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LEGISLATIVE ACTION

Senate

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House

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Floor: 3/AD/2R

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05/01/2014 11:52 AM

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Senator Grimsley moved the following:

**Senate Amendment (with title amendment)**

Delete lines 233 - 391

and insert:

Section 2. 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 3. 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 4. 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



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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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 lines 6 - 37



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186 and insert:  
187       amending s. 395.401, F.S.; limiting trauma service  
188       fees to a certain amount; providing for future  
189       expiration; conforming a cross-reference; amending s.  
190       395.402, F.S.; revising provisions relating to the  
191       contents of the Department of Health trauma system  
192       assessment; requiring the Department of Health to  
193       convene the Florida Trauma System Plan Advisory  
194       Committee by a specified date; requiring the advisory  
195       council to review the Trauma System Consultation  
196       Report and make recommendations to the Legislature by  
197       a specified date; authorizing the advisory council to  
198       make recommendations to the State Surgeon General;  
199       designating the membership of the advisory council;  
200       amending s. 395.4025, F.S.; specifying that only  
201       applicants for trauma centers may protest an adverse  
202       decision made by the department; authorizing certain  
203       provisional and verified trauma centers to continue  
204       operating and to apply for renewal; restricting the  
205       department from verifying, designating, or  
206       provisionally approving certain hospitals as trauma  
207       centers; providing for future expiration; creating  
208       s. 456.47, F.S.; defining terms;