

By Senator Myers

27-1346-99

1                                   A bill to be entitled  
2           An act relating to trauma care; creating s.  
3           395.40, F.S.; declaring legislative findings  
4           and intent with respect to creation of a  
5           statewide inclusive trauma system, as defined;  
6           amending s. 395.401, F.S.; deleting the  
7           definitions of the terms "local trauma agency"  
8           and "regional trauma agency"; defining the  
9           terms "trauma agency" and "trauma alert  
10          victim"; prescribing duties of the Department  
11          of Health with respect to implementation of  
12          inclusive trauma systems and trauma agency  
13          plans; amending s. 395.402, F.S.; prescribing  
14          duties of the department with respect to  
15          assignment of counties to trauma service areas;  
16          providing an effective date.

17

18 Be It Enacted by the Legislature of the State of Florida:

19

20           Section 1. Section 395.40, Florida Statutes, is  
21          created to read:22           395.40 Legislative findings and intent.--23           (1) The Legislature finds that there has been a lack  
24          of timely access to trauma care due to the state's fragmented  
25          trauma system. This finding is based on the 1999 Trauma System  
26          Report on Timely Access to Trauma Care submitted by the  
27          department in response to the request of the Legislature.28           (2) The Legislature finds that it is necessary to plan  
29          for and to establish an inclusive trauma system to meet the  
30          needs of trauma patients. An "inclusive trauma system" means a  
31          system designed to meet the needs of all injured patients who

1 require care in an acute-care setting and into which every  
2 health care provider or facility with resources to care for  
3 the injured patient is incorporated. The Legislature deems the  
4 benefits of trauma care provided within an inclusive trauma  
5 system to be of vital significance to the outcome of a trauma  
6 patient.

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

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

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

28 (a) Establish a coordinated methodology for  
29 monitoring, evaluating, and enforcing the requirements of the  
30 state's inclusive trauma system which recognizes the interests  
31 of each agency.

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

5           (c) Develop and submit appropriate requests for  
6 waivers of federal requirements which will facilitate the  
7 delivery of trauma care.

8           (d) Develop criteria that will become the future basis  
9 for mandatory consultation on the care of trauma patients and  
10 mandatory transfer of appropriate trauma patients to trauma  
11 centers.

12           (e) Develop a coordinated approach to the care of the  
13 trauma patient. This shall include the movement of the trauma  
14 patient through the system of care and the identification of  
15 medical responsibility for each phase of care for  
16 out-of-hospital and in-hospital trauma care.

17           (f) Require the medical director of an emergency  
18 medical services provider to have medical accountability for a  
19 trauma patient during interfacility transfer.

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

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

28           (b) Promote the development of a trauma agency for  
29 each trauma region.

30           (c) Update the state trauma system plan by December  
31 2000 and at least every 5th year thereafter.

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

4           395.401 Trauma services system plans; verification of  
5 trauma centers and pediatric trauma referral centers;  
6 procedures; renewal.--

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

8           (a) "Agency" means the Agency for Health Care  
9 Administration.

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

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

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

26           1. Has formal research and education programs for the  
27 enhancement of trauma care.

28           2. Serves as a resource facility to Level II trauma  
29 centers, pediatric trauma referral centers, and community  
30 hospitals.

31           3. Ensures an organized system of trauma care.

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

5 1. Serves as a resource facility to community  
6 hospitals.

7 2. Ensures an organized system of trauma care.

8 ~~(f) "Local trauma agency" means an agency established~~  
9 ~~and operated by a county or an entity with which the county~~  
10 ~~contracts for the purpose of administrative trauma services.~~

11 (g) "Pediatric trauma referral center" means a  
12 hospital that is determined to be in substantial compliance  
13 with pediatric trauma referral center standards as established  
14 by rule of the department.

15 ~~(h) "Regional trauma agency" means an agency created~~  
16 ~~and operated by two or more counties, or an entity with which~~  
17 ~~two or more counties contract, for the purpose of~~  
18 ~~administering trauma services.~~

19 (g)(i) "State-approved trauma center" means a hospital  
20 that has successfully completed the state-approved selection  
21 process pursuant to s. 395.4025 and has been approved by the  
22 department to operate as a trauma center in the state.

23 (h)(j) "State-sponsored trauma center" means a  
24 state-approved trauma center that receives state funding for  
25 trauma care services.

26 (i) "Trauma agency" means an agency established and  
27 operated by one or more counties, or an entity with which one  
28 or more counties contract, for the purpose of administering an  
29 inclusive regional trauma system.

30 (j) "Trauma alert victim" means a person who has  
31 incurred a single or multisystem injury due to blunt or

1 penetrating means or burns; who requires immediate medical  
2 intervention or treatment; and who meets one or more of the  
3 adult or pediatric scorecard criteria established by the  
4 department by rule.

