

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Brodeur offered the following:

Amendment (with title amendment)

Remove lines 183-326 and insert:

Section 2. (1) Effective upon this act becoming a law and notwithstanding any other provision of law, a hospital that, after the enactment of chapter 2004-259, Laws of Florida, has operated continuously as a verified Level I, Level II, or pediatric trauma center for a consecutive 12-month period, remains operational for the consecutive 12-month period immediately preceding the effective date of this act, and on or before April 1, 2015, certifies to the department its compliance with the Florida trauma standards, may continue to operate at the same trauma center level as a verified Level I, Level II, or

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15 pediatric trauma center until the approval period in s.
16 395.4025(6), Florida Statutes, expires, and as long as the
17 hospital continues to meet the requirements of s. 395.4025(6),
18 Florida Statutes, related to trauma center standards and patient
19 outcomes. A hospital that meets the requirements of this
20 section shall be eligible for renewal of its 7-year approval
21 period pursuant to s. 395.4025(6), Florida Statutes.

22 (2) Effective upon this act becoming a law and
23 notwithstanding any other provision of law, a hospital that,
24 after the enactment of chapter 2004-259, Laws of Florida, has
25 operated continuously as a provisional Level I, Level II, or
26 pediatric trauma center for a consecutive 12-month period,
27 remains operational for the consecutive 12-month period
28 immediately preceding the effective date of this act, is
29 determined to be verified by the department on or before
30 December 31, 2014, and certifies to the department on or before
31 April 1, 2015, its compliance with the Florida trauma standards,
32 may continue to operate at the same trauma center level as a
33 verified Level I, Level II, or pediatric trauma center until the
34 approval period in s. 395.4025(6), Florida Statutes, expires as
35 long as the hospital continues to meet the requirements of s.
36 395.4025(6), Florida Statutes, related to trauma center
37 standards and patient outcomes. A hospital that meets the
38 requirements of this section shall be eligible for renewal of
39 its 7-year approval period pursuant to s. 395.4025(6), Florida
40 Statutes.

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41 Section 3. Effective upon this act becoming a law,
42 paragraphs (k) through (o) of subsection (1) of section 395.401,
43 Florida Statutes, are redesignated as paragraphs (l) through
44 (p), respectively, and a new paragraph (k) is added to that
45 subsection, to read:

46 395.401 Trauma services system plans; approval of trauma
47 centers and pediatric trauma centers; procedures; renewal.—

48 (1)

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

52 Section 4. Paragraphs (a) and (e) of subsection (2) and
53 subsection (4) of section 395.402, Florida Statutes, are amended
54 to read:

55 395.402 Trauma service areas; number and location of
56 trauma centers.—

57 (2) Trauma service areas as defined in this section are to
58 be utilized until the Department of Health completes an
59 assessment of the trauma system and reports its finding to the
60 Governor, the President of the Senate, the Speaker of the House
61 of Representatives, and the substantive legislative committees.
62 The report shall be submitted by February 1, 2005. The
63 department shall review the existing trauma system and determine
64 whether it is effective in providing trauma care uniformly
65 throughout the state. The assessment shall:

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

68 ~~(c) Review the Regional Domestic Security Task Force~~
69 ~~structure and determine whether integrating the trauma system~~
70 ~~planning with interagency regional emergency and disaster~~
71 ~~planning efforts is feasible and identify any duplication of~~
72 ~~efforts between the two entities.~~

73 (4) Annually thereafter, the department shall review the
74 assignment of the 67 counties to trauma service areas, in
75 addition to the requirements of paragraphs (2) (a)-(f) ~~(2) (b)-(g)~~
76 and subsection (3). County assignments are made for the purpose
77 of developing a system of trauma centers. Revisions made by the
78 department shall take into consideration the recommendations
79 made as part of the regional trauma system plans approved by the
80 department and the recommendations made as part of the state
81 trauma system plan. In cases where a trauma service area is
82 located within the boundaries of more than one trauma region,
83 the trauma service area's needs, response capability, and system
84 requirements shall be considered by each trauma region served by
85 that trauma service area in its regional system plan. Until the
86 department completes the February 2005 assessment, the
87 assignment of counties shall remain as established in this
88 section.

89 (a) The following trauma service areas are hereby
90 established:

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

93 2. Trauma service area 2 shall consist of Bay, Gulf,
94 Holmes, and Washington Counties.

95 3. Trauma service area 3 shall consist of Calhoun,
96 Franklin, Gadsden, Jackson, Jefferson, Leon, Liberty, Madison,
97 Taylor, and Wakulla Counties.

