

By the Committee on Health, Aging, and Long-Term Care; and  
Senator Saunders

317-2058-04

1                                   A bill to be entitled

2           An act relating to trauma care; amending s.

3           381.74, F.S.; requiring hospitals and trauma

4           centers to provide data on moderate-to-severe

5           brain or spinal cord injuries to the Department

6           of Health; amending s. 381.745, F.S.; defining

7           "department" for purposes of the "Charlie Mack

8           Overstreet Brain or Spinal Cord Injuries Act";

9           amending s. 395.40, F.S.; revising legislative

10          findings; revising duties of the Department of

11          Health to implement and plan for a statewide

12          trauma system; amending s. 395.4001, F.S.;

13          revising definitions; amending s. 395.401,

14          F.S.; revising components for local and

15          regional trauma services system plans;

16          correcting references to the term "trauma

17          center"; amending s. 395.4015, F.S.; requiring

18          that the boundaries of the trauma regions

19          administered by the Department of Health be

20          coterminous with the boundaries of the regional

21          domestic security task forces established

22          within the Department of Law Enforcement;

23          providing exceptions for certain interlocal

24          agreements for trauma services in a regional

25          system; eliminating requirements for the

26          Department of Health to develop the minimum

27          components for systems plans in defined trauma

28          regions; amending s. 395.402, F.S.; revising

29          requirements for the Department of Health to

30          review trauma service areas; deleting an

31          obsolete requirement that the department's

1 assignment of counties for the purposes of  
2 developing a system of trauma centers remain as  
3 established by ch. 90-284, Laws of Florida,  
4 until completion of the department's initial  
5 review; correcting references to the term  
6 "trauma center"; amending s. 395.4025, F.S.;  
7 revising requirements for the Department of  
8 Health's development of a state trauma system  
9 plan; deleting obsolete references; correcting  
10 references to the term "trauma center";  
11 revising requirements for the department's  
12 approval and verification of a facility as a  
13 trauma center; granting the department  
14 authority to adopt rules for the procedures and  
15 process for notification, duration, and  
16 explanation of a trauma center's termination of  
17 trauma services; amending s. 395.403, F.S.;  
18 correcting references to the term "trauma  
19 center"; revising legislative intent; revising  
20 eligibility requirements for state funding of  
21 trauma centers; amending s. 395.4035, F.S.;  
22 correcting references to the term "trauma  
23 center"; amending s. 395.404, F.S.; revising  
24 reporting requirements to the trauma registry  
25 data system maintained by the Department of  
26 Health; providing that hospitals and trauma  
27 centers subject to reporting trauma registry  
28 data to the department are required to comply  
29 with other duties concerning the  
30 moderate-to-severe brain or spinal cord injury  
31 registry maintained by the department;

1           correcting references to the term "trauma  
2           center"; amending s. 395.405, F.S.; authorizing  
3           the Department of Health to adopt and enforce  
4           rules necessary to administer part II of ch.  
5           395, F.S.; providing an effective date.  
6

7 Be It Enacted by the Legislature of the State of Florida:  
8

9           Section 1. Subsection (1) of section 381.74, Florida  
10          Statutes, is amended to read:

11           381.74 Establishment and maintenance of a central  
12          registry.--The department shall establish and maintain a  
13          central registry of persons who have moderate-to-severe brain  
14          or spinal cord injuries.

15           (1) Every public health agency, private health agency,  
16          public social agency, private social agency, hospital, trauma  
17          center, and attending physician shall report to the department  
18          ~~division~~ within 5 days after identification or diagnosis of  
19          any person who has a moderate-to-severe brain or spinal cord  
20          injury. The consent of such person shall not be required.

21           Section 2. Present subsections (2) through (10) of  
22          section 381.745, Florida Statutes, are redesignated as  
23          subsections (3) through (11), respectively, and a new  
24          subsection (2) is added to that section, to read:

25           381.745 Definitions; ss. 381.739-381.79.--As used in  
26          ss. 381.739-381.79, the term:

27           (2) "Department" means the Department of Health.

28           Section 3. Subsection (5) of section 395.40, Florida  
29          Statutes, is amended to read:

30           395.40 Legislative findings and intent.--  
31

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

3           (a) Establish a coordinated methodology for  
4 monitoring, evaluating, and enforcing the requirements of the  
5 state's inclusive trauma system which recognizes the interests  
6 of each agency.

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

11           (c) Develop and submit appropriate requests for  
12 waivers of federal requirements which will facilitate the  
13 delivery of trauma care.

14           (d) Develop criteria that will become the future basis  
15 for ~~mandatory~~ consultation between acute care hospitals and  
16 trauma centers on the care of trauma victims and the ~~mandatory~~  
17 transfer of appropriate trauma victims to trauma centers.

18           (e) Develop a coordinated approach to the care of the  
19 trauma victim. This shall include the movement of the trauma  
20 victim through the system of care and the identification of  
21 medical responsibility for each phase of care for  
22 out-of-hospital and in-hospital trauma care.

23           ~~(f) Require the medical director of an emergency~~  
24 ~~medical services provider to have medical accountability for a~~  
25 ~~trauma victim during interfacility transfer.~~

26           Section 4. Section 395.4001, Florida Statutes, is  
27 amended to read:

28           395.4001 Definitions.--As used in this part, the term:

29           (1) "Agency" means the Agency for Health Care  
30 Administration.

31

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

11           ~~(2)(3)~~ "Department" means the Department of Health.

12           ~~(3)(4)~~ "Interfacility trauma transfer" means the  
13 transfer of a trauma victim between two facilities licensed  
14 under this chapter, pursuant to this part.

15           ~~(4)(5)~~ "Level I trauma center" means a trauma center  
16 that:

17           (a) Has formal research and education programs for the  
18 enhancement of trauma care; and is verified ~~determined~~ by the  
19 department to be in substantial compliance with Level I trauma  
20 center and pediatric trauma ~~referral~~ center standards; and has  
21 been approved by the department to operate as a Level I trauma  
22 center.

23           (b) Serves as a resource facility to Level II trauma  
24 centers, pediatric trauma ~~referral~~ centers, and general  
25 hospitals through shared outreach, education, and quality  
26 improvement activities.

27           (c) Participates in an inclusive system of trauma  
28 care, including providing leadership, system evaluation, and  
29 quality improvement activities.

