

HB 715

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CHAMBER ACTION

1 The Health Care Regulation Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to trauma services; amending s. 395.4001,  
7 F.S.; providing definitions; repealing s. 395.4035, F.S.,  
8 to terminate the Trauma Services Trust Fund; amending s.  
9 395.4036, F.S.; revising provisions relating to  
10 distribution of funds to trauma centers and use thereof;  
11 creating s. 395.65, F.S.; establishing a trauma center  
12 startup grant program; providing conditions for the  
13 receipt of a startup grant; providing limitations;  
14 providing an appropriation; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 395.4001, Florida Statutes, is amended  
19 to read:

20 395.4001 Definitions.--As used in this part, the term:

21 (1) "Agency" means the Agency for Health Care

22 Administration.

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

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

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

40           (5) "International Classification Injury Severity Score"  
41 means the statistical method for computing the severity of  
42 injuries sustained by trauma patients. The International  
43 Classification Injury Severity Score shall be the methodology  
44 used by the department and trauma centers to report the severity  
45 of an injury.

46           ~~(6)-(5)~~ "Level I trauma center" means a trauma center that:

47           (a) Has formal research and education programs for the  
48 enhancement of trauma care; is verified by the department to be  
49 in substantial compliance with Level I trauma center and

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50 pediatric trauma center standards; and has been approved by the  
51 department to operate as a Level I trauma center.

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

55 (c) Participates in an inclusive system of trauma care,  
56 including providing leadership, system evaluation, and quality  
57 improvement activities.

58 (7)~~(6)~~ "Level II trauma center" means a trauma center  
59 that:

60 (a) Is verified by the department to be in substantial  
61 compliance with Level II trauma center standards and has been  
62 approved by the department to operate as a Level II trauma  
63 center.

64 (b) Serves as a resource facility to general hospitals  
65 through shared outreach, education, and quality improvement  
66 activities.

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

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

74 (9)~~(7)~~ "Pediatric trauma center" means a hospital that is  
75 verified by the department to be in substantial compliance with  
76 pediatric trauma center standards as established by rule of the

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77 | department and has been approved by the department to operate as  
78 | a pediatric trauma center.

79 |       ~~(10)-(8)~~ "Provisional trauma center" means a hospital that  
80 | has been verified by the department to be in substantial  
81 | compliance with the requirements in s. 395.4025 and has been  
82 | approved by the department to operate as a provisional Level I  
83 | trauma center, Level II trauma center, or pediatric trauma  
84 | center.

85 |       ~~(11)-(9)~~ "Trauma agency" means a department-approved agency  
86 | established and operated by one or more counties, or a  
87 | department-approved entity with which one or more counties  
88 | contract, for the purpose of administering an inclusive regional  
89 | trauma system.

90 |       ~~(12)-(10)~~ "Trauma alert victim" means a person who has  
91 | incurred a single or multisystem injury due to blunt or  
92 | penetrating means or burns, who requires immediate medical  
93 | intervention or treatment, and who meets one or more of the  
94 | adult or pediatric scorecard criteria established by the  
95 | department by rule.

96 |       (13) "Trauma caseload volume" means the number of trauma  
97 | patients reported by individual trauma centers to the Trauma  
98 | Registry and validated by the department.

99 |       ~~(14)-(11)~~ "Trauma center" means a hospital that has been  
100 | verified by the department to be in substantial compliance with  
101 | the requirements in s. 395.4025 and has been approved by the  
102 | department to operate as a Level I trauma center, Level II  
103 | trauma center, or pediatric trauma center.

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

107        (16)~~(12)~~ "Trauma scorecard" means a statewide methodology  
108        adopted by the department by rule under which a person who has  
109        incurred a traumatic injury is graded as to the severity of his  
110        or her injuries or illness and which methodology is used as the  
111        basis for making destination decisions.

112        (17)~~(13)~~ "Trauma transport protocol" means a document  
113        which describes the policies, processes, and procedures  
114        governing the dispatch of vehicles, the triage, prehospital  
115        transport, and interfacility trauma transfer of trauma victims.

116        (18)~~(14)~~ "Trauma victim" means any person who has incurred  
117        a single or multisystem injury due to blunt or penetrating means  
118        or burns and who requires immediate medical intervention or  
119        treatment.