98 4. Trauma service area 4 shall consist of Alachua,
99 Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy,
100 Putnam, Suwannee, and Union Counties.

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

103 6. Trauma service area 6 shall consist of Citrus,
104 Hernando, and Marion Counties.

105 7. Trauma service area 7 shall consist of Flagler and
106 Volusia Counties.

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

109 9. Trauma service area 9 shall consist of Pasco and
110 Pinellas Counties.

111 10. Trauma service area 10 shall consist of Hillsborough
112 County.

113 11. Trauma service area 11 shall consist of Hardee,
114 Highlands, and Polk Counties.

115 12. Trauma service area 12 shall consist of Brevard and
116 Indian River Counties.

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117 13. Trauma service area 13 shall consist of DeSoto,
118 Manatee, and Sarasota Counties.

119 14. Trauma service area 14 shall consist of Martin,
120 Okeechobee, and St. Lucie Counties.

121 15. Trauma service area 15 shall consist of Charlotte,
122 Collier, Glades, Hendry, and Lee Counties.

123 16. Trauma service area 16 shall consist of Palm Beach
124 County.

125 ~~17. Trauma service area 17 shall consist of Collier~~
126 ~~County.~~

127 ~~17.18.~~ Trauma service area 17 ~~18~~ shall consist of Broward
128 County.

129 ~~18.19.~~ Trauma service area 18 ~~19~~ shall consist of Miami-
130 Dade and Monroe Counties.

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

135 (c) There shall be no more than a total of 44 trauma
136 centers in the state.

137 Section 5. Effective upon this act becoming a law,
138 subsection (7) of section 395.4025, Florida Statutes, is amended
139 and subsections (15) and (16) are added to read:

140 395.4025 Trauma centers; selection; quality assurance;
141 records.-

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142 (7) A trauma center, or a ~~any~~ hospital that has submitted
143 an application for selection as a trauma center within the same
144 trauma service area as another applicant for a trauma center,
145 may ~~that wishes to~~ protest a decision made by the department
146 based on the department's preliminary or in-depth review of
147 applications or on the recommendations of the site visit review
148 team pursuant to this section shall proceed as provided in
149 chapter 120. Hearings held under this subsection shall be
150 conducted in the same manner as provided in ss. 120.569 and
151 120.57. Cases filed under chapter 120 may combine all disputes
152 between parties.

153 (15) The department may not verify, designate, or
154 provisionally approve any hospital to operate as a trauma center
155 through the procedures established in subsections (1) through
156 (13). This subsection expires the earlier of July 1, 2015, or
157 upon the effective date a rule adopted by the department
158 allocating the number of trauma centers needed for each trauma
159 service area as provided in s. 395.402(4).

160 (16) Each trauma center must post its trauma activation
161 fee amount in a conspicuous place within the trauma center and
162 in a prominent position on the home page of the trauma center's
163 Internet website.

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165 -----
166 **T I T L E A M E N D M E N T**

167 Remove lines 6-27 and insert:

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168 permitting a hospital that has operated as a Level I,
169 Level II, or pediatric trauma center for a specified
170 period to continue operating at that trauma center
171 level under certain conditions, notwithstanding any
172 other provision of law; making a hospital that
173 complies with such requirements eligible for renewal
174 of its 7-year approval period under s. 395.4025(6);
175 permitting a hospital that has operated as a Level I,
176 Level II, or pediatric trauma center for a specified
177 period and is verified by the Department of Health on
178 or before a certain date to continue operating at that
179 trauma center level under certain conditions,
180 notwithstanding any other provision of law; making a
181 hospital that complies with such requirements eligible
182 for renewal of its 7-year approval period under s.
183 395.4025(6); amending s. 395.401, F.S.; restricting
184 trauma service fees to \$15,000 until July 1, 2015;
185 amending s. 395.402, F.S.; deleting factors to be
186 considered by the department in conducting an
187 assessment of the trauma system; assigning Collier
188 County to trauma service area 15 rather than area 17;
189 amending s. 395.4025, F.S.; permitting a trauma center
190 or hospital located in the same trauma service area to
191 protest a decision by the department to approve
192 another trauma center; establishing a moratorium on
193 the approval of additional trauma centers until the

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194 earlier of July 1, 2015, or upon the effective date a
195 rule adopted by the department allocating the number
196 of trauma centers needed for each trauma service area;
197 requiring a trauma center to post its trauma
198 activation fee in the trauma center and on its
199 website; creating s. 456.47, F.S.; defining terms;

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