30           ~~(5)(6)~~ "Level II trauma center" means a trauma center  
31 that:

1           (a) Is verified ~~determined~~ by the department to be in  
2 substantial compliance with Level II trauma center standards  
3 and has been approved by the department to operate as a Level  
4 II trauma center.

5           (b) Serves as a resource facility to general hospitals  
6 through shared outreach, education, and quality improvement  
7 activities.

8           (c) Participates in an inclusive system of trauma  
9 care.

10           ~~(6)(7)~~ "Pediatric trauma ~~referral~~ center" means a  
11 hospital that is verified ~~determined~~ by the department to be  
12 in substantial compliance with pediatric trauma ~~referral~~  
13 center standards as established by rule of the department and  
14 has been approved by the department to operate as a pediatric  
15 trauma center.

16           (7) "Provisional trauma center" means a hospital that  
17 has been verified by the department to be in substantial  
18 compliance with the requirements in s. 395.4025 and has been  
19 approved by the department to operate as a provisional Level I  
20 trauma center, Level II trauma center, or pediatric trauma  
21 center.

22           ~~(8) "State-approved trauma center" means a hospital~~  
23 ~~that has successfully completed the selection process pursuant~~  
24 ~~to s. 395.4025 and has been approved by the department to~~  
25 ~~operate as a trauma center in the state.~~

26           ~~(9) "State-sponsored trauma center" means a trauma~~  
27 ~~center or pediatric trauma referral center that receives state~~  
28 ~~funding for trauma care services under s. 395.403.~~

29           ~~(8)(10)~~ "Trauma agency" means a department-approved  
30 agency established and operated by one or more counties, or a  
31 department-approved entity with which one or more counties

1 contract, for the purpose of administering an inclusive  
2 regional trauma system.

3 (9)~~(11)~~ "Trauma alert victim" means a person who has  
4 incurred a single or multisystem injury due to blunt or  
5 penetrating means or burns, who requires immediate medical  
6 intervention or treatment, and who meets one or more of the  
7 adult or pediatric scorecard criteria established by the  
8 department by rule.

9 (10)~~(12)~~ "Trauma center" means a ~~any~~ hospital that has  
10 been verified ~~determined~~ by the department to be in  
11 substantial compliance with the requirements in s. 395.4025  
12 and has been approved by the department to operate as a Level  
13 I trauma center, Level II trauma center, or pediatric trauma  
14 center ~~verification standards as either state-approved or~~  
15 ~~provisional state-approved.~~

16 (11)~~(13)~~ "Trauma scorecard" means a statewide  
17 methodology adopted by the department by rule under which a  
18 person who has incurred a traumatic injury is graded as to the  
19 severity of his or her injuries or illness and which  
20 methodology is used as the basis for making destination  
21 decisions.

22 (12)~~(14)~~ "Trauma transport protocol" means a document  
23 which describes the policies, processes, and procedures  
24 governing the dispatch of vehicles, the triage, prehospital  
25 transport, and interfacility trauma transfer of trauma  
26 victims.

27 (13)~~(15)~~ "Trauma victim" means any person who has  
28 incurred a single or multisystem injury due to blunt or  
29 penetrating means or burns and who requires immediate medical  
30 intervention or treatment.

31

1           Section 5. Section 395.401, Florida Statutes, is  
2 amended to read:

3           395.401 Trauma services system plans; ~~verification of~~  
4 trauma centers and pediatric trauma ~~referral~~ centers;  
5 procedures; renewal.--

6           (1)(a) The local and regional trauma agencies shall  
7 plan, implement, and evaluate trauma services systems, in  
8 accordance with this section and ss. 395.4015, 395.404, and  
9 395.4045, which consist of organized patterns of readiness and  
10 response services based on public and private agreements and  
11 operational procedures. The department shall establish, by  
12 rule, processes and procedures for establishing a trauma  
13 agency and obtaining its approval from the department.

14           (b) The local and regional trauma agencies shall  
15 develop and submit to the department plans for local and  
16 regional trauma services systems. The plans must include, at a  
17 minimum, the following components:

18           1. The organizational structure of the trauma system.

19           2. Prehospital care management guidelines for triage  
20 and transportation of trauma cases.

21           3. Flow patterns of trauma cases and transportation  
22 system design and resources, including air transportation  
23 services, provision for interfacility trauma transfer, and the  
24 prehospital transportation of trauma victims. The trauma  
25 agency shall plan for the development of a system of  
26 transportation of trauma alert victims to trauma centers where  
27 the distance or time to a trauma center or transportation  
28 resources diminish access by trauma alert victims.

29           4. The number and location of needed ~~state-approved~~  
30 trauma centers based on local needs, population, and location  
31 and distribution of resources.



1           5. Data collection regarding system operation and  
2 patient outcome.

3           6. Periodic performance evaluation of the trauma  
4 system and its components.

5           7. The use of air transport services within the  
6 jurisdiction of the local trauma agency.

7           8. Public information and education about the trauma  
8 system.

9           9. Emergency medical services communication system  
10 usage and dispatching.

11           10. The coordination and integration between the  
12 ~~verified trauma center care facility~~ and other acute care  
13 hospitals ~~the nonverified health care facilities~~.

14           11. Medical control and accountability.

15           12. Quality control and system evaluation.

16           (c) The department shall receive plans for the  
17 implementation of inclusive trauma systems from trauma  
18 agencies. The department may approve or not approve trauma  
19 agency plans based on the conformance of the plan with this  
20 section and ss. 395.4015, 395.404, and 395.4045 and the rules  
21 and definitions adopted by the department pursuant to those  
22 sections. The department shall approve or disapprove the  
23 plans within 120 days after the date the plans are submitted  
24 to the department. The department shall, by rule, provide an  
25 application process for establishing a trauma agency. The  
26 application must, at a minimum, provide requirements for the  
27 trauma agency plan submitted for review, a process for  
28 reviewing the application for a ~~state-approved~~ trauma agency,  
29 a process for reviewing the trauma transport protocols for the  
30 trauma agency, and a process for reviewing the staffing  
31 requirements for the agency. The department shall, by rule,

1 establish minimum requirements for a trauma agency to conduct  
2 an annual performance evaluation and submit the results to the  
3 department.

