

Bill No. CS for SB 2220

Amendment No.

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Myers moved the following amendment:

Senate Amendment (with title amendment)

On page 69, between lines 9 and 10,

insert:

Section 56. Section 395.40, Florida Statutes, is created to read:

395.40 Legislative findings and intent.--

(1) The Legislature finds that there has been a lack of timely access to trauma care due to the state's fragmented trauma system. This finding is based on the 1999 Trauma System Report on Timely Access to Trauma Care submitted by the department in response to the request of the Legislature.

(2) The Legislature finds that it is necessary to plan for and to establish an inclusive trauma system to meet the needs of trauma victims. An "inclusive trauma system" means a system designed to meet the needs of all injured trauma victims who require care in an acute-care setting and into which every health care provider or facility with resources to care for the injured trauma victim is incorporated. The

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1 Legislature deems the benefits of trauma care provided within
2 an inclusive trauma system to be of vital significance to the
3 outcome of a trauma victim.

4 (3) It is the intent of the Legislature to place
5 primary responsibility for the planning and establishment of a
6 statewide inclusive trauma system with the department. The
7 department shall undertake the implementation of a statewide
8 inclusive trauma system as funding is available.

9 (4) The Legislature finds that significant benefits
10 are to be obtained by directing the coordination of activities
11 by several state agencies, relative to access to trauma care
12 and the provision of trauma care to all trauma victims. It is
13 the intent of the Legislature that the department, the Agency
14 for Health Care Administration, the Board of Medicine, and the
15 Board of Nursing establish interagency teams and agreements
16 for the development of guidelines, standards, and rules for
17 those portions of the inclusive state trauma system within the
18 statutory authority of each agency. This coordinated approach
19 will provide the necessary continuum of care for the trauma
20 victim from injury to final hospital discharge. The department
21 has the leadership responsibility for this activity.

22 (5) In addition, the agencies listed in subsection (4)
23 should undertake to:

24 (a) Establish a coordinated methodology for
25 monitoring, evaluating, and enforcing the requirements of the
26 state's inclusive trauma system which recognizes the interests
27 of each agency.

28 (b) Develop appropriate roles for trauma agencies, to
29 assist in furthering the operation of trauma systems at the
30 regional level. This should include issues of system
31 evaluation as well as managed care.

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1 (c) Develop and submit appropriate requests for
2 waivers of federal requirements which will facilitate the
3 delivery of trauma care.

4 (d) Develop criteria that will become the future basis
5 for mandatory consultation on the care of trauma victims and
6 mandatory transfer of appropriate trauma victims to trauma
7 centers.

8 (e) Develop a coordinated approach to the care of the
9 trauma victim. This shall include the movement of the trauma
10 victim through the system of care and the identification of
11 medical responsibility for each phase of care for
12 out-of-hospital and in-hospital trauma care.

13 (f) Require the medical director of an emergency
14 medical services provider to have medical accountability for a
15 trauma victim during interfacility transfer.

16 (6) Furthermore, the Legislature encourages the
17 department to actively foster the provision of trauma care and
18 serve as a catalyst for improvements in the process and
19 outcome of the provision of trauma care in an inclusive trauma
20 system. Among other considerations, the department is
21 encouraged to:

22 (a) Promote the development of at least one trauma
23 center in every trauma service area.

24 (b) Promote the development of a trauma agency for
25 each trauma region.

26 (c) Update the state trauma system plan by December
27 2000 and at least every 5th year thereafter.

28 Section 57. Subsection (1) and paragraphs (c) and (n)
29 of subsection (2) of section 395.401, Florida Statutes, 1998
30 Supplement, are amended to read:

31 395.401 Trauma services system plans; verification of

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1 trauma centers and pediatric trauma referral centers;
2 procedures; renewal.--

3 (1) As used in this part, the term:

4 (a) "Agency" means the Agency for Health Care
5 Administration.

6 (b) "Charity care" or "uncompensated charity care"
7 means that portion of hospital charges reported to the agency
8 for which there is no compensation for care provided to a
9 patient whose family income for the 12 months preceding the
10 determination is less than or equal to 150 percent of the
11 federal poverty level, unless the amount of hospital charges
12 due from the patient exceeds 25 percent of the annual family
13 income. However, in no case shall the hospital charges for a
14 patient whose family income exceeds four times the federal
15 poverty level for a family of four be considered charity.

16 (c) "Department" means the Department of Health.

17 (d) "Level I trauma center" means a hospital that is
18 determined by the department to be in substantial compliance
19 with trauma center and pediatric trauma referral center
20 verification standards as established by rule of the
21 department, and which:

22 1. Has formal research and education programs for the
23 enhancement of trauma care.

24 2. Serves as a resource facility to Level II trauma
25 centers, pediatric trauma referral centers, and community
26 hospitals.

27 3. Ensures an organized system of trauma care.

