

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Moore**

A Bill

SENATE BILL

For An Act To Be Entitled

"TRAUMA SYSTEM ACT."

Subtitle

"TRAUMA SYSTEM ACT."

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

15 SECTION 1. This act shall be known and cited as the "Trauma System
16 Act."

18 SECTION 2. Trauma is recognized as the leading killer of persons age
19 one (1) to forty-four (44), and is a serious, yet preventable disease. The
20 State of Arkansas incurs a massive expense from trauma in lives lost,
21 productive years destroyed, and the emotional and monetary expense of caring
22 for victims of trauma. The experience of other states has shown that a
23 comprehensive trauma system including all phases of trauma care, from
24 prevention, pre-hospital care, and trauma center designation to rehabilitative
25 care, can vastly improve overall trauma problems.

27 SECTION 3. As used in this act:

28 (1) "Department" means the Arkansas Department of Health.

29 (2) "EMS Division" means the Division of Emergency Medical Services of
30 the Arkansas Department of Health.

32 SECTION 4. (a) The department shall be authorized to develop and
33 implement a comprehensive trauma care system that provides guidelines for the
34 care of trauma victims and is fully integrated with all available resources,
35 including, but not limited to, existing emergency medical services providers,

1 hospitals or other health care providers that would like to participate in the
2 program.

3 (b) The department shall promulgate such rules and regulations
4 necessary to implement and administer this act.

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6 SECTION 5. The department shall be authorized to adopt standards for
7 verification of trauma center status which assign level designations based on
8 resources available within the facility. Standards shall be based on national
9 guidelines, including those established by the American College of Surgeons
10 entitled "Hospital and Prehospital Resources for Optimal Care of the Injured
11 Patient" and published appendices thereto. Standards specific to rural and
12 urban areas shall be developed and adopted by rule of the department.

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14 SECTION 6. (a) The department shall be authorized to develop a trauma
15 data collection and evaluation system, known as the "Trauma Registry". The
16 Trauma Registry shall be designed to study the trauma system to improve
17 patient outcome and ensure compliance with standards of verification.

18 (b) The department may collect, as deemed necessary and appropriate,
19 data and information regarding patients admitted to a facility through the
20 emergency department, through a trauma center, or directly to a special care
21 unit. Data and information shall be collected in a manner which protects and
22 maintains the confidential nature of patient records.

23 (c) Records and reports made pursuant to this act shall be held
24 confidential within the hospital and department and shall not be available to
25 the public.

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27 SECTION 7. (a) There is established an advisory council to be known as
28 the "Trauma Advisory Council", for the purpose of making recommendations,
29 advising, and providing assistance to the Division of Emergency Medical
30 Services of the Department of Health concerning the development of a state-
31 wide trauma system.

32 (b) The advisory council shall consist of twelve (12) members who have
33 a demonstrated interest in Trauma Systems, to be appointed by the governor as
34 follows:

35 (1) One (1) member appointed from a list of two (2) nominees

1 submitted by the Arkansas Chapter of the American College of Emergency
2 Physicians;

3 (2) One (1) member appointed from a list of two (2) nominees
4 submitted by the Arkansas Academy of Family Physicians;

5 (3) One (1) member appointed from a list of two (2) nominees
6 submitted by the Arkansas Chapter of the American College of Surgeons;

7 (4) One (1) member appointed from a list of two (2) nominees
8 submitted by the Arkansas Medical Society;

9 (5) One (1) member appointed from a list of two (2) nominees
10 submitted by the Arkansas Hospital Association;

11 (6) One (1) member appointed from a list of two (2) nominees
12 submitted by the Governor_s Emergency Medical Services Advisory Council;

13 (7) One (1) member appointed from a list of two (2) nominees
14 submitted by the Arkansas Emergency Nurses Association;

15 (8) One (1) member appointed from a list of two (2) nominees
16 submitted by the Arkansas Emergency Technicians Association;

17 (9) One (1) member appointed from a list of two (2) nominees
18 submitted by the Arkansas Ambulance Association;

19 (10) One (1) member appointed from a list of two (2) nominees
20 submitted by the Arkansas Emergency Medical Services for Children Program;

21 (11) One (1) member appointed from a list of two (2) nominees
22 submitted by the Arkansas Trauma Society; and

23 (12) One (1) member appointed from the public at large as a
24 consumer representative who has an interest in Trauma Systems.

25 (c) The following shall also be members of the Trauma Advisory Council:

26 (1) The Director of the Arkansas Department of Human Services;

27 (2) The Director of the Arkansas Highway and Transportation
28 Department Highway Safety Program; and

29 (3) The Director of the Arkansas State Police;

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31 SECTION 8. (a)(1) The first members of the council appointed by the
32 Governor shall draw lots to determine their respective terms as follows:

33 (A) Three (3) shall serve a term of four (4) years;

34 (B) Three (3) shall serve a term of three (3) years;

35 (C) Three (3) shall serve a term of two (2) years; and

1 (D) Three (3) shall serve a term of one (1) year.

2 (2) All successor members appointed by the Governor shall be
3 appointed for terms of four (4) years.

4 (3) Vacancies shall be filled in the manner provided in this act
5 for the original appointment. Persons appointed to fill vacancies shall serve
6 the unexpired portion of the term.

7 (b) The members of the council shall elect from their membership a
8 chairman, vice chairman, and a secretary-treasurer, whose duties shall be
9 those customarily exercised by those officers or specifically designated by
10 the board. All officers shall serve for a period of one (1) year and until
11 their successors are elected.

12 (c) The council shall meet at least twice a year, but may meet more
13 frequently upon the call of the chairman or at the request of any seven (7)
14 members of the committee stated in writing.

15 (d) The council shall establish its own rules of procedure.

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17 SECTION 9. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.

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21 SECTION 10. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 11. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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