4 (d) A trauma agency shall not operate unless the  
5 department has approved the local or regional trauma services  
6 system plan of the agency.

7 (e) The department may grant an exception to a portion  
8 of the rules adopted pursuant to this section or s. 395.4015  
9 if the local or regional trauma agency proves that, as defined  
10 in the rules, compliance with that requirement would not be in  
11 the best interest of the persons served within the affected  
12 local or regional trauma area.

13 (f) A local or regional trauma agency may implement a  
14 trauma care system only if the system meets the minimum  
15 standards set forth in the rules for implementation  
16 established by the department and if the plan has been  
17 submitted to, and approved by, the department. At least 60  
18 days before the local or regional trauma agency submits the  
19 plan for the trauma care system to the department, the local  
20 or regional trauma agency shall hold a public hearing and give  
21 adequate notice of the public hearing to all hospitals and  
22 other interested parties in the area to be included in the  
23 proposed system.

24 (g) Local or regional trauma agencies may enter into  
25 contracts for the purpose of implementing the local or  
26 regional plan. If local or regional agencies contract with  
27 hospitals for trauma services, such agencies must contract  
28 only with hospitals which are verified trauma centers.

29 (h) Local or regional trauma agencies providing  
30 service for more than one county shall, as part of their  
31

1 formation, establish interlocal agreements between or among  
2 the several counties in the regional system.

3 (i) This section does not restrict the authority of a  
4 health care facility to provide service for which it has  
5 received a license pursuant to this chapter.

6 (j) Any hospital which is verified as a trauma center  
7 shall accept all trauma victims that are appropriate for the  
8 facility regardless of race, sex, creed, or ability to pay.

9 (k) It is unlawful for any hospital or other facility  
10 to hold itself out as a trauma center unless it has been so  
11 verified.

12 (l) A county, upon the recommendations of the local or  
13 regional trauma agency, may adopt ordinances governing the  
14 transport of a patient who is receiving care in the field from  
15 prehospital emergency medical personnel when the patient meets  
16 specific criteria for trauma, burn, or pediatric centers  
17 adopted by the local or regional trauma agency. These  
18 ordinances must be consistent with s. 395.4045, ordinances  
19 adopted under s. 401.25(6), and the local or regional trauma  
20 system plan and, to the furthest possible extent, must ensure  
21 that individual patients receive appropriate medical care  
22 while protecting the interests of the community at large by  
23 making maximum use of available emergency medical care  
24 resources.

25 (m) The local or regional trauma agency shall,  
26 consistent with the regional trauma system plan, coordinate  
27 and otherwise facilitate arrangements necessary to develop a  
28 trauma services system.

29 (n) After the submission of the initial trauma system  
30 plan, each trauma agency shall, every 5th year, submit to the  
31

1 department for approval an updated plan that identifies the  
2 changes, if any, to be made in the regional trauma system.

3 (o) This section does not preclude a local or regional  
4 trauma agency from adopting trauma care system standards.

5 (2) The department shall adopt, by rule, standards for  
6 verification of trauma centers based on national guidelines,  
7 including those established by the American College of  
8 Surgeons entitled "Hospital and Prehospital Resources for  
9 Optimal Care of the Injured Patient" and published appendices  
10 thereto. Standards specific to pediatric trauma ~~referral~~  
11 centers shall be developed in conjunction with Children's  
12 Medical Services and adopted by rule of the department.

13 (3) The department may withdraw local or regional  
14 agency authority, prescribe corrective actions, or use the  
15 administrative remedies as provided in s. 395.1065 for the  
16 violation of any provision of this section and ss. 395.4015,  
17 395.402, 395.4025, 395.403, 395.404, and 395.4045 or rules  
18 adopted thereunder. All amounts collected pursuant to this  
19 subsection shall be deposited into the Emergency Medical  
20 Services Trust Fund provided in s. 401.34.

21 Section 6. Section 395.4015, Florida Statutes, is  
22 amended to read:

23 395.4015 State regional trauma planning; trauma  
24 regions.--

25 (1) The department shall establish a state trauma  
26 system plan. As part of the state trauma system plan, the  
27 department shall establish trauma regions that ~~which~~ cover all  
28 geographical areas of the state and have boundaries that are  
29 coterminous with the boundaries of the regional domestic  
30 security task forces established under s. 943.0312. These  
31 regions may serve as the basis for the development of

1 department-approved local or regional trauma plans. However,  
2 the delivery of trauma services by or in coordination with a  
3 trauma agency established before July 1, 2004, may continue in  
4 accordance with public and private agreements and operational  
5 procedures entered into as provided in s. 395.401.The

6 department shall base its definition of the regions upon:

7       ~~(a) Geographical considerations so as to ensure rapid~~  
8 ~~access to trauma care by patients;~~

9       ~~(b) Historical patterns of patient referral and~~  
10 ~~transfer in an area;~~

11       ~~(c) Inventories of available trauma care resources;~~

12       ~~(d) Predicted population growth characteristics;~~

13       ~~(e) Transportation capabilities, including ground and~~  
14 ~~air transport;~~

15       ~~(f) Medically appropriate ground and air travel times;~~  
16 and

17       ~~(g) Other appropriate criteria.~~

18       ~~(2) The department shall develop trauma systems plans~~  
19 ~~for the department-defined trauma regions which include at a~~  
20 ~~minimum the following components:~~

21       ~~(a) An assessment of current and future trauma care~~  
22 ~~needs of the population, based upon incidence rates and acuity~~  
23 ~~indicators developed by the department, as well as other~~  
24 ~~relevant characteristics of the region.~~

25       ~~(b) The organizational structure of the regional~~  
26 ~~trauma system, including the identification of local trauma~~  
27 ~~agency service areas within the region.~~

28       ~~(c) Prehospital care management guidelines for triage~~  
29 ~~and transportation of trauma cases.~~

30       ~~(d) Flow patterns of trauma cases and transportation~~  
31 ~~system design and resources, including air transportation~~

1 ~~services, provision for interfacility trauma transfer, and the~~  
2 ~~prehospital transportation of trauma victims. The department~~  
3 ~~shall plan for the development of a system of transportation~~  
4 ~~of trauma alert victims to trauma centers where the distance~~  
5 ~~or time to a trauma center or transportation resources~~  
6 ~~diminish access by trauma alert victims.~~

