

More Delays in Trauma Centers Fight

By THE NEWS SERVICE OF FLORIDA



After three years of legal wrangling, challenges to the state's approval of trauma centers in Manatee and Pasco counties appear likely to linger through the summer.

Administrative law judges last week issued orders delaying until September the start of hearings in challenges filed by Tampa and St. Petersburg hospitals to trauma centers at Blake Medical Center in Manatee County and Regional Medical Center Bayonet Point in Pasco County.

The Pasco County case is now scheduled to start Sept. 5 before Administrative Law Judge R. Bruce McKibben, and the Manatee County case is scheduled to start Sept. 29 before Judge John D.C. Newton, according to records on the state Division of Administrative Hearings website.

The Manatee hearing earlier had been scheduled to start this month, and the Pasco hearing had been scheduled to start in July.

Tampa General Hospital, Bayfront Medical Center in St. Petersburg and St. Joseph's Hospital in Tampa have battled for three years with state Department of Health and the HCA health care chain, which operates the Pasco and Manatee hospitals, about the trauma center approvals.

Judges have found that the department used an invalid rule in approving the facilities, and the subsequent legal challenges could threaten the trauma centers' continued operations.

A document filed in the Manatee County case indicates that the latest delay stems from additional litigation about a proposed rule that the Department of Health released this year dealing with trauma center approvals.

That proposed rule also has been challenged, and a hearing was recently held.

“If the proposed rule is upheld, the issues remaining in the current controversy (about the Manatee County trauma center) will narrow significantly,” said the document, filed May 23 and signed by HCA attorneys. “A continuance of this hearing until a final order is issued in the rule challenge hearing is in the interest of judicial economy and may enable the department and the parties to avoid wasteful efforts.”