

1 AN ACT relating to medical provider coverage in Level IV trauma centers.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 211.492 is amended to read as follows:

4 **As used in**~~For the purposes of~~ KRS 211.490 to 211.496:

5 (1) **"Advanced practice provider" means:**

6 **(a) A physician assistant as defined in KRS 311.840; or**

7 **(b) An advanced practice registered nurse as defined in KRS 314.011;**

8 **(2)** "Trauma" has the same meaning as~~defined~~ in KRS 311A.010;

9 **(3)**~~(2)~~ "Trauma center" means a hospital that has institutional, surgical, and specialty
10 care and commitment to treating individuals with injuries and that has been verified
11 by the American College of Surgeons or by the Department for Public Health; and

12 **(4)**~~(3)~~ "Trauma center verification" means the process by which a trauma center is
13 evaluated and designated as a trauma center by the American College of Surgeons
14 or the Department for Public Health.

15 ➔Section 2. KRS 211.494 is amended to read as follows:

16 (1) A comprehensive statewide trauma care program shall be established within the
17 Department for Public Health. The statewide trauma care program shall consist of,
18 at a minimum, a statewide trauma care director and a state trauma registrar funded
19 through available federal funds or, to the extent that funds are available, by the
20 trauma care system fund established in KRS 211.496. The department may contract
21 with outside entities to perform these functions.

22 (2) The statewide trauma care system shall address, at a minimum, the following goals:
23 (a) To reduce or prevent death and disability from trauma without regard to the
24 patient's insurance coverage or ability to pay for services;
25 (b) To provide optimal care for trauma victims by utilization of best practices
26 protocols and guidelines;
27 (c) To minimize the economic impact of lost wages and productivity for trauma

1 patients; and

2 (d) To contain costs of trauma care.

3 (3) (a) The Department for Public Health shall establish an advisory committee to
4 assist in the development, implementation, and continuation of its duties.

5 (b) The advisory committee shall consist of eighteen (18) members to be
6 appointed by the secretary of the Cabinet for Health and Family Services and
7 shall be composed of representatives from the following agencies and
8 organizations:

- 9 1. The Department for Public Health;
- 10 2. The Kentucky Board of Medical Licensure;
- 11 3. The Kentucky Board of Nursing;
- 12 4. The Kentucky Board of Emergency Medical Services;
- 13 5. The Kentucky Medical Association;
- 14 6. The Kentucky Hospital Association;
- 15 7. The Kentucky Committee on Trauma of the American College of
16 Surgeons;
- 17 8. One (1) representative from each ~~Level I verified~~ Level I verified trauma
18 center;
- 19 9. One (1) hospital representative from a Level II verified trauma center,
20 one (1) hospital representative from a Level III verified trauma center,
21 and one (1) hospital representative from a Level IV verified trauma
22 center. The Kentucky Hospital Association shall submit
23 recommendations to the secretary for each of the three (3) members
24 appointed under this subdivision;
- 25 10. The Kentucky Chapter of the American College of Emergency
26 Physicians;
- 27 11. The Kentucky Chapter of the Emergency Nurses Association;

- 1 12. The Kentucky Transportation Cabinet;
- 2 13. Two (2) members at large, one (1) of whom shall be a health care
- 3 consumer;
- 4 14. One (1) representative with extensive experience in injury prevention
- 5 programs; and
- 6 15. One (1) representative with pediatric trauma experience.
- 7 (c) Members of the advisory committee shall serve for a period of four (4) years
- 8 and shall serve until a successor is appointed, except that initial terms shall be
- 9 staggered and one-third (1/3) of the members shall be appointed to four (4)
- 10 year terms, one-third (1/3) of the members shall be appointed to three (3) year
- 11 terms, and one-third (1/3) of the members shall be appointed for two (2) year
- 12 terms.
- 13 (d) The advisory committee shall meet at least on a quarterly basis. The
- 14 committee shall elect a chair, a vice chair, and a secretary from among its
- 15 members and adopt rules of governance at the first meeting in each fiscal
- 16 year. ~~[The first meeting of the advisory committee shall occur before~~
- 17 ~~September 30, 2008.]~~
- 18 (e) Appointed members shall serve without compensation but may receive
- 19 reimbursement for actual and necessary expenses relating to the duties of the
- 20 advisory committee in accordance with state administrative regulations
- 21 relating to travel reimbursement.
- 22 (f) Expenses associated with the advisory committee shall be paid by the trauma
- 23 care system fund established in KRS 211.496, to the extent funds are
- 24 available.
- 25 (4) The statewide trauma care director and the advisory committee shall develop and
- 26 implement a statewide trauma care system, integrated with the public health system
- 27 for injury prevention, that recognizes levels of care for the appropriate delivery of a

- 1 full range of medical services to all trauma patients in the Commonwealth. The
2 statewide trauma care system shall include but is not limited to:
- 3 (a) Development and implementation of trauma prevention and education
4 initiatives;
 - 5 (b) Facilitation of appropriate education and continuing education about trauma
6 care and procedures for physicians, nurses, and emergency medical services
7 personnel;
 - 8 (c) Development and statewide distribution of guidelines and protocols for the
9 care and treatment of trauma victims that include the needs of special
10 populations and are fully integrated with all available resources, including but
11 not limited to emergency medical services, physicians, nurses, and hospitals;
 - 12 (d) Voluntary hospital trauma center verification through the American College
13 of Surgeons or the Department for Public Health;
 - 14 (e) Local and regional triage and transport protocols for use by the Kentucky
15 Board of Emergency Medical Services, emergency medical services
16 providers, and emergency rooms; and
 - 17 (f) Continuing quality assurance and peer review programs.
- 18 (5) The Department for Public Health or the statewide trauma care director and the
19 advisory committee established in this section shall coordinate activities related to
20 the care of trauma patients with other state agencies and boards that are directly or
21 indirectly involved with care of injured persons. Upon request of the Department
22 for Public Health or the statewide trauma care director, other state agencies and
23 boards shall assist and facilitate the development and implementation of a statewide
24 trauma care system.
- 25 (6) Data obtained through a trauma registry or other data collected pursuant to KRS
26 211.490 to 211.496 shall be confidential and for use solely by the Department for
27 Public Health, the statewide trauma care director, the advisory committee, and

1 persons or public or private entities that participate in data collection for the trauma
2 registry. Personal identifying information that is collected for use in the trauma
3 registry shall not be subject to discovery or introduction into evidence in any civil
4 action.

5 (7) The statewide trauma care director shall report information on the status of the
6 development and implementation of the statewide trauma system upon request.

7 (8) A hospital with a Level IV verified trauma center shall have on-site coverage of
8 the emergency department twenty-four (24) hours a day, seven (7) days a week,
9 by:

10 (a) A physician as defined in KRS 311.550; or

11 (b) An advanced practice provider who is supervised by an on-site or off-site
12 physician at all times.

13 (9) The Department for Public Health ~~shall~~^{may} promulgate administrative
14 regulations in accordance with KRS Chapter 13A to implement this section,
15 including to allow emergency department coverage by an advanced practice
16 provider in accordance with subsection (8) of this section.