7 ~~(e) The current and projected number, acuity level,~~  
8 ~~and geographic location of trauma cases expected so as to~~  
9 ~~assure that the assessed current and future trauma care needs~~  
10 ~~of the population are adequately met and that state-sponsored~~  
11 ~~trauma centers will maintain the volume of cases sufficient to~~  
12 ~~provide quality care to trauma cases referred to them.~~

13 ~~(f) The availability of qualified health~~  
14 ~~professionals, including physicians and surgeons, capable of~~  
15 ~~staffing trauma centers to the level of current and future~~  
16 ~~assessed needs.~~

17 ~~(g) Data collection regarding system operation and~~  
18 ~~patient outcome, as well as the number, type, and generalized~~  
19 ~~locations of state-sponsored trauma centers needed to meet the~~  
20 ~~needs of the population.~~

21 ~~(h) Periodic performance evaluation of the trauma~~  
22 ~~system and its components.~~

23 ~~(i) The type and extent of air transport services~~  
24 ~~available and needed in each region.~~

25 ~~(j) Public information and education about the trauma~~  
26 ~~system.~~

27 ~~(k) Emergency medical services communication system~~  
28 ~~usage and dispatching.~~

29 ~~(l) The coordination and integration between the~~  
30 ~~trauma centers and other health care facilities which may~~  
31 ~~provide services to trauma victims.~~

1           ~~(m) Medical control and accountability.~~  
2           ~~(n) Quality management and system evaluation.~~  
3           (2)~~(3)~~ The department shall consider the advice and  
4 recommendations of any affected local or regional trauma  
5 agency in developing the state trauma system ~~systems~~ plan.  
6 ~~The department may, in lieu of specific regional components of~~  
7 ~~its own plan, accept components developed by local or regional~~  
8 ~~trauma agencies.~~

9           (3)~~(4)~~ The department shall use the state trauma  
10 system plan as the basis for establishing a statewide  
11 inclusive trauma system.

12           Section 7. Subsection (3) of section 395.402, Florida  
13 Statutes, is amended to read:

14           395.402 Trauma service areas; number and location of  
15 trauma centers.--

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

28           (a) The following trauma service areas are hereby  
29 established:

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

- 1           2. Trauma service area 2 shall consist of Bay, Gulf,  
2 Holmes, and Washington Counties.
- 3           3. Trauma service area 3 shall consist of Calhoun,  
4 Franklin, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison,  
5 Taylor, and Wakulla Counties.
- 6           4. Trauma service area 4 shall consist of Alachua,  
7 Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette,  
8 Levy, Putnam, Suwannee, and Union Counties.
- 9           5. Trauma service area 5 shall consist of Baker, Clay,  
10 Duval, Nassau, and St. Johns Counties.
- 11          6. Trauma service area 6 shall consist of Citrus,  
12 Hernando, and Marion Counties.
- 13          7. Trauma service area 7 shall consist of Flagler and  
14 Volusia Counties.
- 15          8. Trauma service area 8 shall consist of Lake,  
16 Orange, Osceola, Seminole, and Sumter Counties.
- 17          9. Trauma service area 9 shall consist of Pasco and  
18 Pinellas Counties.
- 19          10. Trauma service area 10 shall consist of  
20 Hillsborough County.
- 21          11. Trauma service area 11 shall consist of Hardee,  
22 Highlands, and Polk Counties.
- 23          12. Trauma service area 12 shall consist of Brevard  
24 and Indian River Counties.
- 25          13. Trauma service area 13 shall consist of DeSoto,  
26 Manatee, and Sarasota Counties.
- 27          14. Trauma service area 14 shall consist of Martin,  
28 Okeechobee, and St. Lucie Counties.
- 29          15. Trauma service area 15 shall consist of Charlotte,  
30 Glades, Hendry, and Lee Counties.
- 31



1           16. Trauma service area 16 shall consist of Palm Beach  
2 County.

3           17. Trauma service area 17 shall consist of Collier  
4 County.

5           18. Trauma service area 18 shall consist of Broward  
6 County.

7           19. Trauma service area 19 shall consist of Dade and  
8 Monroe Counties.

9           (b) Each trauma service area should have at least one  
10 Level I or Level II trauma center. The department shall  
11 allocate, by rule, the number of trauma centers needed for  
12 each trauma service area.

13           (c) There shall be no more than a total of 44  
14 ~~state-sponsored~~ trauma centers in the state.

15           Section 8. Section 395.4025, Florida Statutes, is  
16 amended to read:

17           395.4025 ~~State-approved~~ Trauma centers; selection;  
18 quality assurance; records.--

19           (1) For purposes of developing a system of  
20 ~~state-approved~~ trauma centers, the department shall use the 19  
21 trauma service areas established in s. 395.402. Within each  
22 service area and based on the state trauma system plan, the  
23 local or regional trauma services system plan, and  
24 recommendations of the local or regional trauma agency, ~~and~~  
25 ~~the 1990 Report and Proposal for Funding State-Sponsored~~  
26 ~~Trauma Centers~~, the department shall establish the approximate  
27 number of ~~state-approved~~ trauma centers needed to ensure  
28 reasonable access to high-quality trauma services. The Using  
29 ~~the guidelines and procedures outlined in the 1990 report,~~  
30 ~~except when in conflict with those prescribed in this section,~~  
31 ~~the~~ department shall select those hospitals that are to be

1 recognized as ~~state-approved~~ trauma centers and shall include  
2 all trauma centers verified as of October 1, 1990, and  
3 subsequently, subject to specific programmatic and quality of  
4 care standards.

5 (2)(a) The department shall annually notify each acute  
6 care general hospital and each local and each regional trauma  
7 agency in the state that the department is accepting letters  
8 of intent from hospitals that are interested in becoming  
9 ~~state-approved~~ trauma centers. In order to be considered by  
10 the department, a hospital that operates within the geographic  
11 area of a local or regional trauma agency must certify that  
12 its intent to operate as a ~~state-approved~~ trauma center is  
13 consistent with the trauma services plan of the local or  
14 regional trauma agency, as approved by the department, if such  
15 agency exists. Letters of intent must be postmarked no later  
16 than midnight October 1. ~~This paragraph does not apply to any~~  
17 ~~hospital that is a provisional or verified trauma center on~~  
18 ~~January 1, 1992.~~

19 (b) By October 15, the department shall send to all  
20 hospitals that submitted a letter of intent an application  
21 package that will provide the hospitals with instructions for  
22 submitting information to the department for selection as a  
23 ~~state-approved~~ trauma center. The standards for ~~verification~~  
24 ~~of trauma centers and pediatric trauma referral centers~~  
25 provided for in s. 395.401(2), as adopted by rule of the  
26 department, shall serve as the basis for these instructions.

