

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Office of the Commissioner

(Amendment)

902 KAR 28:040. Kentucky's Trauma Registry and Data Bank System.

RELATES TO: KRS 211.490, 211.492, 211.494, 211.496

STATUTORY AUTHORITY: 211.494(8)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 211.494(8) authorizes the Department for Public Health to promulgate administrative regulations in accordance with KRS Chapter 13A to implement a statewide trauma care system. This administrative regulation establishes the criteria for use of a trauma registry and the Kentucky Trauma Data Bank by a trauma center in the Kentucky trauma care system.

Section 1. Trauma Center Registries.

(1) All trauma centers designated by the Commissioner for Public Health in the Kentucky Trauma Care System shall:

(a) Establish and maintain a trauma registry that is compatible with the current NTDB standards established in the National Trauma Data Standard Data Dictionary available from the American College of Surgeons at <https://www.facs.org/quality-programs/trauma/quality/national-trauma-data-bank/national-trauma-data-standard/>; and

(b) Have a secure, on-line system that is NTDB and HIPAA compliant.

(2) An individual trauma center registry shall have its new or updated trauma data uploaded electronically at least quarterly to the KTDB.

(3) Trauma Registry. The inclusion criteria for the KTDB shall be specified in the Kentucky Trauma Hospital Reference Manual incorporated by reference in 902 KAR 28:030, Section 3.

Section 2. Kentucky Trauma Data Bank.

(1) The department shall maintain a single statewide Kentucky Trauma Data Bank (KTDB) to be the statewide repository for trauma registry data submitted by each designated trauma center.

(2) A request for data from the KTDB shall be directed to the Kentucky Commissioner for Public Health.

(3) A request for a report on a specific trauma center shall be addressed to the trauma coordinator or trauma program manager of the trauma center in question.

(4) Pursuant to KRS 211.494(6), data obtained through a trauma registry shall be considered protected health information.

(26 Ky.R. 668; 1008; eff. 11-15-1999; 38 Ky.R. 1679; 1862; eff. 6-1-2012; Crt eff. 9-11-2019; 51 Ky.R. 816; eff. 2-13-2025.)

STEVEN J. STACK, MD, MBA, Commissioner

ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: August 26, 2024

FILED WITH LRC: September 9, 2024 at 11:20 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on November 25, 2024, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by

November 18, 2024, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2024. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

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