

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

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 395.4001, Florida Statutes, is amended
 13 to read:

14 395.4001 Definitions.--As used in this part, the term:

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

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

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28 federal poverty level for a family of four be considered
29 charity.

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

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

34 (5) "International Classification Injury Severity Score"
35 means the statistical method for computing the severity of
36 injury sustained by trauma patients. The International
37 Classification Injury Severity Score shall be the methodology
38 used by the department and trauma centers to report the severity
39 of an injury.

40 (6)~~(5)~~ "Level I trauma center" means a trauma center that:

41 (a) Has formal research and education programs for the
42 enhancement of trauma care; is verified by the department to be
43 in substantial compliance with Level I trauma center and
44 pediatric trauma center standards; and has been approved by the
45 department to operate as a Level I trauma center.

46 (b) Serves as a resource facility to Level II trauma
47 centers, pediatric trauma centers, and general hospitals through
48 shared outreach, education, and quality improvement activities.

49 (c) Participates in an inclusive system of trauma care,
50 including providing leadership, system evaluation, and quality
51 improvement activities.

52 (7)~~(6)~~ "Level II trauma center" means a trauma center
53 that:

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

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56 approved by the department to operate as a Level II trauma
57 center.

58 (b) Serves as a resource facility to general hospitals
59 through shared outreach, education, and quality improvement
60 activities.

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

62 (8)~~(7)~~ "Pediatric trauma center" means a hospital that is
63 verified by the department to be in substantial compliance with
64 pediatric trauma center standards as established by rule of the
65 department and has been approved by the department to operate as
66 a pediatric trauma center.

67 (9)~~(8)~~ "Provisional trauma center" means a hospital that
68 has been verified by the department to be in substantial
69 compliance with the requirements in s. 395.4025 and has been
70 approved by the department to operate as a provisional Level I
71 trauma center, Level II trauma center, or pediatric trauma
72 center.

73 (10)~~(9)~~ "Trauma agency" means a department-approved agency
74 established and operated by one or more counties, or a
75 department-approved entity with which one or more counties
76 contract, for the purpose of administering an inclusive regional
77 trauma system.

78 (11)~~(10)~~ "Trauma alert victim" means a person who has
79 incurred a single or multisystem injury due to blunt or
80 penetrating means or burns, who requires immediate medical
81 intervention or treatment, and who meets one or more of the
82 adult or pediatric scorecard criteria established by the
83 department by rule.

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84 (12) "Trauma caseload volume" means the number of trauma
85 patients reported by individual trauma centers to the Trauma
86 Registry and validated by the department.

87 ~~(13)-(11)~~ "Trauma center" means a hospital that has been
88 verified by the department to be in substantial compliance with
89 the requirements in s. 395.4025 and has been approved by the
90 department to operate as a Level I trauma center, Level II
91 trauma center, or pediatric trauma center.

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

95 ~~(15)-(12)~~ "Trauma scorecard" means a statewide methodology
96 adopted by the department by rule under which a person who has
97 incurred a traumatic injury is graded as to the severity of his
98 or her injuries or illness and which methodology is used as the
99 basis for making destination decisions.

100 ~~(16)-(13)~~ "Trauma transport protocol" means a document
101 which describes the policies, processes, and procedures
102 governing the dispatch of vehicles, the triage, prehospital
103 transport, and interfacility trauma transfer of trauma victims.

104 ~~(17)-(14)~~ "Trauma victim" means any person who has incurred
105 a single or multisystem injury due to blunt or penetrating means
106 or burns and who requires immediate medical intervention or
107 treatment.

108 Section 2. Section 395.4035, Florida Statutes, is
109 repealed.

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

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112 395.4036 Trauma payments.--

113 (1) Recognizing the Legislature's stated intent to provide
 114 financial support to the current verified trauma centers and to
 115 provide incentives for the establishment of additional trauma
 116 centers as part of a system of state-sponsored trauma centers,
 117 the department shall utilize funds collected under s.
 118 318.18 (15) ~~(14)~~ and deposited into the Administrative Trust Fund
 119 of the department to ensure the availability and accessibility
 120 of trauma services throughout the state as provided in this
 121 subsection.

122 (a) Twenty percent of the total funds collected under this
 123 subsection during the state fiscal year shall be distributed to
 124 verified trauma centers ~~located in a region~~ that have ~~has~~ a
 125 local funding contribution as of December 31. Distribution of
 126 funds under this paragraph shall be based on the department's
 127 audited Trauma Registry trauma caseload volume for the previous
 128 calendar year.

129 (b) Forty percent of the total funds collected under this
 130 subsection shall be distributed to verified trauma centers based
 131 on trauma caseload volume of the previous calendar year. The
 132 determination of caseload volume for distribution of funds under
 133 this paragraph shall be based on the department's audited Trauma
 134 Registry data.

135 (c) Forty percent of the total funds collected under this
 136 subsection shall be distributed to verified trauma centers based
 137 on severity of trauma patients. The determination of severity
 138 for distribution of funds under this paragraph shall be based on
 139 the department's audited Trauma Registry International

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140 Classification Injury Severity Scores and other statistically
141 valid and scientifically accepted methods of stratifying a
142 trauma patient's severity of injury, risk of mortality, and
143 resource consumption as adopted by the department by rule,
144 weighted based on the costs associated with and incurred by the
145 trauma center in treating trauma patients. The weighting of
146 scores shall be established by the department by rule ~~scores of~~
147 ~~1-14 and 15 plus.~~

148
149 Funds deposited in the department's Administrative Trust Fund
150 for verified trauma centers may be used to maximize the receipt
151 of federal funds that may be available for such trauma centers.
152 Notwithstanding this section and s. 318.14, distributions to
153 trauma centers may be adjusted in a manner to ensure that total
154 payments to trauma centers represent the same proportional
155 allocation as set forth in this section and s. 318.14. For
156 purposes of this section and s. 318.14, total funds distributed
157 to trauma centers may include revenue from the Administrative
158 Trust Fund and federal funds for which revenue from the
159 Administrative Trust Fund is used to meet state or local
160 matching requirements. ~~Trauma centers may request that their~~
161 ~~distributions from the Administrative Trust Fund be used as~~
162 ~~intergovernmental transfer funds in the Medicaid program.~~

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

165 395.404 Review of trauma registry data; report to central
166 registry; confidentiality and limited release.--

167 (1)

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168 (c) An independent entity shall annually audit Trauma
169 Registry data and submit the audit report to the department.
170 Section 5. This act shall take effect July 1, 2006.