27 (c) In order to be considered by the department,  
28 applications from those hospitals seeking selection as  
29 ~~state-approved~~ trauma centers, including those current  
30 verified trauma centers that seek a change or redesignation in  
31 approval status as a trauma center ~~to be state-approved trauma~~

1 ~~centers~~, must be received by the department no later than the  
2 close of business on April 1. The department shall conduct a  
3 provisional review of each application for the purpose of  
4 determining that the hospital's application is complete and  
5 that the hospital has the critical elements required for a  
6 ~~state-approved~~ trauma center. This critical review will be  
7 based on trauma center ~~verification~~ standards and shall  
8 include, but not be limited to, a review of whether the  
9 hospital has:

10           1. Equipment and physical facilities necessary to  
11 provide trauma services.

12           2. Personnel in sufficient numbers and with proper  
13 qualifications to provide trauma services.

14           3. An effective quality assurance process.

15           4. Submitted written confirmation by the local or  
16 regional trauma agency that ~~the verification of~~ the hospital  
17 applying to become as a ~~state-approved~~ trauma center is  
18 consistent with the plan of the local or regional trauma  
19 agency, as approved by the department, if such agency exists.  
20 ~~This subparagraph applies to any hospital that is not a~~  
21 ~~provisional or verified trauma center on January 1, 1992.~~

22           (d)1. Notwithstanding other provisions in this  
23 section, the department may grant up to an additional 18  
24 months to a hospital applicant that is unable to meet all  
25 requirements as provided in paragraph (c) at the time of  
26 application if the number of applicants in the service area in  
27 which the applicant is located is equal to or less than the  
28 service area allocation, as provided by rule of the  
29 department. An applicant that is granted additional time  
30 pursuant to this paragraph shall submit a plan for  
31 departmental approval which includes timelines and activities

1 that the applicant proposes to complete in order to meet  
2 application requirements. Any applicant that demonstrates an  
3 ongoing effort to complete the activities within the timelines  
4 outlined in the plan shall be included in the number of  
5 ~~state-approved~~ trauma centers at such time that the department  
6 has conducted a provisional review of the application and has  
7 determined that the application is complete and that the  
8 hospital has the critical elements required for a  
9 ~~state-approved~~ trauma center.

10           2. Timeframes provided in subsections (1)-(8) shall be  
11 stayed until the department determines that the application is  
12 complete and that the hospital has the critical elements  
13 required for a ~~state-approved~~ trauma center.

14           (3) After April 30, any hospital that submitted an  
15 application found acceptable by the department based on  
16 provisional review, ~~including all trauma centers verified as~~  
17 ~~of December 1, 1989,~~ shall be eligible to operate as a  
18 provisional ~~state-approved~~ trauma center.

19           (4) Between May 1 and October 1 of each year, the  
20 department shall conduct an in-depth evaluation of all  
21 applications found acceptable in the provisional review. The  
22 applications shall be evaluated against criteria enumerated in  
23 the application packages as provided to the hospitals by the  
24 department.

25           (5) Beginning October 1 of each year and ending no  
26 later than June 1 of the following year, a review team of  
27 out-of-state experts assembled by the department shall make  
28 onsite visits to all provisional ~~state-approved~~ trauma  
29 centers. The department shall develop a survey instrument to  
30 be used by the expert team of reviewers. The instrument shall  
31 include objective criteria and guidelines for reviewers based

1 on existing trauma center ~~and pediatric trauma referral center~~  
2 ~~verification~~ standards such that all trauma centers ~~and~~  
3 ~~pediatric trauma referral centers~~ are assessed equally. The  
4 survey instrument shall also include a uniform rating system  
5 that will be used by reviewers to indicate the degree of  
6 compliance of each trauma center with specific standards, and  
7 to indicate the quality of care provided by each trauma center  
8 as determined through an audit of patient charts. In addition,  
9 hospitals being considered as provisional ~~state-approved~~  
10 trauma centers shall meet all the requirements of a ~~verified~~  
11 trauma center ~~or pediatric trauma referral center~~, and shall  
12 be located in a trauma service area that has a need for such a  
13 trauma center.

14 (6) Based on recommendations from the review team, the  
15 department shall select ~~state-approved~~ trauma centers by July  
16 1. An applicant for designation as a ~~state-approved~~ trauma  
17 center ~~or a state-approved pediatric trauma referral center~~  
18 may request an extension of its provisional status if it  
19 submits a corrective action plan to the department. The  
20 corrective action plan must demonstrate the ability of the  
21 applicant to correct deficiencies noted during the applicant's  
22 onsite review conducted by the department between the previous  
23 October 1 and June 1. The department may extend the  
24 provisional status of an applicant for designation as a  
25 ~~state-approved~~ trauma center ~~or a state-approved pediatric~~  
26 ~~trauma referral center~~ through December 31 if the applicant  
27 provides a corrective action plan acceptable to the  
28 department. The department or a team of out-of-state experts  
29 assembled by the department shall conduct an onsite visit on  
30 or before November 1 to confirm that the deficiencies have  
31 been corrected. The provisional ~~state-approved~~ trauma center

1 ~~or the provisional state-approved pediatric trauma referral~~  
2 ~~center~~ is responsible for all costs associated with the onsite  
3 visit in a manner prescribed by rule of the department. By  
4 January 1, the department must approve or deny the application  
5 of any provisional applicant granted an extension. Each  
6 ~~state-approved~~ trauma center shall be granted a 7-year  
7 approval ~~verification~~ period during which time it must  
8 continue to maintain trauma center ~~verification~~ standards and  
9 acceptable patient outcomes as determined by department rule.  
10 An approval ~~A verification~~, unless sooner suspended or  
11 revoked, automatically expires 7 years after the date of  
12 issuance and is renewable upon application for renewal as  
13 prescribed by rule of the department. ~~After July 1, 1992, only~~  
14 ~~those hospitals selected as state-approved trauma centers may~~  
15 ~~operate as trauma centers.~~

16 (7) Any hospital that wishes to protest a decision  
17 made by the department based on the department's preliminary  
18 or in-depth review of applications or on the recommendations  
19 of the site visit review team pursuant to this section shall  
20 proceed as provided in chapter 120. Hearings held under this  
21 subsection shall be conducted in the same manner as provided  
22 in ss. 120.569 and 120.57. Cases filed under chapter 120 may  
23 combine all disputes between parties.

