

## Chapter H 24

## GENERAL AND SPECIAL HOSPITALS

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History: Chapter H 24 as it existed on May 31, 1968 was repealed and a new chapter H 24 was created, Register, May, 1968, No. 149, eff. June 1, 1968.

H 24.01 Compliance with state and local laws. (1) (a) No hospital may operate in Wisconsin unless it is approved by the department. To be approved by the department, a hospital shall comply with this chapter and with all other applicable state laws and local ordinances. An application for approval shall be submitted to the department on forms provided by the department. Within 90 days after receiving a completed application for approval, the department shall either approve or deny the application. If the application for approval is denied, the department shall give the applicant reasons, in writing, for the denial.

(b) The staff of the hospital shall be licensed or registered in accordance with applicable laws.

(c) The hospital shall be in conformity with laws relating to fire and safety, to communicable and reportable diseases, to post-mortem examinations, and to other relevant matters.

(2) The hospital shall be in conformity with the requirements of reporting communicable disease and infection.

(a) Communicable disease and infection:

1. Reportable communicable disease shall be promptly reported to the local health officer in compliance with ch. HSS 145.

2. Diarrhea of the newborn shall be immediately reported:

a. To the local health office in communities which employ a full-time health officer.

b. To the division of health in communities which do not have a full-time health officer.

3. Known infectious diseases of epidemiological importance shall be reported to the local full-time health officer and the state health officer.

(3) The hospital shall be in conformity with the requirements of reporting illegitimate pregnancies.

(a) Reporting. 1. The hospital shall report illegitimate pregnancies of mothers to the division for children and youth, state department of

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health and social services, within 24 hours after admission to the hospital or an associated maternity residence.

2. For reporting purposes, illegitimate pregnancy is defined as a pregnancy of one who is unmarried; one who reports the husband is not the father of the infant; one who refuses to give the name of the father of the child or one who has been separated from her husband longer than the normal gestation period.

(b) *Forms.* 1. The hospital shall use forms which are furnished by the division for children and youth, state department of health and social services, for reporting illegitimate pregnancies.

2. All forms, records and certificates with information pertaining to the reporting of unmarried mothers or their infants shall be maintained in confidence and shall be available to the division for children and youth, state department of health and social services, or its designated representative.

Note: Unwed mother report form is obtainable from department of health and social services.

(c) *Protection of unwed mother and infant.* 1. Care shall be taken to keep the presence of an unwed mother and her infant in confidence.

2. The division for children and youth, state department of health and social services, or its designated representative shall have access to unwed mothers.

(4) Definitions and classifications of hospitals. (a) *Statutory definitions.*  
1. Hospital. "Hospital" means any building, structure, institution or place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment of and medical or surgical care for 3 or more nonrelated individuals hereinafter designated patients, suffering from illness, disease, injury or deformity, whether physical or mental, and including pregnancy and regularly making available at least clinical laboratory services, and diagnostic x-ray services and treatment facilities for surgery, or obstetrical care, or other definitive medical treatment.

(b) *Administrative definitions.* 1. General hospital. A "general hospital" is a hospital providing community service for inpatient medical and surgical care of acute illness or injury and/or for obstetrics.

2. Specialized hospital. A "specialized hospital" is a hospital providing primarily for one type of care, such as a psychiatric hospital, a chronic disease hospital, a children's hospital, a maternity hospital. The specialized hospital shall meet the applicable regulations for a general hospital of corresponding size and all regulations pertaining to such specialized services as are provided by the hospital.

a. A "psychiatric hospital" is a type of mental hospital where patients receive diagnosis and intensive treatment and where usually, only a minimum of continuous long-term treatment facilities are afforded.

b. A "chronic disease hospital" is a hospital, the primary purpose of which is to provide the services and facilities for the diagnosis, treatment and rehabilitation of patients with chronic illness. "Chronic disease" refers to illness or disability which is either permanent or recurrent, which may require long periods of medical supervision or care as well as special

rehabilitative services, as distinguished from acute illness which is usually of short duration.

c. Nursing homes and boarding care homes as classified and defined in s. 146.30, Stats., and hospitals devoted exclusively to the care of patients with tuberculosis or with mental illness are not "chronic disease hospitals."

d. A "maternity hospital" is a hospital, the primary purpose of which is to provide services and facilities for obstetrical care.

