



132886

LEGISLATIVE ACTION

Senate

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House

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Floor: 4/AD/2R

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05/01/2014 02:25 PM

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Senator Grimsley moved the following:

Senate Amendment (with title amendment)

Between lines 2694 and 2695

insert:

Section 48. Present paragraphs (k) through (o) of subsection (1) of section 395.401, Florida Statutes, are redesignated as paragraphs (l) through (p), respectively, and a new paragraph (k) is added to that subsection, to read:

395.401 Trauma services system plans; approval of trauma centers and pediatric trauma centers; procedures; renewal.—

(1)



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12 (k) A hospital operating a trauma center may not charge a
13 trauma activation fee greater than \$15,000. This paragraph
14 expires on July 1, 2015.

15 Section 49. Subsections (2) and (4) of section 395.402,
16 Florida Statutes, are amended, and subsection (5) is added to
17 that section, to read:

18 395.402 Trauma service areas; number and location of trauma
19 centers.—

20 (2) Trauma service areas as defined in this section are to
21 be utilized until the Department of Health completes an
22 assessment of the trauma system and reports its finding to the
23 Governor, the President of the Senate, the Speaker of the House
24 of Representatives, and the substantive legislative committees.
25 The report shall be submitted by February 1, 2005. The
26 department shall review the existing trauma system and determine
27 whether it is effective in providing trauma care uniformly
28 throughout the state. The assessment shall:

29 ~~(a) Consider aligning trauma service areas within the~~
30 ~~trauma region boundaries as established in July 2004.~~

31 (a)~~(b)~~ Review the number and level of trauma centers needed
32 for each trauma service area to provide a statewide integrated
33 trauma system.

34 (b)~~(e)~~ Establish criteria for determining the number and
35 level of trauma centers needed to serve the population in a
36 defined trauma service area or region.

37 (c)~~(d)~~ Consider including criteria within trauma center
38 approval standards based upon the number of trauma victims
39 served within a service area.

40 ~~(e) Review the Regional Domestic Security Task Force~~



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41 ~~structure and determine whether integrating the trauma system~~
42 ~~planning with interagency regional emergency and disaster~~
43 ~~planning efforts is feasible and identify any duplication of~~
44 ~~efforts between the two entities.~~

45 (d) ~~(f)~~ Make recommendations regarding a continued revenue
46 source which shall include a local participation requirement.

47 (e) ~~(g)~~ Make recommendations regarding a formula for the
48 distribution of funds identified for trauma centers which shall
49 address incentives for new centers where needed and the need to
50 maintain effective trauma care in areas served by existing
51 centers, with consideration for the volume of trauma patients
52 served, and the amount of charity care provided.

53 (4) Annually thereafter, the department shall review the
54 assignment of the 67 counties to trauma service areas, in
55 addition to the requirements of subsections (2) paragraphs
56 ~~(2)(b)-(g)~~ and ~~subsection (3)~~. County assignments are made for
57 the purpose of developing a system of trauma centers. Revisions
58 made by the department shall consider ~~take into consideration~~
59 the recommendations made as part of the regional trauma system
60 plans approved by the department and the recommendations made as
61 part of the state trauma system plan. If ~~In cases where~~ a trauma
62 service area is located within the boundaries of more than one
63 trauma region, the trauma service area's needs, response
64 capability, and system requirements shall be considered by each
65 trauma region served by that trauma service area in its regional
66 system plan. ~~Until the department completes the February 2005~~
67 ~~assessment, the assignment of counties shall remain as~~
68 ~~established in this section.~~

69 (a) The following trauma service areas are hereby



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70 established:

71 1. Trauma service area 1 shall consist of Escambia,
72 Okaloosa, Santa Rosa, and Walton Counties.

73 2. Trauma service area 2 shall consist of Bay, Gulf,
74 Holmes, and Washington Counties.

75 3. Trauma service area 3 shall consist of Calhoun,
76 Franklin, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison,
77 Taylor, and Wakulla Counties.

78 4. Trauma service area 4 shall consist of Alachua,
79 Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy,
80 Putnam, Suwannee, and Union Counties.

81 5. Trauma service area 5 shall consist of Baker, Clay,
82 Duval, Nassau, and St. Johns Counties.

83 6. Trauma service area 6 shall consist of Citrus, Hernando,
84 and Marion Counties.

85 7. Trauma service area 7 shall consist of Flagler and
86 Volusia Counties.

87 8. Trauma service area 8 shall consist of Lake, Orange,
88 Osceola, Seminole, and Sumter Counties.

89 9. Trauma service area 9 shall consist of Pasco and
90 Pinellas Counties.

91 10. Trauma service area 10 shall consist of Hillsborough
92 County.

93 11. Trauma service area 11 shall consist of Hardee,
94 Highlands, and Polk Counties.

95 12. Trauma service area 12 shall consist of Brevard and
96 Indian River Counties.

97 13. Trauma service area 13 shall consist of DeSoto,
98 Manatee, and Sarasota Counties.



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99 14. Trauma service area 14 shall consist of Martin,
100 Okeechobee, and St. Lucie Counties.

