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CMS Requirements for separation of all ASC areas, including its
waiting area, from all non-ASC areas

The “Centers for Medicare and Medicaid Services” (CMS) facility-related (“physical environment”) requirements for participation in the ASC Certification program are fundamentally explained in their **State Operations Manual, Appendix L - Guidance for Surveyors: Ambulatory Surgical Centers** i.e. CMS’s “Interpretive Guidelines”. Further clarification is provided in their Memorandum dated May 21, 2010 addressing “**Ambulatory Surgical Center (ASC) Waiting Area Separation Requirements**” (Ref: S&C-10-20-ASC).

CMS’s **Interpretive Guidelines: §416.2** states, in explanation of their requirement for an ASC to be separate and distinct, “*Permitting use of common, non-clinical space by distinct entities separated temporally does not mean that the ASC is relieved of the obligation to comply with the NFPA Life Safety Code standards for ASCs, in accordance with §416.44(b), that require, among other things, a one-hour separation around all physical space that is used by the ASC and fire alarms in the ASC.*” The term “temporal separation” refers to a physically shared area being separated by time, so that no more than one entity uses it simultaneously. Note the reference to all “physical space that is used by the ASC,” including Waiting Rooms, as being required to fall within the 1-hour separation defining the ASC as separate from any other entity.

Any doubt of this intended meaning was eliminated by the May 21 Memo, where it is explained “*CMS considers ASC waiting areas to be Ambulatory Health Care occupancies. Therefore, the requirements of the LSC Chapters 20 or 21 apply to all new and existing ASCs waiting areas, respectively.*”

CMS intent and requirement is clear. The waiting room for any given ASC is part of that ASC and must be located within the 1-Hr (minimum) fire wall separating it from any adjacent entity, regardless of local or State building code “occupancy classification.” If the physical space used by the waiting room is shared with another entity, it must be both located within the ASC’s defining fire separation wall AND operationally separated by time.

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