

THE FLORIDA SENATE
2018 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 1165 — Trauma Services

by Health and Human Services Committee; Health Quality Subcommittee; and Rep. Trumbull and others (CS/CS/CS/SB 1876 by Rules Committee; Appropriations Committee; Health Policy Committee; and Senator Young)

The bill redesigns the state's trauma system. The bill reduces the number of Trauma Service Areas (TSA) from 19 to 18, by revising the composition of certain TSAs and limits the number of trauma centers in each TSA and the total number of trauma centers in the state to 35.

The bill revises the process for selecting and approving new trauma centers. If need is established, as determined by the Department of Health (DOH), the DOH will accept applications, which will be assessed in an initial review and approval process. A successful applicant may proceed with preparation to operate and must be ready to operate within one year. However, the applicant may not begin operating until the DOH approves the applicant through the initial and in-depth review stages. Within the next year, a team of out-of-state experts will assess the operations of the provisional trauma center for compliance with applicable trauma center standards. Based on the recommendation of the review team, the DOH must approve for designation a trauma center that is in compliance with trauma center standards.

The bill restricts the DOH from designating a Level II trauma center as a pediatric trauma center or Level I trauma center in a TSA that already has a Level I trauma center or pediatric trauma center and restricts who may bring a legal challenge to a DOH decision related to the trauma system to trauma center applicants and existing trauma centers in the same TSA or a contiguous TSA.

The bill provides a process for approving trauma centers in excess of the individual statutory cap in each TSA and the statewide cap based upon current population, trauma caseload, and expected population growth in the TSA. The DOH is required to analyze the trauma system every three years beginning August 31, 2020, to determine if additional trauma centers are needed.

The bill grandfathers into the new system all currently verified and certain provisionally approved trauma centers.

The bill eliminates the state's trauma registry under the DOH and requires trauma centers to participate in the National Trauma Data Bank. Trauma centers and acute care hospitals must continue to report all transfers and outcomes of trauma patients to the DOH. The bill requires hospital discharge data reported to the Agency for Health Care Administration to be used instead of trauma registry data, when required by statute.

The bill creates a 12-member Florida Trauma System Advisory Council (FTSAC), with all members appointed by the Governor. The council must hold its first meeting by June 1, 2018, and is authorized to submit recommendations to the DOH on how to maximize existing resources to achieve an inclusive trauma system. Members must serve without compensation or reimbursement for per diem or travel expenses.

The bill also requires the FTSAC to study and evaluate the laws, rules, regulations, standards, and guidelines for the designation of pediatric trauma centers in this state, as compared to the requirements, rules, regulations, standards, and guidelines for verification of pediatric trauma centers by a national trauma center accreditation body that certifies compliance with published standards for the administration of trauma care and the treatment of injured patients. The bill specifies areas that the study must consider and requires the FTSAC to report its findings and recommendations to the Governor and the Legislature by December 31, 2018. The section establishing the study expires on January 31, 2019.

The bill contains a non-severability clause that if the provisions related to the grandfathering of certain trauma centers is determined to be invalid, then the remaining provisions of the act are deemed to be void.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 34-0; House 110-0