

## §8752. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2001, c. 678, §1 (NEW); PL 2001, c. 678, §3 (AFF).]

**1. Division.** "Division" means the Department of Health and Human Services, Division of Licensing and Regulatory Services.  
[PL 2009, c. 358, §1 (AMD).]

**2. Health care facility.** "Health care facility" or "facility" means a state institution as defined under Title 34-B, chapter 1 or a health care facility licensed by the division, except that it does not include a facility licensed as a nursing facility or licensed under chapter 1664. "Health care facility" includes a general and specialty hospital, an ambulatory surgical facility, an end-stage renal disease facility and an intermediate care facility for persons with intellectual disabilities or other developmental disabilities.  
[PL 2011, c. 542, Pt. A, §48 (AMD).]

**2-A. Immediate jeopardy.** "Immediate jeopardy" means a situation in which the provider's noncompliance with one or more conditions of participation in the federal Medicare program has caused, or is likely to cause, serious injury, harm or impairment to or death of a patient.  
[PL 2009, c. 358, §1 (NEW).]

**3. Major permanent loss of function.** "Major permanent loss of function" means sensory, motor, physiological or intellectual impairment that was not present at the time of admission and requires continued treatment or imposes persistent major restrictions in activities of daily living.  
[PL 2009, c. 358, §1 (AMD).]

**3-A. Near miss.** "Near miss" means an event or situation that did not produce patient injury, but only because of chance, which may include, but is not limited to, robustness of the patient or a fortuitous, timely intervention.  
[PL 2009, c. 358, §1 (NEW).]

**3-B. Root cause analysis.** "Root cause analysis" means a structured process for identifying the causal or contributing factors underlying adverse events. The root cause analysis follows a predefined protocol for identifying these specific factors in causal categories.  
[PL 2009, c. 358, §1 (NEW).]

**4. Sentinel event.**  
[PL 2009, c. 358, §1 (RP).]

**4-A. Sentinel event.** "Sentinel event" means:

A. An unanticipated death, or patient transfer to another health care facility, unrelated to the natural course of the patient's illness or underlying condition or proper treatment of that illness or underlying condition in a health care facility; [PL 2009, c. 358, §1 (NEW).]

B. A major permanent loss of function unrelated to the natural course of the patient's illness or underlying condition or proper treatment of that illness or underlying condition in a health care facility that is present at the time of the discharge of the patient. If within 2 weeks of discharge from the facility, evidence is discovered that the major loss of function was not permanent, the health care facility is not required to submit a report pursuant to section 8753, subsection 2; [PL 2009, c. 358, §1 (NEW).]

C. An unanticipated perinatal death or major permanent loss of function in an infant with a birth weight over 2,500 grams that is unrelated to the natural course of the infant's or mother's illness or underlying condition or proper treatment of that illness or underlying condition in a health care facility; and [PL 2009, c. 358, §1 (NEW).]

D. Other serious and preventable events as identified by a nationally recognized quality forum and determined in rules adopted by the department pursuant to section 8756. [PL 2009, c. 358, §1 (NEW).]

[PL 2009, c. 358, §1 (NEW).]

#### SECTION HISTORY

RR 2001, c. 2, §A37 (COR). RR 2001, c. 2, §A38 (AFF). PL 2001, c. 678, §1 (NEW). PL 2001, c. 678, §3 (AFF). PL 2007, c. 324, §17 (REV). PL 2009, c. 358, §1 (AMD). PL 2011, c. 542, Pt. A, §48 (AMD).

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