101 15. Trauma service area 15 shall consist of Charlotte,
102 Glades, Hendry, and Lee Counties.

103 16. Trauma service area 16 shall consist of Palm Beach
104 County.

105 17. Trauma service area 17 shall consist of Collier County.

106 18. Trauma service area 18 shall consist of Broward County.

107 19. Trauma service area 19 shall consist of Miami-Dade and
108 Monroe Counties.

109 (b) Each trauma service area should have at least one Level
110 I or Level II trauma center. The department shall allocate, by
111 rule, the number of trauma centers needed for each trauma
112 service area.

113 (c) There may shall be no more than a total of 44 trauma
114 centers in the state.

115 (5) By October 1, 2014, the department shall convene the
116 Florida Trauma System Plan Advisory Committee in order to review
117 the Trauma System Consultation Report issued by the American
118 College of Surgeons Committee on Trauma dated February 2-5,
119 2013. Based on this review, the advisory council shall submit
120 recommendations, including recommended statutory changes, to the
121 President of the Senate and the Speaker of the House of
122 Representatives by February 1, 2015. The advisory council may
123 make recommendations to the State Surgeon General regarding the
124 continuing development of the state trauma system. The advisory
125 council shall consist of the following nine representatives of
126 an inclusive trauma system appointed by the State Surgeon
127 General:



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128 (a) A trauma patient, or a family member of a trauma
129 patient, who has sustained and recovered from severe injuries;

130 (b) A member of the Florida Committee on Trauma;

131 (c) A member of the Association of Florida Trauma
132 Coordinators;

133 (d) A chief executive officer of a nontrauma acute care
134 hospital who is a member of the Florida Hospital Association;

135 (e) A member of the Florida Emergency Medical Services
136 Advisory Council;

137 (f) A member of the Florida Injury Prevention Advisory
138 Council;

139 (g) A member of the Brain and Spinal Cord Injury Program
140 Advisory Council;

141 (h) A member of the Florida Chamber of Commerce; and

142 (i) A member of the Florida Health Insurance Advisory
143 Board.

144 Section 50. Subsection (7) of section 395.4025, Florida
145 Statutes, is amended, and subsections (15) and (16) are added to
146 that section, to read:

147 395.4025 Trauma centers; selection; quality assurance;
148 records.—

149 (7) A ~~Any~~ hospital that has submitted an application for
150 selection as a trauma center may ~~wishes to~~ protest an adverse a
151 decision made by the department based on the department's
152 preliminary, provisional, or in-depth review of its application,
153 applications or on the recommendations of the site visit review
154 team pursuant to this section, and shall proceed as provided
155 under ~~in~~ chapter 120. Hearings held under this subsection shall
156 be conducted in the same manner as provided in ss. 120.569 and



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157 120.57. Cases filed under chapter 120 may combine all disputes
158 between parties.

159 (15) Notwithstanding any other law, a hospital designated
160 as a provisional or verified as a Level I, Level II, or
161 pediatric trauma center after the enactment of chapter 2004-259,
162 Laws of Florida, whose approval has not been revoked may
163 continue to operate at the same trauma center level until the
164 approval period in subsection (6) expires if the hospital
165 continues to meet the other requirements of part II of this
166 chapter related to trauma center standards and patient outcomes.
167 A hospital that meets the requirements of this section is
168 eligible for renewal of its 7-year approval period pursuant to
169 subsection (6).

170 (16) Except as otherwise provided in this act, the
171 department may not verify, designate, or provisionally approve
172 any hospital to operate as a trauma center through the
173 procedures established in subsections (1)-(14), unless the
174 hospital is designated as a provisional Level I trauma center
175 and is seeking to be verified as a Level I trauma center as of
176 July 1, 2014. This subsection expires on the earlier of July 1,
177 2015, or upon the entry of a final order affirming the validity
178 of a proposed rule of the department allocating the number of
179 trauma centers needed for each trauma service area as provided
180 in s. 395.402(4).

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182
183 ===== T I T L E A M E N D M E N T =====

184 And the title is amended as follows:
185 Delete line 292



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186 and insert:
187 home health agencies; amending s. 395.401, F.S.;
188 limiting trauma service fees to a certain amount;
189 providing for future expiration; conforming a cross-
190 reference; amending s. 395.402, F.S.; revising
191 provisions relating to the contents of the Department
192 of Health trauma system assessment; requiring the
193 Department of Health to convene the Florida Trauma
194 System Plan Advisory Committee by a specified date;
195 requiring the advisory council to review the Trauma
196 System Consultation Report and make recommendations to
197 the Legislature by a specified date; authorizing the
198 advisory council to make recommendations to the State
199 Surgeon General; designating the membership of the
200 advisory council; amending s. 395.4025, F.S.;
201 specifying that only applicants for trauma centers may
202 protest an adverse decision made by the department;
203 authorizing certain provisional and verified trauma
204 centers to continue operating and to apply for
205 renewal; restricting the department from verifying,
206 designating, or provisionally approving certain
207 hospitals as trauma centers; providing for future
208 expiration; providing effective dates.