

By Senator Lynn

7-1189-06

See HB 715

1 A bill to be entitled
2 An act relating to trauma services; amending s.
3 395.4001, F.S.; providing definitions;
4 repealing s. 395.4035, F.S., to terminate the
5 Trauma Services Trust Fund; amending s.
6 395.4036, F.S.; revising provisions relating to
7 distribution of funds to trauma centers and use
8 thereof; amending s. 395.404, F.S.; requiring
9 an annual audit of trauma registry data;
10 providing an effective date.

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

14 Section 1. Section 395.4001, Florida Statutes, is
15 amended to read:

16 395.4001 Definitions.--As used in this part, the term:

17 (1) "Agency" means the Agency for Health Care
18 Administration.

19 (2) "Charity care" or "uncompensated trauma care"
20 means that portion of hospital charges reported to the agency
21 for which there is no compensation, other than restricted or
22 unrestricted revenues provided to a hospital by local
23 governments or tax districts regardless of method of payment,
24 for care provided to a patient whose family income for the 12
25 months preceding the determination is less than or equal to
26 200 percent of the federal poverty level, unless the amount of
27 hospital charges due from the patient exceeds 25 percent of
28 the annual family income. However, in no case shall the
29 hospital charges for a patient whose family income exceeds
30 four times the federal poverty level for a family of four be
31 considered charity.

1 (3) "Department" means the Department of Health.

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

5 (5) "International Classification Injury Severity
6 Score" means the statistical method for computing the severity
7 of injury sustained by trauma patients. The International
8 Classification Injury Severity Score shall be the methodology
9 used by the department and trauma centers to report the
10 severity of an injury.

11 ~~(6)(5)~~ "Level I trauma center" means a trauma center
12 that:

13 (a) Has formal research and education programs for the
14 enhancement of trauma care; is verified by the department to
15 be in substantial compliance with Level I trauma center and
16 pediatric trauma center standards; and has been approved by
17 the department to operate as a Level I trauma center.

18 (b) Serves as a resource facility to Level II trauma
19 centers, pediatric trauma centers, and general hospitals
20 through shared outreach, education, and quality improvement
21 activities.

22 (c) Participates in an inclusive system of trauma
23 care, including providing leadership, system evaluation, and
24 quality improvement activities.

25 ~~(7)(6)~~ "Level II trauma center" means a trauma center
26 that:

27 (a) Is verified by the department to be in substantial
28 compliance with Level II trauma center standards and has been
29 approved by the department to operate as a Level II trauma
30 center.

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1 (b) Serves as a resource facility to general hospitals
2 through shared outreach, education, and quality improvement
3 activities.

4 (c) Participates in an inclusive system of trauma
5 care.

6 ~~(8)(7)~~ "Pediatric trauma center" means a hospital that
7 is verified by the department to be in substantial compliance
8 with pediatric trauma center standards as established by rule
9 of the department and has been approved by the department to
10 operate as a pediatric trauma center.

11 ~~(9)(8)~~ "Provisional trauma center" means a hospital
12 that has been verified by the department to be in substantial
13 compliance with the requirements in s. 395.4025 and has been
14 approved by the department to operate as a provisional Level I
15 trauma center, Level II trauma center, or pediatric trauma
16 center.

17 ~~(10)(9)~~ "Trauma agency" means a department-approved
18 agency established and operated by one or more counties, or a
19 department-approved entity with which one or more counties
20 contract, for the purpose of administering an inclusive
21 regional trauma system.

22 ~~(11)(10)~~ "Trauma alert victim" means a person who has
23 incurred a single or multisystem injury due to blunt or
24 penetrating means or burns, who requires immediate medical
25 intervention or treatment, and who meets one or more of the
26 adult or pediatric scorecard criteria established by the
27 department by rule.

28 (12) "Trauma caseload volume" means the number of
29 trauma patients reported by individual trauma centers to the
30 Trauma Registry and validated by the department.

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1 ~~(13)~~~~(11)~~ "Trauma center" means a hospital that has
2 been verified by the department to be in substantial
3 compliance with the requirements in s. 395.4025 and has been
4 approved by the department to operate as a Level I trauma
5 center, Level II trauma center, or pediatric trauma center.

