



# Regulatory Creep: An Urgent Care Response



*Connecticut Democrats Seek Regulations for Urgent Care Centers.*

When this alert hit my inbox, I must say it was a bit alarming. Whenever I see “urgent care” and “regulations” in the news it’s unsettling to say the least. I am probably not alone. The regulatory rumblings have come and gone before, but this one has me more concerned. Here’s a little background:

Connecticut legislators and the state Department of Public Health (CDPH) have been interested in looking for ways to reduce the healthcare expenditures related to emergency department utilization for some time now. In fact, some regional urgent care leaders had proactively reached out to CDPH to discuss the matter. There was excitement about a potential solution, and discussions quickly leaned toward improved reimbursement for urgent care services.

So, what’s the catch? Well, what followed can only be described as an unforeseen twist of fate. There were so many practices claiming to be *urgent care*, that CDPH couldn’t effectively identify those who should be considered for higher reimbursements. The conversations quickly shifted to the lack of a good definition for “urgent care” and the public confusion this might entail. The debate spilled over into the state legislature and before anyone could redirect, the need to define urgent care became the focus.

Since then, fiscally starved legislators saw the issue as regulatory fresh meat—with licensing requirements (and fees) written all over it. Despite the best of intentions, urgent care operators in Connecticut saw their extended hand get the proverbial chop! And now a healthcare spending bill sits in front of the governor that includes a line-item requiring licensure for urgent care centers in Connecticut.

So why does all this matter so much? After all, a better definition could only be a good thing for any urgent care center operating within reasonable industry standards. But what are those standards and who makes them? Who gets invited to the ball and who gets left scrubbing the floors? There are many things to be concerned with here. Let’s take a closer look:

1. Urgent care is a clinical practice, and clinical practice is already regulated. Whether you are a physician or an

advanced practitioner, you have more than a few hoops to jump through to get a license to practice medicine. So, why do we need another licensing process to practice medicine in accordance with our existing license?!

2. Why should we accept regulation on a medical service just because it is growing to meet consumer demand?
3. Licensing is expensive, and inevitably leaves the small independent practices disadvantaged.
4. The indirect costs are even more expensive. Updating every physician practice to a Joint Commission standard (think “bathrooms per square feet”) would be cost prohibitive and do little to improve care. In addition, delays in licensure (and these are common) put an already precarious ramp up to profitability on a precipitous cliff.

It should be obvious by now that unreasonable regulations and licensing requirements would create a real threat to urgent care owners, in Connecticut and beyond. It should be equally obvious that this issue should be important to all of us in the urgent care space. Perhaps we should have seen this coming. Perhaps we have not done enough to better define urgent care as a discipline and as an industry. Perhaps...but regardless, we should all be collectively dismayed by what is happening in Connecticut and work together to fight it.

The Urgent Care Association of America (UCAOA) already has a pretty good definition in place and some fairly reasonable ways to attain recognition. The Certified Urgent Care (CUC) program covers the basics, with hours of operation, access, scope, and licensure expectations clearly defined. Urgent Care Accreditation takes it one step further, with facility and operational requirements that make sense for urgent care and the communities we serve. If we must subject ourselves to this exercise, both are reasonable places to start. ■

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