120        Section 2. Section 395.4035, Florida Statutes, is  
121        repealed.

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

124        395.4036 Trauma payments.--

125        (1) Recognizing the Legislature's stated intent to provide  
126        financial support to the current verified trauma centers and to  
127        provide incentives for the establishment of additional trauma  
128        centers as part of a system of state-sponsored trauma centers,  
129        the department shall utilize funds collected under s.

130        318.18 (15)~~(14)~~ and deposited into the Administrative Trust Fund  
131        of the department to ensure the availability and accessibility

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132 of trauma services throughout the state as provided in this  
133 subsection.

134 (a) Twenty percent of the total funds collected under this  
135 subsection during the state fiscal year shall be distributed to  
136 verified trauma centers ~~located in a region~~ that have ~~has~~ a  
137 local funding contribution as of December 31. Distribution of  
138 funds under this paragraph shall be based on trauma caseload  
139 volume for the most recent calendar year available.

140 (b) Forty percent of the total funds collected under this  
141 subsection shall be distributed to verified trauma centers based  
142 on trauma caseload volume for ~~of~~ the most recent ~~previous~~  
143 calendar year available. The determination of caseload volume  
144 for distribution of funds under this paragraph shall be based on  
145 the department's Trauma Registry data.

146 (c) Forty percent of the total funds collected under this  
147 subsection shall be distributed to verified trauma centers based  
148 on severity of trauma patients for the most recent calendar year  
149 available. The determination of severity for distribution of  
150 funds under this paragraph shall be based on the department's  
151 International Classification Injury Severity Scores or another  
152 statistically valid and scientifically accepted method of  
153 stratifying a trauma patient's severity of injury, risk of  
154 mortality, and resource consumption as adopted by the department  
155 by rule, weighted based on the costs associated with and  
156 incurred by the trauma center in treating trauma patients. The  
157 weighting of scores shall be established by the department by  
158 rule ~~scores of 1-14 and 15 plus~~.

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160 Funds deposited in the department's Administrative Trust Fund  
161 for verified trauma centers may be used to maximize the receipt  
162 of federal funds that may be available for such trauma centers.  
163 Notwithstanding this section and s. 318.14, distributions to  
164 trauma centers may be adjusted in a manner to ensure that total  
165 payments to trauma centers represent the same proportional  
166 allocation as set forth in this section and s. 318.14. For  
167 purposes of this section and s. 318.14, total funds distributed  
168 to trauma centers may include revenue from the Administrative  
169 Trust Fund and federal funds for which revenue from the  
170 Administrative Trust Fund is used to meet state or local  
171 matching requirements. Funds collected under ss. 318.14 and  
172 318.18(15) and deposited in the Administrative Trust Fund of the  
173 department shall be distributed to trauma centers on a quarterly  
174 basis using the most recent calendar year data available. Such  
175 data shall not be used for more than four quarterly  
176 distributions unless there are extenuating circumstances as  
177 determined by the department, in which case the most recent  
178 calendar year data available shall continue to be used and  
179 appropriate adjustments shall be made as soon as the more recent  
180 data becomes available. Trauma centers may request that their  
181 distributions from the Administrative Trust Fund be used as  
182 intergovernmental transfer funds in the Medicaid program.

183 Section 4. Section 395.65, Florida Statutes, is created to  
184 read:

185 395.65 Trauma center startup.--There is established a  
186 trauma center startup grant program.

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187       (1) The Legislature recognizes the need for a statewide,  
188 cohesive, uniform, and integrated trauma system, and the  
189 Legislature acknowledges that the state has been divided into  
190 trauma service areas. Each of the trauma service areas should  
191 have at least one trauma center; however, some trauma service  
192 areas do not have a trauma center because of the significant up-  
193 front investment of capital required for hospitals to develop  
194 the physical space, equipment, and qualified personnel necessary  
195 to provide quality trauma services.

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

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

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

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

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

208           (e) The hospital is pursuing the establishment of a  
209 residency program in emergency medicine.

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



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

219        Section 5. The sum of \$500,000 is appropriated from the  
220 General Revenue Fund for deposit to the Administrative Trust  
221 Fund of the Department of Health for the 2006-2007 fiscal year  
222 for the purpose of providing trauma center startup grants under  
223 s. 395.65, Florida Statutes.

224        Section 6. This act shall take effect July 1, 2006.