

CHAMBER ACTION

1 The Health Care Appropriations Committee recommends the
2 following:

3
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to trauma services; amending s. 395.4001,
8 F.S.; providing definitions; repealing s. 395.4035, F.S.,
9 to terminate the Trauma Services Trust Fund; amending s.
10 395.4036, F.S.; revising provisions relating to
11 distribution of funds to trauma centers and use thereof;
12 creating s. 395.41, F.S.; establishing a trauma center
13 startup grant program; providing conditions for the
14 receipt of a startup grant; providing limitations; making
15 the trauma center startup grant program subject to an
16 appropriation in the General Appropriations Act; providing
17 a contingent effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 395.4001, Florida Statutes, is amended
22 to read:

23 395.4001 Definitions.--As used in this part, the term:

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

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

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

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

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

49 ~~(6)-(5)~~ "Level I trauma center" means a trauma center that:

50 (a) Has formal research and education programs for the
51 enhancement of trauma care; is verified by the department to be

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52 | in substantial compliance with Level I trauma center and
53 | pediatric trauma center standards; and has been approved by the
54 | department to operate as a Level I trauma center.

55 | (b) Serves as a resource facility to Level II trauma
56 | centers, pediatric trauma centers, and general hospitals through
57 | shared outreach, education, and quality improvement activities.

58 | (c) Participates in an inclusive system of trauma care,
59 | including providing leadership, system evaluation, and quality
60 | improvement activities.

61 | ~~(7)-(6)~~ "Level II trauma center" means a trauma center
62 | that:

63 | (a) Is verified by the department to be in substantial
64 | compliance with Level II trauma center standards and has been
65 | approved by the department to operate as a Level II trauma
66 | center.

67 | (b) Serves as a resource facility to general hospitals
68 | through shared outreach, education, and quality improvement
69 | activities.

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

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

77 | ~~(9)-(7)~~ "Pediatric trauma center" means a hospital that is
78 | verified by the department to be in substantial compliance with
79 | pediatric trauma center standards as established by rule of the

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80 department and has been approved by the department to operate as
81 a pediatric trauma center.

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

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

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

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

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

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

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

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

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

123 Section 2. Section 395.4035, Florida Statutes, is
124 repealed.

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

127 395.4036 Trauma payments.--

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

133 318.18 (15)~~(14)~~ and deposited into the Administrative Trust Fund
134 of the department to ensure the availability and accessibility

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135 of trauma services throughout the state as provided in this
136 subsection.

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

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

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

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

186 Section 4. Section 395.41, Florida Statutes, is created to
187 read:

188 395.41 Trauma center startup grant program.--There is
189 established a trauma center startup grant program.

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

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

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

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

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

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

211 (e) The hospital is pursuing the establishment of a
212 residency program in internal medicine or emergency medicine.

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

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

222 | Section 5. This act shall take effect July 1, 2006, except
223 | that section 395.41, Florida Statutes, as created by this act,
224 | shall take effect subject to an appropriation for the trauma
225 | center startup grant program in the 2006-2007 General
226 | Appropriations Act.