



Single Suite Surgical Practices Now Required to Become Licensed as Surgery Centers

Governor Christie just signed A-4995/S-287 into law, requiring registered surgical practices to become licensed by the New Jersey Department of Health as an ambulatory surgical center (“ASC”). Existing surgical practices must apply for an ASC license within one year, and those that are accredited or certified by CMS will be exempt from the current physical plant standards. All prior surgical practices will be exempt from licensing fees and the ambulatory care facility assessment.

The law expressly permits “combining” existing surgical practices and applying for a single ASC license. This allows a form of expansion that the current moratorium would otherwise prohibit. “Combined” surgical practices that become licensed as ASCs will be subject to licensure fees and the ambulatory care facility assessment.

Although the law may appear onerous to physician owned surgical practices, there are a number of opportunities available to licensed ASCs that surgical practices cannot currently take advantage of. Any physician can perform procedures at a licensed ASC, not just the physician owners. Furthermore, a licensed ASC can be owned by non-physicians, increasing the investment opportunities for private equity firms, management companies and hospital investors.

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Please [contact us](#) if you have questions about obtaining an ASC license and for more information about what this new law means for you.

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