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

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

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

17 (2)

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

27 (n) After the submission of the initial ~~local or~~  
28 ~~regional~~ trauma ~~care~~ system plan, each ~~local or regional~~  
29 trauma agency shall, every 5th year, annually submit to the  
30 department for approval an updated plan that ~~which~~ identifies  
31 the changes, if any, to be made in the regional trauma ~~care~~

1 ~~system. The department shall approve or disapprove the updated~~  
2 ~~plan within 120 days after the date the plan is submitted to~~  
3 ~~the department. At least 60 days before the local or regional~~  
4 ~~trauma agency submits a plan for a trauma care system to the~~  
5 ~~department, the local or regional trauma agency shall hold a~~  
6 ~~public hearing and give adequate notice of the public hearing~~  
7 ~~to all hospitals and other interested parties in the area. A~~  
8 ~~local or regional trauma agency shall submit to the department~~  
9 ~~written notice of its intent to cease operation of the local~~  
10 ~~or regional trauma agency at least 90 days before the date on~~  
11 ~~which the local or regional trauma agency will cease~~  
12 ~~operation.~~

13 Section 3. Subsection (3) of section 395.402, Florida  
14 Statutes, is amended to read:

15 395.402 Trauma service areas; number and location of  
16 trauma centers.--

17 (3) Trauma service areas are to be used. The  
18 department shall periodically review the assignment of the 67  
19 counties to trauma service areas. These assignments are made  
20 for the purpose of developing a system of trauma centers.  
21 Revisions made by the department should take into  
22 consideration the recommendations made as part of the regional  
23 trauma system plans approved by the department, as well as the  
24 recommendations made as part of the state trauma system plan.  
25 These areas must, at a minimum, be reviewed in the year 2000  
26 and every 5 years thereafter. Until the department completes  
27 its initial review, the assignment of counties shall remain as  
28 established pursuant to chapter 90-284, Laws of Florida.~~The~~  
29 ~~following trauma service areas are to be utilized in~~  
30 ~~developing a system of state-sponsored trauma centers. These~~  
31 ~~areas are subject to periodic revision by the Legislature~~

1 ~~based on recommendations made as part of local or regional~~  
2 ~~trauma plans approved by the department pursuant to s.~~  
3 ~~395.401(2). These areas shall, at a minimum, be reviewed by~~  
4 ~~the Legislature prior to the next 7-year verification cycle of~~  
5 ~~state-sponsored trauma centers.~~

6 (a) The following trauma service areas are hereby  
7 established:

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

10 2. Trauma service area 2 shall consist of Bay, Gulf,  
11 Holmes, and Washington Counties.

12 3. Trauma service area 3 shall consist of Calhoun,  
13 Franklin, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison,  
14 Taylor, and Wakulla Counties.

15 4. Trauma service area 4 shall consist of Alachua,  
16 Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette,  
17 Levy, Putnam, Suwannee, and Union Counties.

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

20 6. Trauma service area 6 shall consist of Citrus,  
21 Hernando, and Marion Counties.

22 7. Trauma service area 7 shall consist of Flagler and  
23 Volusia Counties.

24 8. Trauma service area 8 shall consist of Lake,  
25 Orange, Osceola, Seminole, and Sumter Counties.

26 9. Trauma service area 9 shall consist of Pasco and  
27 Pinellas Counties.

28 10. Trauma service area 10 shall consist of  
29 Hillsborough County.

30 11. Trauma service area 11 shall consist of Hardee,  
31 Highlands, and Polk Counties.



- 1           12. Trauma service area 12 shall consist of Brevard
- 2 and Indian River Counties.
- 3           13. Trauma service area 13 shall consist of DeSoto,
- 4 Manatee, and Sarasota Counties.
- 5           14. Trauma service area 14 shall consist of Martin,
- 6 Okeechobee, and St. Lucie Counties.
- 7           15. Trauma service area 15 shall consist of Charlotte,
- 8 Glades, Hendry, and Lee Counties.
- 9           16. Trauma service area 16 shall consist of Palm Beach
- 10 County.
- 11           17. Trauma service area 17 shall consist of Collier
- 12 County.
- 13           18. Trauma service area 18 shall consist of Broward
- 14 County.
- 15           19. Trauma service area 19 shall consist of Dade and
- 16 Monroe Counties.
- 17           (b) Each trauma service area should have at least one
- 18 Level I or Level II trauma center.
- 19           (c) There shall be no more than a total of 44
- 20 state-sponsored trauma centers in the state.

21           Section 4. This act shall take effect July 1, 1999.

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24           SENATE SUMMARY

25           Provides legislative findings with respect to the current  
26 state of trauma care in the state and the need for a  
27 statewide inclusive system. Provides duties of the  
28 Department of Health, as well as other agencies, to enter  
29 into cooperative agreements for the provision of such a  
30 system and provides additional duties of the department  
31 in implementing the system, reviewing plans for the  
system, and assigning the various counties to trauma  
service areas.