

**OPPOSE**  
**SB 1276 by Grimsley**  
**Trauma Statute Rewrite**

**Deregulates Trauma & Circumvents Litigation by Grandfathering**

SB 1276 provides “grandfather” approval status to trauma centers that have been open for 12 months and are in operation on July 1, 2014. It eliminates from s 395.402 the standing of existing trauma centers to challenge approval of new trauma centers<sup>1</sup>. Eliminates trauma service area (TSA) 17 and moves Collier County to TSA 15, also, moving Charlotte County from TSA 15 to TSA 13. The bill would significantly weaken the future viability of Florida’s trauma system by repealing the criteria that requires DOH to consider the sustainability and capacity of existing trauma centers when determining need for new trauma centers. A ten-mile minimum distance boundary is established in the bill between new and existing trauma centers.

**Specific changes to existing trauma statutes:**

- Eliminates the requirements for DOH to consider stakeholder input, geographic access, historical referral patterns, population growth, transportation capacity, existing trauma center capacity, sustainability of existing trauma programs, number of trauma patients receiving care in TSAs and inventories of trauma resources, including physicians and other clinicians.
- Eliminates the requirement for DOH to consider realigning the trauma service areas (TSAs) boundaries to match the seven (7) Regional Domestic Security Regions, and makes permanent 1990 TSA boundaries.
- Eliminates TSA 17, realigning Collier County into TSA 15<sup>2</sup> and removes Charlotte County from TSA 15 to TSA 13.
- Eliminates the requirement for DOH to recommend changes in trauma center funding providing language requiring DOH to report amount and source of trauma center funding
- Eliminates the requirement for DOH to prepare a comprehensive needs assessment and codifies in statute the need determined by DOH in the recent rule trauma allocation rule development for each TSA allowing for approval of new trauma centers throughout the state based on DOH’s flawed and incomplete needs assessment.
- Eliminates reference to “Standing” for existing trauma centers to challenge approval of new trauma centers in s 395.402; however, standing pursuant to s.120 is not eliminated.<sup>3</sup>
- Provides a minimum distance of ten (10) miles between existing and new trauma centers.
- Grandfather’s approval of trauma centers open for 12 months and in operation on July 1, 2014; effectively verifying Bayonet Point, Blake Medical Center and Ocala Regional’s trauma programs through statute.<sup>4</sup>

SB 1276 jeopardizes the sustainability and quality of Florida’s Trauma System. The bill will replace valid needs assessment criteria with a trauma center allocation process based on want, with no consideration for existing trauma programs.

Teaching Hospitals

Jackson Health System

Mount Sinai  
Medical Center

Orlando Health

Shands HealthCare

Shands Jacksonville  
Medical Center

Tampa General Hospital

Public Hospitals

Halifax Health

Lee Memorial  
Health System

Memorial Healthcare System

Broward Health

Sarasota Memorial  
Health Care System

Children’s Hospitals

All Children’s Hospital

Miami Children’s Hospital

Regional Perinatal Intensive  
Care Center

Sacred Heart Health System

Anthony Carvalho

President

<sup>1</sup> Standing pursuant to s.120 is not eliminated

<sup>2</sup> TSA 15 includes Lee County where the residents of Collier County (TSA 17) currently receive their trauma care.

<sup>3</sup> Legislation does not eliminate the s 120 standing to challenge a rule or approval, eliminates language within the Trauma Statute s.395.402

<sup>4</sup> Orange Park should not be eligible for grandfather but could reapply since the new proposed DOH rule shows need for another trauma center. Trauma centers that became fully licensed trauma centers under invalid Rule but were not contested such as West Kendall and Lawnwood do not need to be grandfathered