28 (e) "Level II trauma center" means a hospital that is
29 determined by the department to be in substantial compliance
30 with trauma center verification standards as established by
31 rule of the department, and which:

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- 1 1. Serves as a resource facility to community
2 hospitals.
- 3 2. Ensures an organized system of trauma care.
- 4 ~~(f) "Local trauma agency" means an agency established~~
5 ~~and operated by a county or an entity with which the county~~
6 ~~contracts for the purpose of administrative trauma services.~~
- 7 (f)(g) "Pediatric trauma referral center" means a
8 hospital that is determined to be in substantial compliance
9 with pediatric trauma referral center standards as established
10 by rule of the department.
- 11 ~~(h) "Regional trauma agency" means an agency created~~
12 ~~and operated by two or more counties, or an entity with which~~
13 ~~two or more counties contract, for the purpose of~~
14 ~~administering trauma services.~~
- 15 (g)(i) "State-approved trauma center" means a hospital
16 that has successfully completed the state-approved selection
17 process pursuant to s. 395.4025 and has been approved by the
18 department to operate as a trauma center in the state.
- 19 (h)(j) "State-sponsored trauma center" means a
20 state-approved trauma center that receives state funding for
21 trauma care services.
- 22 (i) "Trauma agency" means an agency established and
23 operated by one or more counties, or an entity with which one
24 or more counties contract, for the purpose of administering an
25 inclusive regional trauma system.
- 26 (j) "Trauma alert victim" means a person who has
27 incurred a single or multisystem injury due to blunt or
28 penetrating means or burns; who requires immediate medical
29 intervention or treatment; and who meets one or more of the
30 adult or pediatric scorecard criteria established by the
31 department by rule.

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1 (k) "Trauma center" means any hospital that has been
2 determined by the department to be in substantial compliance
3 with trauma center verification standards.

4 (1) "Trauma scorecard" means a statewide methodology
5 adopted by the department by rule under which a person who has
6 incurred a traumatic injury is graded as to the severity of
7 his or her injuries or illness and which methodology is used
8 as the basis for making destination decisions.

9 (m) "Trauma victim" means any person who has incurred
10 a single or multisystem ~~life-threatening~~ injury due to blunt
11 or penetrating means or burns and who requires immediate
12 medical intervention or treatment.

13 (2)

14 (c) The department shall receive plans for the
15 implementation of inclusive trauma ~~care~~ systems from ~~local and~~
16 ~~regional~~ trauma agencies. The department may approve or not
17 approve ~~the local or regional~~ trauma agency plans based on the
18 conformance of the plan ~~local or regional plans~~ with this
19 section and ss. 395.4015, 395.404, and 395.4045 and the rules
20 adopted by the department pursuant to those sections. The
21 department shall approve or disapprove the plans within 120
22 days after the date the plans are submitted to the department.

23 (n) After the submission of the initial ~~local or~~
24 ~~regional~~ trauma ~~care~~ system plan, each ~~local or regional~~
25 trauma agency shall, every 5th year, ~~annually~~ submit to the
26 department for approval an updated plan that ~~which~~ identifies
27 the changes, if any, to be made in the regional trauma ~~care~~
28 system. ~~The department shall approve or disapprove the updated~~
29 ~~plan within 120 days after the date the plan is submitted to~~
30 ~~the department. At least 60 days before the local or regional~~
31 ~~trauma agency submits a plan for a trauma care system to the~~

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1 ~~department, the local or regional trauma agency shall hold a~~
2 ~~public hearing and give adequate notice of the public hearing~~
3 ~~to all hospitals and other interested parties in the area. A~~
4 ~~local or regional trauma agency shall submit to the department~~
5 ~~written notice of its intent to cease operation of the local~~
6 ~~or regional trauma agency at least 90 days before the date on~~
7 ~~which the local or regional trauma agency will cease~~
8 ~~operation.~~

9 Section 58. Subsections (1) and (3) of section
10 395.402, Florida Statutes, are amended to read:

11 395.402 Trauma service areas; number and location of
12 trauma centers.--

13 (1) ~~The Legislature finds that it is appropriate to~~
14 ~~recognize as a trauma patient someone with an injury severity~~
15 ~~score (ISS) of 9 or greater. The Legislature also recognizes~~
16 that Level I and Level II trauma centers should each be
17 capable of annually treating a minimum of 1,000 and 500
18 patients, respectively, with an injury severity score (ISS) of
19 9 or greater. Further, the Legislature finds that, based on
20 the numbers and locations of trauma victims with these injury
21 severity scores, there should be 19 trauma service areas in
22 the state, and, at a minimum, there should be at least one
23 trauma center in each service area.

24 (3) Trauma service areas are to be used. The
25 department shall periodically review the assignment of the 67
26 counties to trauma service areas. These assignments are made
27 for the purpose of developing a system of trauma centers.
28 Revisions made by the department should take into
29 consideration the recommendations made as part of the regional
30 trauma system plans approved by the department, as well as the
31 recommendations made as part of the state trauma system plan.

