatal unit designation that determines the level of services the unit may provide.
- (N) "Licensed practical nurse" or "LPN" means a person licensed under Chapter 4723. of the Revised Code to practice nursing as a licensed practical nurse.
- (O) "Live birth" means the complete expulsion or extraction from its mother of a product of human conception that after such expulsion or extraction breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movements of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.
- (P) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of conception of at least twenty weeks gestation, which after such expulsion or extraction, does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.
- (Q) "Neonatal death" means the death of a live-born infant occurring within the first twenty-seven days of life.
- (R) "Infant death" means the death of a live born infant occurring within the first year of life.
- (S) "Maternal deaths" are those for which the certifying physician has designated a maternal condition as the underlying cause of death. The maternal conditions are those assigned to deliveries and complications of pregnancy, childbirth, and the puerperium.
- (T) "Repeat cesarean section" means a cesarean section in a patient who has previously had one or more cesarean sections.
- (U) "Outborn infants" means infants less than twenty-eight days of age who are:
 - (1) Transferred from another hospital;
 - (2) Admitted to a hospital nursery from home; or

(3) Born outside a maternity unit licensed under Chapter 3711. of the Revised.

(V) "Lethal malformations" means:

(1) Trisomy 18;

(2) Trisomy 13;

(3) Anencephaly; or

(4) Renal agenesis/Potter's syndrome; ~~or~~

~~(5) Hypoplastic left heart syndrome.~~

(W) "Medical director" means the physician who is responsible for managing and directing the provision of medical services at the health care service.

(X) "Nurse" means either a licensed practical nurse or a registered nurse.

(Y) "Occupational therapist" means a person licensed to practice occupational therapy pursuant to section 4755.07 of the Revised Code.

(Z) "Patient" means any individual who receives health care services.

(AA) "Patient representative" means either a person acting on behalf of a patient with the consent of the patient or the patient's legal guardian.

(BB) "Pediatric intensive care unit" or "PICU" or "pediatric intensive care service" means a separate and distinct unit in a hospital where pediatric patients, suffering from critical illness, receive care. "PICU" does not include a neonatal intensive care unit.

(CC) "Perinatal unit" means a distinct portion of a hospital, including a children's hospital, registered under section 3701.07 of the Revised Code in which obstetrical, neonatal, or both types of care are provided.

(DD) "Pharmacist" means a person registered under Chapter 4729. of the Revised Code to practice pharmacy.

(EE) "Physical therapist" means a person licensed to practice physical therapy pursuant to

section 4755.44 of the Revised Code.

(FF) "Physician" means a person who is licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, or osteopathic medicine and surgery.

(GG) "Psychologist" means a person licensed to practice psychology pursuant to Chapter 4732. of the Revised Code.

~~(HH)~~ "Radiology technician" means a person licensed as a radiographer under Chapter 4773. of the Revised Code.

~~(H)~~(HH) "Registered dietitian" means a person registered pursuant to Chapter 4759. of the Revised Code to practice dietetics.

~~(JJ)~~(II) "Registered nurse" or "RN" means a person who is licensed under section 4723.02 of the Revised Code to practice as a licensed registered nurse.

~~(KK)~~(JJ) "Certified registered nurse anesthetist" or "CRNA" means an RN who meets the qualifications specified in section ~~4731.35~~ 4723.41 of the Revised Code and is credentialed and privileged by the provider of a health care service to administer anesthetics to patients within his or her scope of practice.

~~(LL)~~(KK) "Social worker" means a person licensed to practice social work pursuant to Chapter 4757. of the Revised Code.

~~(MM)~~(LL) "Solid organ transplant service" means the transplantation of heart, lung, liver, kidney, pancreas, small bowel, islet cells, and any and all combinations of such transplanted organs.

~~(NN)~~(MM) "Staff member" or "staff" means the administrator and individuals providing direct care to patients on a full-time, part-time, temporary, contract, or voluntary basis. Staff member or staff does not include volunteers who are family members of a patient.

~~(OO)~~(NN) "Linear accelerator service" means the structural unit of a health care facility which provides radiation therapy or stereotactic radiosurgery using a linear accelerator.

~~(PP)~~(OO) "Cobalt service" means the structural unit of a health care facility which provides radiation therapy using a cobalt teletherapy machine.

~~(QQ)~~(PP) "Gamma knife service" means the structural unit of a health care facility which provides stereotactic radiosurgery or stereotactic radiotherapy using a gamma knife.

~~(RR)~~(QQ) "Stereotactic radiosurgery service" means the structural unit of a health care organization which provides stereotactic radiosurgery.

~~(SS)~~(RR) "Linear accelerator" means a medical linear accelerator which provides a collimated beam of electrons or electronically produced x-rays used for radiation therapy treatment.

