

Bill No. HB 7141, 1st Eng.

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CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

**Senate Amendment (with title amendment)**

On line 1036, delete that lines

and insert:

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

95.4001 Definitions.--As used in this part, the term:

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

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

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1 hospital charges for a patient whose family income exceeds  
2 four times the federal poverty level for a family of four be  
3 considered charity.

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

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

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

14 ~~(6)(5)~~ "Level I trauma center" means a trauma center  
15 that:

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

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

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

28 ~~(7)(6)~~ "Level II trauma center" means a trauma center  
29 that:

30 (a) Is verified by the department to be in substantial  
31 compliance with Level II trauma center standards and has been

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1 approved by the department to operate as a Level II trauma  
2 center.

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

6 (c) Participates in an inclusive system of trauma  
7 care.

8 (8) "Local funding contribution" means local  
9 municipal, county, or tax district funding exclusive of any  
10 patient-specific funds received pursuant to ss.  
11 154.301-154.316, private foundation funding, or public or  
12 private grant funding of at least \$150,000 received by a  
13 hospital or health care system that operates a trauma center.

14 (9)(7) "Pediatric trauma center" means a hospital that  
15 is verified by the department to be in substantial compliance  
16 with pediatric trauma center standards as established by rule  
17 of the department and has been approved by the department to  
18 operate as a pediatric trauma center.

19 (10)(8) "Provisional trauma center" means a hospital  
20 that has been verified by the department to be in substantial  
21 compliance with the requirements in s. 395.4025 and has been  
22 approved by the department to operate as a provisional Level I  
23 trauma center, Level II trauma center, or pediatric trauma  
24 center.

25 (11)(9) "Trauma agency" means a department-approved  
26 agency established and operated by one or more counties, or a  
27 department-approved entity with which one or more counties  
28 contract, for the purpose of administering an inclusive  
29 regional trauma system.

30 (12)(10) "Trauma alert victim" means a person who has  
31 incurred a single or multisystem injury due to blunt or

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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 (13) "Trauma caseload volume" means the number of  
6 trauma patients reported by individual trauma centers to the  
7 Trauma Registry and validated by the department.

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

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

16 ~~(16)(12)~~ "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 ~~(17)(13)~~ "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 ~~(18)(14)~~ "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 Section 15. Section 395.4035, Florida Statutes, is

1 repealed.

2 Section 16. Subsection (1) of section 395.4036,  
3 Florida Statutes, is amended to read:

4 395.4036 Trauma payments.--

5 (1) Recognizing the Legislature's stated intent to  
6 provide financial support to the current verified trauma  
7 centers and to provide incentives for the establishment of  
8 additional trauma centers as part of a system of  
9 state-sponsored trauma centers, the department shall utilize  
10 funds collected under s. 318.18(15)(14) and deposited into the  
11 Administrative Trust Fund of the department to ensure the  
12 availability and accessibility of trauma services throughout  
13 the state as provided in this subsection.

14 (a) Twenty percent of the total funds collected under  
15 this subsection during the state fiscal year shall be  
16 distributed to verified trauma centers ~~located in a region~~  
17 that have ~~has~~ a local funding contribution as of December 31.  
18 Distribution of funds under this paragraph shall be based on  
19 trauma caseload volume for the most recent calendar year  
20 available.

21 (b) Forty percent of the total funds collected under  
22 this subsection shall be distributed to verified trauma  
23 centers based on trauma caseload volume for ~~of~~ the most recent  
24 ~~previous~~ calendar year available. The determination of  
25 caseload volume for distribution of funds under this paragraph  
26 shall be based on the department's Trauma Registry data.

27 (c) Forty percent of the total funds collected under  
28 this subsection shall be distributed to verified trauma  
29 centers based on severity of trauma patients for the most  
30 recent calendar year available. The determination of severity  
31 for distribution of funds under this paragraph shall be based

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1 on the department's International Classification Injury  
 2 Severity Scores or another statistically valid and  
 3 scientifically accepted method of stratifying a trauma  
 4 patient's severity of injury, risk of mortality, and resource  
 5 consumption as adopted by the department by rule, weighted  
 6 based on the costs associated with and incurred by the trauma  
 7 center in treating trauma patients. The weighting of scores  
 8 shall be established by the department by rule ~~scores of 1-14~~  
 9 ~~and 15 plus.~~