24 (8) Notwithstanding any provision of chapter 381, a  
25 hospital licensed under ss. 395.001-395.3025 that operates a  
26 ~~state-approved~~ trauma center may not terminate or  
27 substantially reduce the availability of trauma service  
28 without providing at least 6 months' notice of its intent to  
29 terminate such service. Such notice shall be given to the  
30 department ~~of Health~~, to all affected local or regional trauma  
31 agencies, and to all ~~state-approved~~ trauma centers, hospitals,

1 and emergency medical service providers in the trauma service  
2 area. The department shall adopt by rule the procedures and  
3 process for notification, duration, and explanation of the  
4 termination of trauma services.

5 (9) Except as otherwise provided in this subsection,  
6 the department or its agent may collect trauma care and  
7 registry data, as prescribed by rule of the department, from  
8 trauma centers, ~~pediatric trauma referral centers~~, hospitals,  
9 emergency medical service providers, local or regional trauma  
10 agencies, or medical examiners for the purposes of evaluating  
11 trauma system effectiveness, ensuring compliance with the  
12 standards ~~of verification~~, and monitoring patient outcomes. A  
13 trauma center, ~~pediatric trauma referral center~~, hospital,  
14 emergency medical service provider, medical examiner, or local  
15 trauma agency or regional trauma agency, or a panel or  
16 committee assembled by such an agency under s. 395.50(1) may,  
17 but is not required to, disclose to the department patient  
18 care quality assurance proceedings, records, or reports.  
19 However, the department may require a local trauma agency or a  
20 regional trauma agency, or a panel or committee assembled by  
21 such an agency to disclose to the department patient care  
22 quality assurance proceedings, records, or reports that the  
23 department needs solely to conduct quality assurance  
24 activities under s. 395.4015, or to ensure compliance with the  
25 quality assurance component of the trauma agency's plan  
26 approved under s. 395.401. The patient care quality assurance  
27 proceedings, records, or reports that the department may  
28 require for these purposes include, but are not limited to,  
29 the structure, processes, and procedures of the agency's  
30 quality assurance activities, and any recommendation for  
31 improving or modifying the overall trauma system, if the

1 identity of a trauma center, ~~pediatric trauma referral center,~~  
2 hospital, emergency medical service provider, medical  
3 examiner, or an individual who provides trauma services is not  
4 disclosed.

5 (10) Out-of-state experts assembled by the department  
6 to conduct onsite visits are agents of the department for the  
7 purposes of s. 395.3025. An out-of-state expert who acts as an  
8 agent of the department under this subsection is not liable  
9 for any civil damages as a result of actions taken by him or  
10 her, unless he or she is found to be operating outside the  
11 scope of the authority and responsibility assigned by the  
12 department.

13 (11) Onsite visits by the department or its agent may  
14 be conducted at any reasonable time and may include but not be  
15 limited to a review of records in the possession of trauma  
16 centers, ~~pediatric trauma referral centers,~~ hospitals,  
17 emergency medical service providers, local or regional trauma  
18 agencies, or medical examiners regarding the care, transport,  
19 treatment, or examination of trauma patients.

20 (12) Patient care, transport, or treatment records or  
21 reports, or patient care quality assurance proceedings,  
22 records, or reports obtained or made pursuant to this section,  
23 s. 395.3025(4)(f), s. 395.401, s. 395.4015, s. 395.402, s.  
24 395.403, s. 395.404, s. 395.4045, s. 395.405, s. 395.50, or s.  
25 395.51 must be held confidential by the department or its  
26 agent and are exempt from the provisions of s. 119.07(1).  
27 Patient care quality assurance proceedings, records, or  
28 reports obtained or made pursuant to these sections are not  
29 subject to discovery or introduction into evidence in any  
30 civil or administrative action.

31



1           (13) The department may adopt, by rule, the procedures  
2 and process by which it will select ~~state-approved~~ trauma  
3 centers. Such procedures and process must be used in annually  
4 selecting ~~state-approved~~ trauma centers and must be consistent  
5 with subsections (1)-(8) except in those situations in which  
6 it is in the best interest of, and mutually agreed to by, all  
7 applicants within a service area and the department to reduce  
8 the timeframes.

9           Section 9. Section 395.403, Florida Statutes, is  
10 amended to read:

11           395.403 Reimbursement of ~~state-sponsored~~ trauma  
12 centers.--

13           (1) The Legislature finds that many hospitals which  
14 provide services to trauma victims are not adequately  
15 compensated for such treatment. The Legislature also  
16 recognizes that the current ~~verified~~ trauma centers are  
17 providing such services without adequate reimbursement.  
18 Therefore, it is the intent of the Legislature to provide  
19 financial support to the current verified trauma centers and  
20 to establish a system of ~~state-sponsored~~ trauma centers as  
21 soon as feasibly possible. ~~It is also the intent of the~~  
22 ~~Legislature that this system of state-sponsored trauma centers~~  
23 ~~be assisted financially based on the volume and acuity of~~  
24 ~~uncompensated trauma care provided.~~

25           (2) All provisional trauma centers and ~~state-approved~~  
26 trauma centers shall be considered eligible to receive state  
27 funding ~~state-sponsored trauma centers~~ when state funds are  
28 specifically appropriated for ~~state-sponsored~~ trauma centers  
29 in the General Appropriations Act. When state funds are  
30 appropriated without specific legislative allocation, the  
31 funds shall be distributed equally to all provisional trauma

1 centers and trauma centers approved as of July 1 of the fiscal  
2 year immediately following the legislative session in which  
3 the funds were appropriated.