~~(TT)~~(SS) "Cobalt teletherapy machine" means a machine that provides a collimated beam of gamma rays from a sealed cobalt-60 source for the purposes of radiation therapy treatment.

~~(UU)~~(TT) "Gamma knife" means a dedicated device for stereotactic radiosurgery which employs multiple cobalt-60 sealed radiation sources aimed at a single isocenter. The gamma knife may also be used to perform stereotactic radiotherapy.

~~(VV)~~(UU) "Stereotactic radiosurgery" means the closed-skull destruction of a precisely defined intracranial target by beam(s) of ionizing radiation in which the total dose is administered during a single treatment session.

~~(WW)~~(VV) "Stereotactic radiotherapy" means the closed-skull destruction of a precisely defined intracranial target by beam(s) of ionizing radiation in which the total dose of radiation is administered as fractions during multiple treatment sessions.

~~(XX)~~(WW) "Dose" means energy imparted per unit mass of absorber at a specific site under certain conditions.

~~(YY)~~(XX) "Radiation therapy service" means the structural unit of a health care organization which provides radiation therapy.

~~(ZZ)~~(YY) "Ionizing radiation" means gamma rays and x-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other atomic or nuclear particles or rays.

~~(AAA)~~(ZZ) "Radiation oncologist" means a physician who:

- (1) Has satisfactorily completed a radiation oncology residency within the last four years in an American council of graduate medical education or American

osteopathic association approved program; or

- (2) Is certified in radiology by the American board of radiology or the American osteopathic board of radiology and who has had a practice limited to radiation oncology for the ten year period prior to May 1, 1996; or
- (3) Is certified in radiation oncology or therapeutic radiology by the American board of radiology, the American osteopathic board of radiology, or the royal college of physicians and surgeons of Canada.

~~(BBB)~~(AAA) "Radiation therapy" means the use of ionizing radiation, including external beam radiation therapy (teletherapy), or intraoperative radiation therapy ~~using x-rays or electron beam directed to targets,~~ and radioactive materials for therapeutic administration as authorized on a radioactive materials license issued by the director pursuant to 10 C.F.R. 35.400, and 10 C.F.R. 35.600 as delineated in rule 3701-39-02.1 of the Administrative Code in the treatment of human illness.

~~(CCC)~~(BBB) "Simulation" means the mock-up of a patient treatment with radiographic documentation of the treatment portals.

~~(DDD)~~(CCC) "Cardiac catheterization" means all anatomic or physiological studies of interventions, both diagnostic and therapeutic, in which the heart or coronary arteries are entered via a systemic vein or artery using a catheter that is manipulated under fluoroscopic visualization. This definition does not include studies of cardiac function performed using flow directed catheters that are positioned without the use of fluoroscopy.

~~(EEE)~~(DDD) "Cardiac catheterization service" means the staff, equipment, physical space, and support services required to perform cardiac catheterization and ~~PTCA procedures~~ percutaneous coronary interventions.

(EEE) "Percutaneous coronary interventions" (PCI) means the broader group of percutaneous techniques capable of relieving coronary narrowing. Such PCI techniques include rotational atherectomy, directional atherectomy, extraction atherectomy, laser angioplasty, implantation of intracoronary stents and other devices for treating coronary atherosclerosis, including percutaneous transluminal coronary angioplasty.

(FFF) "Percutaneous transluminal coronary ~~angiography~~angioplasty" ("PTCA") means the inflation of a balloon-tipped catheter at the site of a coronary artery stenosis to attempt to enlarge the diameter of the lumen.

(GGG) "Adult open ~~Open~~ heart surgery service" or "pediatric cardiovascular surgery

service" means the combination of staff, equipment, physical space and support services which are used to perform open-heart surgery and other non-invasive cardiovascular surgeries.

(HHH) "Pediatric patient" means any patient ~~aged newborn through twenty-one~~ less than twenty-two years of age, ~~excluding premature newborns unless otherwise specified in this Chapter.~~

(III) "Obstetric and newborn care service" means the staff, equipment, physical space, and support services required to care for pregnant women, fetuses, women who have recently delivered a child, and newborns.

(JJJ) "Provider of a health care service" means a person or governmental entity ~~under whose authority the health care service is offered and~~ who assumes legal liability for purposes of compliance with these rules. ~~In determining who is the provider of a health care service, the director may consider the following, including but not limited to: the relationship among the physicians offering the health care service; the legal entity, which may be the owner, operator, or lessee responsible for the physical facility (fixed or mobile) where the health care service is provided; the legal entity, which may be the owner, operator, or lessee, of any equipment that may be used in providing a health care service; and the patient who is the recipient of the health care service. Organizational, professional, and financial relationships may be examined in determining who is a provider of a health care service.~~

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