

Senate Bill 60

By: Senators Staton of the 18th, Johnson of the 1st, Adelman of the 42nd, Unterman of the 45th, Bulloch of the 11th and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 establish the Georgia Trauma Commission; to provide for its composition, membership,
3 duties, and responsibilities; to provide that hospitals offering or seeking to offer emergency
4 trauma services may add additional beds or operating rooms for emergency trauma purposes
5 without the necessity of applying for a certificate of need; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding
10 a new Article 5 to Chapter 11 to read as follows:

11 **"ARTICLE 5**

12 31-11-100.

13 (a) There is created the Georgia Trauma Commission which is assigned to the Department
14 of Human Resources for administrative purposes only, as prescribed in Code Section
15 50-4-3. The commission shall consist of nine members who shall be appointed as provided
16 in this Code section. Five members shall be appointed by the Governor. The Governor
17 shall include among his or her appointees a physician who is actively involved in providing
18 emergency trauma care, a representative of a hospital that has a Level I trauma center, and
19 a representative of the emergency medical services community. Two members shall be
20 appointed by the Lieutenant Governor. Two members shall be appointed by the Speaker
21 of the House of Representatives. In making the initial appointments, the Governor shall
22 appoint three members for a term of four years and two members for a term of two years,
23 the Lieutenant Governor shall appoint one member for a term of four years and one
24 member for a term of two years, and the Speaker of the House of Representatives shall

1 appoint one member for a term of four years and one member for a term of two years.
2 Thereafter, persons appointed to succeed the initial members shall serve four-year terms
3 of office. The Governor shall appoint one of the members to serve as the chairperson of
4 the commission.

5 (b) The commission shall meet upon the call of the chairperson or upon the request of
6 three members. The commission shall organize itself as it deems appropriate and may elect
7 additional officers from among its members.

8 (c) Any vacancy on the commission shall be filled for the unexpired term by appointment
9 by the original appointing authority.

10 (d) Members of the commission shall serve without compensation but shall receive the
11 same expense allowance per day as that received by a member of the General Assembly
12 for each day such member of the commission is in attendance at a meeting of such
13 commission, plus either reimbursement for actual transportation costs while traveling by
14 public carrier or the same mileage allowance for use of a personal car in connection with
15 such attendance as members of the General Assembly receive. Such expense and travel
16 allowance shall be paid in lieu of any per diem, allowance, or other remuneration now
17 received by any such member for such attendance.

18 31-11-101.

19 The Georgia Trauma Commission shall have the following duties and responsibilities:

20 (1) To apply for, receive, and administer state funds appropriated to the commission and
21 federal funds and grants, private grants and donations, and other funds and donations;

22 (2) To develop, implement, administer, and maintain a system to compensate designated
23 trauma centers for a portion of their cost of readiness through a biannual appropriation
24 from the Georgia Trauma Fund in a standardized amount determined by the commission.

25 The standardized amounts shall be determined according to designation level and shall
26 be capped at that specific amount. Initially, such standardized amount shall be based
27 upon a three-year average of annual trauma cases, annual amount of uncompensated
28 trauma care administered, expenditures for compensating specialists and physicians for
29 taking call, and a three-year annual average cost of readiness. Such criteria may be
30 changed by a majority vote of the commission;

31 (3) To develop, implement, administer, and maintain a system to provide additional
32 hospital compensation to cover trauma center costs not associated with readiness based
33 upon an application and review based process. These appropriations will be capped and
34 limited to biannual appropriations. Applicants shall be required to submit a proposal for
35 the use of the funds and, once the funds are received, submit quarterly reports
36 documenting and verifying the use of such funds.

- 1 (4) To develop, implement, administer, and maintain a system to compensate physicians
2 who provide uncompensated call and trauma services. These appropriations shall be
3 distributed on a biannual basis and paid on a formula to be set by the commission. The
4 call hours must be documented and verified by the trauma director at the appropriate
5 trauma hospital in order to receive such funds;
- 6 (5) To reserve and disburse additional moneys to increase the number of participants in
7 the Georgia trauma system. These funds shall be disbursed through an application process
8 to cover partial startup costs for nondesignated acute care facilities to enter the system as
9 Level II, III, or IV trauma centers. Additionally, the State Office of EMS/Trauma should
10 receive funds to properly recruit additional trauma centers into the network;
- 11 (6) To develop, implement, administer, and maintain a grant based system to compensate
12 members of the emergency medical service community proportional to the process
13 described in paragraph (3) of this Code section. Only state 9-1-1 zone licensed services
14 shall be able to participate in this funding. Such emergency medical service providers
15 may also apply for additional funds to cover expansion, service improvements, and
16 reimbursement for a percentage of their licensing fees. The commission shall also
17 establish a system of incentives for emergency medical technicians who further their
18 licenses and qualifications and continue to serve in Georgia's trauma care system;
- 19 (7) To appropriate, out of the Georgia Trauma Fund, annual moneys for investment in
20 a state-wide helicopter system specifically for trauma system transportation. The purpose
21 of this system is to provide immediate air transport to trauma victims anywhere in the
22 state, free of charge. The commission shall promulgate rules and regulations for such
23 system and shall pursue contracts with existing state transportation structures or create
24 a contractual arrangement with existing transportation organizations. The commission
25 shall also be responsible for creating, maintaining, and overseeing a foundation to raise
26 funds specifically for investment in this helicopter system and overall trauma funding;
- 27 (8) To act as the accountability mechanism for the entire Georgia trauma system,
28 primarily overseeing the flow of funds from the Georgia Trauma Fund into the system.
29 The State Office of EMS/Trauma shall receive an annual appropriation from the
30 commission to fund the administration of an adequate system for monitoring state-wide
31 trauma and for research as needed to continue to operate and improve the system;
- 32 (9) To coordinate its activities with the Department of Human Resources;
- 33 (10) To employ and manage staff and consultants in order to fulfill its duties and
34 responsibilities under this article;
- 35 (11) To establish, maintain, and administer a trauma center network to coordinate the
36 best use of existing trauma facilities in this state and to direct patients to the best available
37 facility for treatment of traumatic injury;

- 1 (12) To coordinate, assist, establish, maintain, and administer programs designed to
- 2 educate the citizens of this state on trauma prevention;
- 3 (13) To coordinate and assist in the collection of data to evaluate the provision of trauma
- 4 care services in this state; and
- 5 (14) To study the provision of trauma care in this state to determine the best practices
- 6 and methods of providing such care, to determine what changes are needed to improve
- 7 the provision of trauma care, and to report any proposed legislative changes to the
- 8 General Assembly each year. "

SECTION 2.

10 Said title is further amended by adding a new subsection (e) to Code Section 31-6-40,
11 relating to certificates of need, to read as follows:

12 "(e) Notwithstanding the other provisions of this article, a hospital that offers or seeks to
13 offer emergency trauma services may add additional beds or operating rooms for trauma
14 purposes without the necessity of applying for a certificate of need otherwise required by
15 this article."

SECTION 3.

17 All laws and parts of laws in conflict with this Act are repealed.