10

11 Funds deposited in the department's Administrative Trust Fund  
 12 for verified trauma centers may be used to maximize the  
 13 receipt of federal funds that may be available for such trauma  
 14 centers. Notwithstanding this section and s. 318.14,  
 15 distributions to trauma centers may be adjusted in a manner to  
 16 ensure that total payments to trauma centers represent the  
 17 same proportional allocation as set forth in this section and  
 18 s. 318.14. For purposes of this section and s. 318.14, total  
 19 funds distributed to trauma centers may include revenue from  
 20 the Administrative Trust Fund and federal funds for which  
 21 revenue from the Administrative Trust Fund is used to meet  
 22 state or local matching requirements. Funds collected under  
 23 ss. 318.14 and 318.18(15) and deposited in the Administrative  
 24 Trust Fund of the department shall be distributed to trauma  
 25 centers on a quarterly basis using the most recent calendar  
 26 year data available. Such data shall not be used for more than  
 27 four quarterly distributions unless there are extenuating  
 28 circumstances as determined by the department, in which case  
 29 the most recent calendar year data available shall continue to  
 30 be used and appropriate adjustments shall be made as soon as  
 31 the more recent data becomes available. ~~Trauma centers may~~

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1 ~~request that their distributions from the Administrative Trust~~  
2 ~~Fund be used as intergovernmental transfer funds in the~~  
3 ~~Medicaid program.~~

4 Section 17. Section 395.41, Florida Statutes, is  
5 created to read:

6 395.41 Trauma center startup grant program.--There is  
7 established a trauma center startup grant program.

8 (1) The Legislature recognizes the need for a  
9 statewide, cohesive, uniform, and integrated trauma system,  
10 and the Legislature acknowledges that the state has been  
11 divided into trauma service areas. Each of the trauma service  
12 areas should have at least one trauma center; however, some  
13 trauma service areas do not have a trauma center because of  
14 the significant up-front investment of capital required for  
15 hospitals to develop the physical space, equipment, and  
16 qualified personnel necessary to provide quality trauma  
17 services.

18 (2) An acute care general hospital that has submitted  
19 a letter of intent and an application to become a trauma  
20 center pursuant to s. 395.4025 may apply to the department for  
21 a startup grant. The grant applicant must demonstrate that:

22 (a) There are currently no other trauma centers in the  
23 hospital's trauma service area as established under s.  
24 395.402.

25 (b) There is not a trauma center within a 100-mile  
26 radius of the proposed trauma center.

27 (c) The hospital has received a local funding  
28 contribution as defined under s. 395.4001.

29 (d) The hospital has incurred startup costs in excess  
30 of the amount of grant funding requested.

31 (e) The hospital is pursuing the establishment of a

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1 residency program in internal medicine or emergency medicine.

2       (3) A hospital receiving startup grant funding that  
3 does not become a provisional trauma center within 24 months  
4 after submitting an application to become a trauma center must  
5 forfeit any state grant funds received pursuant to this  
6 section.

7       (4) A hospital that receives startup grant funding may  
8 not receive more than \$500,000, must ensure that the startup  
9 grant funding is matched on a dollar-for-dollar basis with a  
10 local funding contribution, and shall receive startup grant  
11 funding only one time.

12       Section 18. This act shall take effect October 1,  
13 2006, except that section 395.41, Florida Statutes, as created  
14 by this act, shall take effect subject to an appropriation for  
15 the trauma center startup grant program in the 2006-2007  
16 General Appropriations Act.

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

20 And the title is amended as follows:

21       On line 92, after the semicolon,

22  
23 insert:

24       amending s. 395.4001, F.S.; providing  
25       definitions; repealing s. 395.4035, F.S., to  
26       terminate the Trauma Services Trust Fund;  
27       amending s. 395.4036, F.S.; revising provisions  
28       relating to distribution of funds to trauma  
29       centers and use thereof; creating s. 395.41,  
30       F.S.; establishing a trauma center startup  
31       grant program; providing conditions for the



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1 receipt of a startup grant; providing  
2 limitations; making the trauma center startup  
3 grant program subject to an appropriation in  
4 the General Appropriations Act; providing  
5 effective dates.  
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