

By the Committee on Health Policy; and Senator Grimsley

588-03229-14

20141276c1

1 A bill to be entitled
2 An act relating to trauma service centers; amending s.
3 395.401, F.S.; restricting trauma service fees to
4 \$15,000 until July 1, 2015; amending s. 395.402, F.S.;
5 requiring the Department of Health to convene the
6 Florida Trauma System Plan Advisory Council by October
7 1, 2014; requiring the Florida Trauma System Plan
8 Advisory Council to review the Trauma System
9 Consultation Report and make recommendations to the
10 Legislature by February 1, 2015; amending s. 395.4025,
11 F.S.; deleting a provision relating to the procedure
12 for protesting an application decision by the
13 department; conforming cross-references; requiring the
14 department to redesignate certain hospitals as Level
15 II trauma centers; restricting the department from
16 verifying, designating, or provisionally approving
17 hospitals as trauma centers until July 1, 2015;
18 providing an effective date.

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

21
22 Section 1. Present paragraphs (k) through (o) of subsection
23 (1) of section 395.401, Florida Statutes, are redesignated as
24 paragraphs (l) through (p), respectively, and a new paragraph
25 (k) is added to that subsection, to read:

26 395.401 Trauma services system plans; approval of trauma
27 centers and pediatric trauma centers; procedures; renewal.-

28 (1)

29 (k) No hospital operating a trauma center may charge a

588-03229-14

20141276c1

30 trauma activation fee greater than \$15,000. This paragraph
31 expires on July 1, 2015.

32 Section 2. Subsection (5) is added to section 395.402,
33 Florida Statutes, to read:

34 395.402 Trauma service areas; number and location of trauma
35 centers.—

36 (5) No later than October 1, 2014, the department must
37 convene the Florida Trauma System Plan Advisory Council in order
38 to review the Trauma System Consultation Report issued by the
39 American College of Surgeons Committee on Trauma dated February
40 2-5, 2013. Based on this review, the advisory council must
41 submit recommendations, including recommended statutory changes,
42 to the President of the Senate and the Speaker of the House of
43 Representatives by February 1, 2015.

44 Section 3. Present subsections (8) through (12) of section
45 395.4025, Florida Statutes, are redesignated as subsections (7)
46 through (11), respectively, paragraph (d) of subsection (2) and
47 present subsection (7) of that section are amended, present
48 subsections (13) and (14) of that section are redesignated as
49 subsections (12) and (13), respectively, and amended, and a new
50 subsection (14) and subsection (15) are added to that section,
51 to read:

52 395.4025 Trauma centers; selection; quality assurance;
53 records.—

54 (2)

55 (d)1. Notwithstanding other provisions in this section, the
56 department may grant up to an additional 18 months to a hospital
57 applicant that is unable to meet all requirements as provided in
58 paragraph (c) at the time of application if the number of

588-03229-14

20141276c1

59 applicants in the service area in which the applicant is located
60 is equal to or less than the service area allocation, as
61 provided by rule of the department. An applicant that is granted
62 additional time under ~~pursuant to~~ this paragraph shall submit a
63 plan for departmental approval which includes timelines and
64 activities that the applicant proposes to complete in order to
65 meet application requirements. An ~~Any~~ applicant that
66 demonstrates an ongoing effort to complete the activities within
67 the timelines outlined in the plan shall be included in the
68 number of trauma centers at such time that the department has
69 conducted a provisional review of the application and has
70 determined that the application is complete and that the
71 hospital has the critical elements required for a trauma center.

72 2. Timeframes provided in subsections (1)-(7) ~~(1)-(8)~~ shall
73 be stayed until the department determines that the application
74 is complete and that the hospital has the critical elements
75 required for a trauma center.

76 ~~(7) Any hospital that wishes to protest a decision made by~~
77 ~~the department based on the department's preliminary or in-depth~~
78 ~~review of applications or on the recommendations of the site~~
79 ~~visit review team pursuant to this section shall proceed as~~
80 ~~provided in chapter 120. Hearings held under this subsection~~
81 ~~shall be conducted in the same manner as provided in ss. 120.569~~
82 ~~and 120.57. Cases filed under chapter 120 may combine all~~
83 ~~disputes between parties.~~

84 (12) ~~(13)~~ The department may adopt, by rule, the procedures
85 and process by which it will select trauma centers. Such
86 procedures and process must be used in annually selecting trauma
87 centers and must be consistent with subsections (1)-(7) ~~(1)-(8)~~

588-03229-14

20141276c1

88 except in those situations in which it is in the best interest
89 of, and mutually agreed to by, all applicants within a service
90 area and the department to reduce the timeframes.

91 (13)~~(14)~~ Notwithstanding the procedures established
92 pursuant to subsections (1)~~-(12)~~ through (13), hospitals located
93 in areas with limited access to trauma center services shall be
94 designated by the department as Level II trauma centers based on
95 documentation of a valid certificate of trauma center
96 verification from the American College of Surgeons. Areas with
97 limited access to trauma center services are defined by the
98 following criteria:

99 (a) The hospital is located in a trauma service area with a
100 population greater than 600,000 persons but a population density
101 of less than 225 persons per square mile;

102 (b) The hospital is located in a county with no verified
103 trauma center; and

104 (c) The hospital is located at least 15 miles or 20 minutes
105 travel time by ground transport from the nearest verified trauma
106 center.

107 (14) If a hospital has operated continuously as a Level II
108 trauma center for a consecutive 12-month period and is in
109 operation on July 1, 2014, the department shall within 30 days
110 after a request by the hospital, verify or designate such a
111 hospital as a Level II trauma center if such hospital has met
112 the requirements of subsections (5) and (6) with regard to
113 quality of care and patient outcomes. A hospital that meets the
114 requirements of this section shall be eligible for renewal of
115 the 7-year approval period as provided in subsection (6).

116 (15) The department may not verify, designate, or

588-03229-14

20141276c1

117 provisionally approve any hospital to operate as a trauma center
118 through the procedures established in subsections (1)-(13). This
119 subsection expires July 1, 2015.

120 Section 4. This act shall take effect July 1, 2014.