**Section 205.320 Presence of Qualified Physician**

a) A qualified physician shall be present at the facility until all patients are medically discharged, unless the facility possesses a written transfer agreement with a hospital and a qualified physician certifies that all remaining patients in the facility meet the criteria in this Section at the time the last remaining qualified physician departs the facility. The following criteria shall be met if a qualified physician will not be physically present at a facility:

1) The patient is awake, physiologically stable, has experienced no intraoperative or postoperative complications;

2) The patient does not require the administration of whole blood or any blood products;

3) The patient is three years of age or older;

4) The patient does not have an active, acute or chronic infectious condition;

5) The patient falls within anesthesia class I, II or III, if he or she is medically stable (anesthesia class I indicates a normal, healthy patient, anesthesia class II is a patient with mild systemic disease, and anesthesia class III is a patient with severe systemic disease);

6) The level of care needed by the patient is consistent with recovery care for generally healthy patients undergoing surgical procedures that require nursing care, pain control or observation;

7) Hospitalization is not required; and

8) The facility has met all other level of care criteria established by the qualified consulting committee.

b) The facility shall provide a sufficient number of properly trained and supervised staff to meet the needs of each patient. When a qualified physician is not on-site, the facility shall have at least two RNs on duty and present at the facility when patients are in a facility. All nursing staff providing care to patients shall meet the following criteria:

1) Be certified for advanced cardiac life support (ACLS) and, if applicable, pediatric advanced cardiac life support (PALS); and

2) Have a minimum of two years of experience within the last five years in a post-anesthesia recovery unit or medical/surgical unit of an acute care hospital or ambulatory surgical treatment center.

c) A qualified physician shall be on-call and able to be physically present in the facility within 15 minutes after a request from an on-duty RN.

d) Patients shall be discharged only after a written signed order by a member of the medical staff.

e) The discharge criteria shall be defined in writing by the qualified consulting committee.

(Source: Amended at 44 Ill. Reg. 18358, effective November 2, 2020)