6 (14) "Trauma patient" means a person who has incurred
7 a physical injury or wound caused by trauma and has accessed a
8 trauma center.

9 ~~(15)~~~~(12)~~ "Trauma scorecard" means a statewide
10 methodology adopted by the department by rule under which a
11 person who has incurred a traumatic injury is graded as to the
12 severity of his or her injuries or illness and which
13 methodology is used as the basis for making destination
14 decisions.

15 ~~(16)~~~~(13)~~ "Trauma transport protocol" means a document
16 which describes the policies, processes, and procedures
17 governing the dispatch of vehicles, the triage, prehospital
18 transport, and interfacility trauma transfer of trauma
19 victims.

20 ~~(17)~~~~(14)~~ "Trauma victim" means any person who has
21 incurred a single or multisystem injury due to blunt or
22 penetrating means or burns and who requires immediate medical
23 intervention or treatment.

24 Section 2. Section 395.4035, Florida Statutes, is
25 repealed.

26 Section 3. Subsection (1) of section 395.4036, Florida
27 Statutes, is amended to read:

28 395.4036 Trauma payments.--

29 (1) Recognizing the Legislature's stated intent to
30 provide financial support to the current verified trauma
31 centers and to provide incentives for the establishment of

1 additional trauma centers as part of a system of
2 state-sponsored trauma centers, the department shall utilize
3 funds collected under s. 318.18(15)(14) and deposited into the
4 Administrative Trust Fund of the department to ensure the
5 availability and accessibility of trauma services throughout
6 the state as provided in this subsection.

7 (a) Twenty percent of the total funds collected under
8 this subsection during the state fiscal year shall be
9 distributed to verified trauma centers ~~located in a region~~
10 that have ~~has~~ a local funding contribution as of December 31.
11 Distribution of funds under this paragraph shall be based on
12 the department's audited Trauma Registry trauma caseload
13 volume for the previous calendar year.

14 (b) Forty percent of the total funds collected under
15 this subsection shall be distributed to verified trauma
16 centers based on trauma caseload volume of the previous
17 calendar year. The determination of caseload volume for
18 distribution of funds under this paragraph shall be based on
19 the department's audited Trauma Registry data.

20 (c) Forty percent of the total funds collected under
21 this subsection shall be distributed to verified trauma
22 centers based on severity of trauma patients. The
23 determination of severity for distribution of funds under this
24 paragraph shall be based on the department's audited Trauma
25 Registry International Classification Injury Severity Scores
26 and other statistically valid and scientifically accepted
27 methods of stratifying a trauma patient's severity of injury,
28 risk of mortality, and resource consumption as adopted by the
29 department by rule, weighted based on the costs associated
30 with and incurred by the trauma center in treating trauma
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1 patients. The weighting of scores shall be established by the
2 department by rule ~~scores of 1-14 and 15 plus.~~

3
4 Funds deposited in the department's Administrative Trust Fund
5 for verified trauma centers may be used to maximize the
6 receipt of federal funds that may be available for such trauma
7 centers. Notwithstanding this section and s. 318.14,
8 distributions to trauma centers may be adjusted in a manner to
9 ensure that total payments to trauma centers represent the
10 same proportional allocation as set forth in this section and
11 s. 318.14. For purposes of this section and s. 318.14, total
12 funds distributed to trauma centers may include revenue from
13 the Administrative Trust Fund and federal funds for which
14 revenue from the Administrative Trust Fund is used to meet
15 state or local matching requirements. Trauma centers may
16 ~~request that their distributions from the Administrative Trust~~
17 ~~Fund be used as intergovernmental transfer funds in the~~
18 ~~Medicaid program.~~

19 Section 4. Paragraph (c) is added to subsection (1) of
20 section 395.404, Florida Statutes, to read:

21 395.404 Review of trauma registry data; report to
22 central registry; confidentiality and limited release.--

23 (1)

24 (c) An independent entity shall annually audit trauma
25 registry data and submit the audit report to the department.

26 Section 5. This act shall take effect July 1, 2006.
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