4 ~~(3) To receive state funding, a state-sponsored trauma~~  
5 ~~center shall submit a claim electronically via the Trauma~~  
6 ~~Claims Processing System, designed, developed, implemented,~~  
7 ~~and operated by the department's Medicaid program, to the~~  
8 ~~department's Medicaid program upon discharge of a trauma~~  
9 ~~patient. When a hospital stay spans a state fiscal year, a~~  
10 ~~separate hospital claim shall be submitted for the hospital~~  
11 ~~days incurred in each fiscal year.~~

12 ~~(4)(a) State-sponsored trauma centers shall determine~~  
13 ~~each trauma patient's eligibility for state funding prior to~~  
14 ~~the submission of a claim.~~

15 ~~(b) A trauma patient treated must meet the definition~~  
16 ~~of charity care, have been designated as having an ISS score~~  
17 ~~of 9 or greater, and have received services that are medically~~  
18 ~~necessary from a state-sponsored trauma center in order for~~  
19 ~~the state-sponsored trauma center to receive state funding for~~  
20 ~~that patient.~~

21 ~~(c) Each state-sponsored trauma center shall retain~~  
22 ~~appropriate documentation showing a trauma patient's~~  
23 ~~eligibility for state funding. Documentation recognized by the~~  
24 ~~department as appropriate shall be limited to one of the~~  
25 ~~following:~~

- 26 ~~1. W-2 withholding forms.~~
- 27 ~~2. Payroll stubs.~~
- 28 ~~3. Income tax returns.~~
- 29 ~~4. Forms approving or denying unemployment~~  
30 ~~compensation or workers' compensation.~~
- 31 ~~5. Written verification of wages from employer.~~

1           ~~6. Written verification from public welfare agencies~~  
2 ~~or any other governmental agency which can attest to the~~  
3 ~~patient's income status for the past 12 months.~~

4           ~~7. A witnessed statement signed by the patient or~~  
5 ~~responsible party, as provided for in Pub. L. No. 79-725, as~~  
6 ~~amended, known as the Hill-Burton Act, except that such~~  
7 ~~statement need not be obtained within 48 hours of the~~  
8 ~~patient's admission to the hospital as required by the~~  
9 ~~Hill-Burton Act. The statement shall include acknowledgment~~  
10 ~~that, in accordance with s. 817.50, providing false~~  
11 ~~information to defraud a hospital for the purposes of~~  
12 ~~obtaining goods or services is a misdemeanor of the second~~  
13 ~~degree.~~

14           ~~(d) The department shall conduct an audit or shall~~  
15 ~~contract with an independent party to conduct an audit of each~~  
16 ~~state-sponsored trauma center's claims to ensure that state~~  
17 ~~funding was only provided for eligible trauma patients and~~  
18 ~~medically necessary services.~~

19           ~~(e) The department's Medicaid program office shall~~  
20 ~~check each claim to confirm that the patient is not covered~~  
21 ~~under the Medicaid program and shall pay the claim out of the~~  
22 ~~Trauma Services Trust Fund. Trauma patients who are eligible~~  
23 ~~for the Medicaid program shall not be considered eligible for~~  
24 ~~the state-sponsored trauma center program except for Medicaid~~  
25 ~~noncovered services. If a claim is denied by the Trauma~~  
26 ~~Claims Processing System as a result of Medicaid eligibility~~  
27 ~~for Medicaid covered services, the hospital shall submit a~~  
28 ~~claim to the Medicaid fiscal agent for payment.~~

29           ~~(5) State funding shall be at a per diem rate equal to~~  
30 ~~\$860 to provisional state-approved and state-approved trauma~~  
31 ~~centers. This rate shall be effective for the first 12 months~~

1 ~~of funding, after which time payment to provisional~~  
2 ~~state-approved and state-approved trauma centers shall be~~  
3 ~~based on a trauma cost-based reimbursement methodology~~  
4 ~~developed by the department. The department shall consult with~~  
5 ~~representatives from the hospital industry including the~~  
6 ~~Florida Hospital Association, the Association of Voluntary~~  
7 ~~Hospitals of Florida, and the Florida League of Hospitals in~~  
8 ~~the development of the reimbursement methodology.~~

9 ~~(6)(a) To ensure a fair distribution of funds~~  
10 ~~appropriated for state-sponsored trauma centers and to ensure~~  
11 ~~that no state-sponsored trauma center gains an unfair~~  
12 ~~advantage due solely to its ability to bill more quickly than~~  
13 ~~another state-sponsored trauma center, the total amount of~~  
14 ~~state funds appropriated in the General Appropriations Act for~~  
15 ~~this section shall be divided into 19 trauma fund accounts~~  
16 ~~with an account for each service area established in s.~~  
17 ~~395.402(3). The amount of funds distributed to a service area~~  
18 ~~shall be based on the following formula:~~

$$\frac{SAAA - \underline{SATD}}{TTD} \times TA$$

19  
20  
21  
22  
23 where:

24 SAAA = ~~service area appropriation amount.~~

25 SATD = ~~uncompensated service area trauma days with ISS~~  
26 ~~score of 9 or greater.~~

27 TTD = ~~uncompensated total trauma days with ISS score of~~  
28 ~~9 or greater for all 19 service areas.~~

29 TA = ~~total dollars appropriated for state-sponsored~~  
30 ~~trauma centers.~~

31

1           ~~(b) The database to be used for this calculation shall~~  
2 ~~be the detailed patient discharge data of the most recently~~  
3 ~~completed calendar year for which the board possesses data.~~  
4 ~~Out-of-state days that are included in the database shall be~~  
5 ~~allocated to the service area where the treating hospital is~~  
6 ~~located.~~

7           ~~(c) Fifty percent of the funds allocated to those~~  
8 ~~service areas which had one or more trauma centers as of~~  
9 ~~December 1, 1989, shall be distributed to those verified~~  
10 ~~trauma centers proportionately based on volume and acuity of~~  
11 ~~uncompensated trauma care provided during the most recently~~  
12 ~~completed calendar year for which the board possesses data in~~  
13 ~~a lump sum payment on the date funding becomes available.~~  
14 ~~These trauma centers shall submit claims pursuant to~~  
15 ~~subsection (3) in order to justify this funding. Effective 9~~  
16 ~~months after funding becomes available, any trauma center~~  
17 ~~which fails to submit claims for reimbursement equal to or~~  
18 ~~greater than the amount the trauma center received under the~~  
19 ~~initial allocation shall return any unearned funds to the~~  
20 ~~department for distribution pursuant to paragraph (e). Once~~  
21 ~~this 50-percent lump sum is depleted, a trauma center will be~~  
22 ~~reimbursed from the remaining 50 percent of the service area's~~  
23 ~~original allocation.~~