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1 These areas must, at a minimum, be reviewed in the year 2000
2 and every 5 years thereafter. Until the department completes
3 its initial review, the assignment of counties shall remain as
4 established pursuant to chapter 90-284, Laws of Florida.~~The~~
5 ~~following trauma service areas are to be utilized in~~
6 ~~developing a system of state-sponsored trauma centers. These~~
7 ~~areas are subject to periodic revision by the Legislature~~
8 ~~based on recommendations made as part of local or regional~~
9 ~~trauma plans approved by the department pursuant to s.~~
10 ~~395.401(2). These areas shall, at a minimum, be reviewed by~~
11 ~~the Legislature prior to the next 7-year verification cycle of~~
12 ~~state-sponsored trauma centers.~~

13 (a) The following trauma service areas are hereby
14 established:

15 1. Trauma service area 1 shall consist of Escambia,
16 Okaloosa, Santa Rosa, and Walton Counties.

17 2. Trauma service area 2 shall consist of Bay, Gulf,
18 Holmes, and Washington Counties.

19 3. Trauma service area 3 shall consist of Calhoun,
20 Franklin, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison,
21 Taylor, and Wakulla Counties.

22 4. Trauma service area 4 shall consist of Alachua,
23 Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette,
24 Levy, Putnam, Suwannee, and Union Counties.

25 5. Trauma service area 5 shall consist of Baker, Clay,
26 Duval, Nassau, and St. Johns Counties.

27 6. Trauma service area 6 shall consist of Citrus,
28 Hernando, and Marion Counties.

29 7. Trauma service area 7 shall consist of Flagler and
30 Volusia Counties.

31 8. Trauma service area 8 shall consist of Lake,

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- 1 Orange, Osceola, Seminole, and Sumter Counties.
- 2 9. Trauma service area 9 shall consist of Pasco and
3 Pinellas Counties.
- 4 10. Trauma service area 10 shall consist of
5 Hillsborough County.
- 6 11. Trauma service area 11 shall consist of Hardee,
7 Highlands, and Polk Counties.
- 8 12. Trauma service area 12 shall consist of Brevard
9 and Indian River Counties.
- 10 13. Trauma service area 13 shall consist of DeSoto,
11 Manatee, and Sarasota Counties.
- 12 14. Trauma service area 14 shall consist of Martin,
13 Okeechobee, and St. Lucie Counties.
- 14 15. Trauma service area 15 shall consist of Charlotte,
15 Glades, Hendry, and Lee Counties.
- 16 16. Trauma service area 16 shall consist of Palm Beach
17 County.
- 18 17. Trauma service area 17 shall consist of Collier
19 County.
- 20 18. Trauma service area 18 shall consist of Broward
21 County.
- 22 19. Trauma service area 19 shall consist of Dade and
23 Monroe Counties.
- 24 (b) Each trauma service area should have at least one
25 Level I or Level II trauma center.
- 26 (c) There shall be no more than a total of 44
27 state-sponsored trauma centers in the state.
- 28 Section 59. Subsection (1) of section 395.4045,
29 Florida Statutes, is amended to read:
- 30 395.4045 Emergency medical service providers;
31 transport of trauma victims to trauma centers.--

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1 (1) Each emergency medical services provider licensed
2 under chapter 401 shall transport trauma alert victims to
3 hospitals approved as trauma centers, except as may be
4 provided for either in department-approved local or regional
5 trauma transport protocol or, if no local or regional trauma
6 transport protocol is in effect, as provided for in a
7 department-approved provider's trauma transport protocol.
8 Development of regional trauma protocols shall be through
9 consultation with interested parties, including, but not
10 limited to, each approved trauma center; physicians
11 specializing in trauma care, emergency care, and surgery in
12 the region; each trauma system administrator in the region;
13 and each emergency medical service provider in the region
14 licensed under chapter 401. Trauma alert victims shall be
15 identified through the use of a trauma scoring system. The
16 department shall specify by rule the subjects to be included
17 in an emergency medical service provider's trauma transport
18 protocol and shall approve or disapprove each such protocol.

19

20 (Redesignate subsequent sections.)

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22

23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 5, line 14, after the semicolon

26

27 insert:

28 creating s. 395.40, F.S.; declaring legislative
29 findings and intent with respect to creation of
30 a statewide inclusive trauma system, as
31 defined; amending s. 395.401, F.S.; deleting

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1 the definitions of the terms "local trauma
2 agency" and "regional trauma agency"; defining
3 the terms "trauma agency" and "trauma alert
4 victim"; prescribing duties of the Department
5 of Health with respect to implementation of
6 inclusive trauma systems and trauma agency
7 plans; amending s. 395.402, F.S.; removing
8 legislative findings; prescribing duties of the
9 department with respect to assignment of
10 counties to trauma service areas; amending s.
11 395.4045, F.S.; prescribing transport
12 requirements for emergency medical services
13 providers;

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