3. Specialized unit of a general hospital. When a general hospital provides beds in a segregated unit for a specialized type of care, such as psychiatric, tuberculosis, chronic disease, or nursing home, such a unit is a specialized unit of the general hospital. The services provided in a nursing home unit are separately licensed.

History: Cr. Register, May, 1968, No. 149, eff. 6-1-68; r. and rec. (1) (intro.) and (a), Register, October, 1985, No. 358, eff. 11-1-85; correction in (2) (a) 1. Made under s. 13.93 (2m) (b) 7, Stats., Register, October, 1985, No. 358.

**H 24.02 Governing body.** (1) The hospital shall have an effective governing body legally responsible for the conduct of the hospital as an institution.

Note: If a hospital does not have an organized governing body, the persons legally responsible for the conduct of the hospital carry out the functions herein pertaining to the governing body.

(a) The governing body shall have adopted bylaws in accordance with legal requirements.

1. The bylaws shall be in writing and available to all members of the governing body.

2. The bylaws shall:

a. Stipulate the basis upon which members are selected, their term of office, and their duties and requirements.

b. Specify to whom responsibilities for operation and maintenance of the hospital, including evaluation of hospital practices, may be delegated; and the methods established by the governing body for holding such individuals responsible.

c. Provide for the designation of necessary officers, their terms of office and their duties, and for the organization of the governing body into essential committees.

d. Specify the frequency with which meetings shall be held.

e. Provide for the appointment of members of the medical staff.

f. Provide mechanisms for the formal approval of the organization, bylaws, rules and regulations of the medical staff and its departments in the hospital.

Note: The term "medical staff" includes dentists on the staff as well as physicians. Where hospital dental services are minimal or confined largely to oral surgery they are usually conducted as a section of the department of surgery coequal with the other surgical specialties. Where dental services are more extensive and organized into a department of dentistry, coequal with the other major departments "medical and dental staff" would be preferred. See s. H 24.12 (1) (c).

(b) The governing body shall meet at regular, stated intervals.

1. Meetings shall be held frequently enough for the governing body to carry on necessary planning for growth and development and to evaluate the conduct of the hospital, including the care and treatment of patients, the control, conservation and utilization of physical and financial assets, and the procurement and direction of personnel.

2. Minutes of meetings shall reflect pertinent business conducted, and shall be regularly distributed to members of the governing body.

(c) The governing body shall appoint committees. There shall be an executive committee and others as indicted for special purposes.

1. The number and types of committees appointed shall be consistent with the size and scope of activities of the hospital.

2. An executive committee, or the governing body as a whole, shall establish policies for the activities and general policies of the various hospital departments and special committees established by the governing body.

3. Written minutes or reports, which reflect business conducted by the executive committee, shall be maintained for review and analysis by the governing body.

4. Other committees, including finance, joint conference, and building and maintenance shall function in a manner consistent with their duties as assigned by the governing body and maintain written minutes or reports which reflect the enactment of such duties. If such other committees are not appointed, a member or members of the governing body shall assume those duties normally assigned to such committees.

(d) The governing body shall establish a formal means of liaison with the medical staff by a joint conference committee or other appropriate mechanism.

1. A direct effective method of communication with the medical staff shall be established on a formal, regular basis, and shall be documented in written minutes or reports which are distributed to designated members of the governing body and active medical staff.

2. Such effective liaison shall be a responsibility of the joint conference committee, the executive committee, or designated members of the governing body.

(e) The governing body shall appoint members of the medical staff.

1. A formal procedure shall be established, governed by written rules and regulations, covering the application for medical staff membership and the method of processing applications.

2. The procedure related to the submission and processing of applications shall involve the administrator, credentials committee of the medical staff or its counterpart, and the governing body, all functioning on a regular basis.

3. Selection of physicians and definition of their medical privileges, both for new appointments and reappointments, shall be based on written, defined criteria.

4. Action taken on applications for medical staff appointments by the governing body shall be in writing and retained.

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