24           ~~(d) The department shall pay trauma claims on a~~  
25 ~~monthly basis. In a given month when the outstanding claims~~  
26 ~~will exceed the unexpended funds allocated to a service area,~~  
27 ~~the department shall pay all of the submitted claims for the~~  
28 ~~service area on a pro rata basis.~~

29           ~~(e) At the end of the fiscal year, the unexpended~~  
30 ~~funds for each service area shall be placed in one large state~~  
31 ~~trauma account from which all remaining claims are paid~~

1 ~~without regard to service area on a pro rata basis until such~~  
2 ~~funds are depleted.~~

3 ~~(f) For any state fiscal year, reimbursement for any~~  
4 ~~patient residing outside the trauma service area of the~~  
5 ~~state-sponsored trauma center where the patient is treated~~  
6 ~~shall be paid out of the funds allocated for the trauma~~  
7 ~~service area where the patient resides. Out-of-state days~~  
8 ~~shall be paid from the service area where the treating~~  
9 ~~hospital is located.~~

10 ~~(3)(7)~~ In order to receive state funding payments  
11 ~~under this section~~, a hospital shall be a ~~state-sponsored~~  
12 trauma center and shall:

13 (a) Agree to conform to all departmental requirements  
14 as provided by rule to assure high-quality trauma services.

15 (b) Agree to provide information concerning the  
16 provision of trauma services to the department, in a form and  
17 manner prescribed by rule of the department.

18 (c) Agree to accept all trauma patients, regardless of  
19 ability to pay, on a functional space-available basis.

20 ~~(4)(8)~~ A ~~state-sponsored~~ trauma center that ~~which~~  
21 fails to comply with any of the conditions listed in  
22 subsection ~~(3)(7)~~ or the applicable rules of the department  
23 shall not receive payments under this section for the period  
24 in which it was not in compliance.

25 Section 10. Subsection (1) of section 395.4035,  
26 Florida Statutes, is amended to read:

27 395.4035 Trauma Services Trust Fund.--

28 (1) There is hereby created the Trauma Services Trust  
29 Fund in the State Treasury, which shall be used exclusively  
30 for the development and support of a system of ~~state-sponsored~~  
31 trauma centers. Trust fund revenue shall be used for the

1 purpose of funding trauma patient care in a provisional  
2 ~~state-sponsored~~ trauma center, or a ~~state-sponsored~~ trauma  
3 center as provided for in this act; for funding the associated  
4 trauma claims processing costs, including the costs for the  
5 design, development, implementation, and operation of a  
6 payment system; and for administration of this act.

7 Section 11. Section 395.404, Florida Statutes, is  
8 amended to read:

9 395.404 Review of trauma registry data; report to  
10 central registry; confidentiality and limited release.--

11 (1)(a) Each trauma center shall furnish, and, upon  
12 request of the department, all acute care hospitals shall  
13 furnish for department review, trauma registry data as  
14 prescribed by rule of the department for the purpose of  
15 monitoring patient outcome and ensuring compliance with the  
16 standards of approval.

17 (b) Trauma registry data obtained pursuant to this  
18 subsection are confidential and exempt from the provisions of  
19 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.  
20 However, the department may provide such trauma registry data  
21 to the person, trauma center, hospital, emergency medical  
22 service provider, local or regional trauma agency, medical  
23 examiner, or other entity from which the data were obtained.  
24 The department may also use or provide trauma registry data  
25 for purposes of research in accordance with the provisions of  
26 chapter 405.

27 (2) Each trauma center and acute care hospital shall  
28 report to the department's brain and spinal cord injury  
29 central registry, consistent with the procedures and  
30 timeframes of s. 381.74, any person who has a  
31 moderate-to-severe brain or spinal cord injury, and shall

1 include in the report the name, age, residence, and type of  
2 disability of the individual and any additional information  
3 that the department finds necessary.~~Notwithstanding the~~  
4 ~~provisions of s. 381.74, each trauma center and acute care~~  
5 ~~hospital shall submit severe disability and head-injury~~  
6 ~~registry data to the department as provided by rule. Each~~  
7 ~~trauma center and acute care hospital shall continue to~~  
8 ~~provide initial notification of persons who have severe~~  
9 ~~disabilities and head injuries to the Department of Health~~  
10 ~~within timeframes provided in chapter 413. Such initial~~  
11 ~~notification shall be made in the manner prescribed by the~~  
12 ~~Department of Health for the purpose of providing timely~~  
13 ~~vocational rehabilitation services to the severely disabled or~~  
14 ~~head-injured person.~~

15 ~~(3) Trauma registry data obtained pursuant to this~~  
16 ~~section are confidential and exempt from the provisions of s.~~  
17 ~~119.07(1) and s. 24(a), Art. I of the State Constitution.~~  
18 ~~However, the department may provide such trauma registry data~~  
19 ~~to the person, trauma center, pediatric trauma referral~~  
20 ~~center, hospital, emergency medical service provider, local or~~  
21 ~~regional trauma agency, medical examiner, or other entity from~~  
22 ~~which the data were obtained. The department may also use or~~  
23 ~~provide trauma registry data for purposes of research in~~  
24 ~~accordance with the provisions of chapter 405.~~

25 Section 12. Section 395.405, Florida Statutes, is  
26 amended to read:

27 395.405 Rulemaking.--The department shall adopt and  
28 enforce all rules necessary to administer this part ~~ss.~~  
29 ~~395.0199, 395.401, 395.4015, 395.402, 395.4025, 395.403,~~  
30 ~~395.404, and 395.4045.~~

31 Section 13. This act shall take effect July 1, 2004.



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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 1762

The bill deletes a prohibition for any hospital or facility to hold itself out as a trauma center unless the hospital or other facility has been verified by the Department of Health as having met the requirements for a trauma center and has been approved by the department to operate as a trauma center. The bill requires the boundaries of trauma regions administered by the Department of Health to be coterminous with the boundaries of the regional domestic security task forces established within the Florida Department of Law Enforcement and provides exceptions to this requirement for coterminous boundaries for certain local trauma regional planning already established as of July 1, 2004.