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Ambulatory Surgery Center (ASC) Frequently Asked Questions

General

1. What is an Ambulatory Surgery Center?

A clinic may be certified as an ASC. An ASC facility means "any distinct entity that operates exclusively for the purpose of providing surgical services to patients not requiring hospitalization and in which the expected duration of services would not exceed 24 hours following an admission", pursuant to Title 42 Code of Federal Regulations (CFR) section 416.2.

2. What is the difference between an ASC and Surgical Clinic (SURGC)?

A clinic may be certified as an ASC. An ASC facility means "any distinct entity that operates exclusively for the purpose of providing surgical services to patients not requiring hospitalization and in which the expected duration of services would not exceed 24 hours following an admission", pursuant to Title 42 CFR section 416.2. A state license is required to operate a SURGC in California. A SURGC means "a clinic that is not part of a hospital and that provides ambulatory surgical care for patients who remain less than 24 hours. A surgical clinic does not include any place or establishment owned or leased and operated as a clinic or office by one or more physicians or dentists in individual or group practice, regardless of the name used publicly to identify the place or establishment, provided, however, that physicians or dentists may, at their option, apply for licensure," pursuant to Health and Safety Code (HSC) section 1204(b)(1).

3. If my ASC is either wholly, partially, or indirectly physician owned, can I still apply for a license as a surgical clinic?

No, any ASC that has any degree of physician ownership is ineligible for licensure as a surgical clinic as described in the Capen decision. This decision determined that if a surgical clinic is owned partly or entirely by a physician then the clinic will be exempt from the California Department of Public Health (CDPH) licensure requirements. However, if the clinic is not owned partly or entirely by a physician then the clinic falls under CDPH's licensure authority.

Application Processing

- 4. Is there an application fee that must accompany an initial certification application, change of ownership, or report of change application?**

No, there is no application fee associated with an initial certification application, change of ownership, or report of change to the Centralized Applications Branch (CAB).

- 5. I am a physician owned ASC and I will not be seeking licensure. However, I am applying for Medicare/Medi-Cal certification. Am I required to submit any application documents to CAB?**

Yes, an application is still required by the Centers for Medicare & Medicaid Services (CMS) and the Department of Health Care Services (DHCS) for certification. CAB will collect all required certification documents and forward the information to the local CDPH district office who handles the certification survey and works with CMS and DHCS for the final certification approval.

- 6. I submitted an application to CMS and my fiscal intermediary. I followed up with the CDPH local district office, but the district office states they do not have a copy of this application. What should I do?**

The fiscal intermediary does not forward a copy of your federal application to the CDPH local district offices. A separate state application must be submitted to CAB who collects all certification documents on behalf of CMS. After CAB approves the state application, CAB will forward it to the CDPH local district office for the certification piece. For further information please visit the [Licensing and Certification Program website](#), select Ambulatory Surgical Clinic and select the appropriate application type drop down for further instructions.

- 7. Why do I need to submit a separate state application to CAB for an initial certification and/or report of change for an ASC if I have already updated my information through the CMS system (PECOS) and completed a CMS 855B? CAB is the intermediary between CMS and DHCS to collect the Medicare/Medi-Cal certification forms on their behalf. For any ASC provider intending to update the facility's Medicare/Medi-cal certification information, an application must be submitted to CAB. For further information please visit the [Licensing and Certification Program website](#), select Ambulatory Surgical Clinic and select the appropriate application type drop down for further instructions.**

8. Do I need to submit application documents with original signatures?

CAB can accept documents submitted through mail with original signatures, or PDF electronic signatures in lieu of original signatures. If a CAB analyst issues a deficiency letter to the facility contact, the analyst may also accept copies of original signatures that are submitted as PDFs.

9. Does the state application require a copy of the CMS 855B – Medicare General Enrollment Health Care Provider/Supplier Application?

No, a copy of the CMS 855B is not required to be submitted to CAB. However, it is helpful when a copy of the CMS 855B is included in the application. Please note that the CMS 855B requirement on the provider checklist directs the provider to submit this form to the appropriate fiscal intermediary.

10. Do I mail a completed application to CAB, or email a digital file to the CAB inbox?

CAB requires the physical application package to be mailed to establish an application ID in the department's database. Emailing a PDF copy to CAB's email inbox won't expedite the process of your application. Once you have an application packet ready, please mail the application directly to CAB.

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Do not send any completed application packets, forms, or supporting documents to the local CDPH district office.

11. Can my initial certification application be expedited by CAB since I am facing financial problems?

No, initial certification applications are processed in the order as they are received by CAB. We encourage providers to submit a complete initial certification application. For further information please visit the [Licensing and Certification Program website](#), select Ambulatory Surgical Clinic and select the appropriate application type dropdown for further instructions.

12. We maintain an accredited and Medicare-certified- ASC and would like to open a satellite facility under the same ownership and management. What state application is required for this second location?

An initial certification application is required. For further information please visit the [Licensing and Certification Program website](#), select Ambulatory Surgical Clinic and select the appropriate application type dropdown for further instructions.

13. How do I check the status of my application once I have submitted it to CAB?

Providers can send email inquiries to the CAB Non-Long Term Care inbox requesting the status of the application. Please include the facility name and physical address in your email to: CABNLTC@cdph.ca.gov. Once the application is assigned, the CAB analyst will contact the provider via-email.

14. What happens after my application is assigned to a CAB analyst?

The CAB analyst will review the application to ensure all required documents are complete and accurate. If additional information is required, the CAB analyst will email a correction letter to the provider. Once all documentation has been collected, the CAB analyst will approve the application.

15. What happens after CAB approves my application?

Once the application is approved by CAB, the application packet is forwarded to your local district office. Staff in the local district office will complete the certification review and then forward an approval notice to CMS and DHCS for processing. Then, CMS and DHCS will complete certification enrollment and issue a provider certification number for billing purposes. For further information on the progress of your application, please contact your local district office. Please reference the facility ID and application ID number indicated in the approval notice issued by CAB.

16. Can I contact the CDPH local district office to find out the status of the initial certification survey?

Providers may contact their local district office to inquire the status of a pending certification survey. Please reference your facility name and address when contacting your local district office.

<https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/DistrictOffices.aspx>