

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 988, Page 1, In the Title, Lines 2 and 3, by deleting the words "medical
2 helicopters" and inserting in lieu thereof the words "emergency services"; and

3
4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line
5 the following:

6
7 "190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and
8 pediatric trauma center when a hospital, upon proper application submitted by the hospital and site
9 review, has been found by the department to meet the applicable level of trauma center criteria for
10 designation in accordance with rules adopted by the department as prescribed by section 190.185.

11 2. Except as provided in subsection 4 of this section, the department shall designate a
12 hospital as a STEMI or stroke center when such hospital, upon proper application and site review,
13 has been found by the department to meet the applicable level of STEMI or stroke center criteria for
14 designation in accordance with rules adopted by the department as prescribed by section 190.185.
15 In developing STEMI center and stroke center designation criteria, the department shall use, as it
16 deems practicable, appropriate peer-reviewed or evidence-based research on such topics including,
17 but not limited to, the most recent guidelines of the American College of Cardiology and American
18 Heart Association for STEMI centers, or the Joint Commission's Primary Stroke Center
19 Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center
20 Recommendations as published by the American Stroke Association.

21 3. The department of health and senior services shall, not less than once every five years,
22 conduct an on-site review of every trauma, STEMI, and stroke center through appropriate
23 department personnel or a qualified contractor, with the exception of stroke centers designated
24 under subsection 4 of this section; however, this provision shall not limit the department's ability to
25 conduct a complaint investigation under subdivision (3) of subsection 2 of section 197.080 of any
26 trauma, STEMI, or stroke center. On-site reviews shall be coordinated for the different types of
27 centers to the extent practicable with hospital licensure inspections conducted under chapter 197.
28 No person shall be a qualified contractor for purposes of this subsection who has a substantial
29 conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The
30 department may deny, place on probation, suspend or revoke such designation in any case in which
31 it has reasonable cause to believe that there has been a substantial failure to comply with the
32 provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. If the
33 department of health and senior services has reasonable cause to believe that a hospital is not in
34 compliance with such provisions or regulations, it may conduct additional announced or
35 unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center
36 fails two consecutive on-site reviews because of substantial noncompliance with standards

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1 prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections
2 190.001 to 190.245, its center designation shall be revoked.

3 4. Instead of applying for stroke center designation under the provisions of subsection 2 of
4 this section, a hospital may apply for stroke center designation under the provisions of this
5 subsection. Upon receipt of an application from a hospital on a form prescribed by the department,
6 the department shall designate such hospital:

7 (1) A level I stroke center if such hospital has been certified as a comprehensive stroke
8 center by the Joint Commission or any other certifying organization designated by the department if
9 such certification is in accordance with the American Heart Association and American Stroke
10 Association guidelines;

11 (2) A level II stroke center if such hospital has been certified as a primary stroke center by
12 the Joint Commission or any other certifying organization designated by the department if such
13 certification is in accordance with the American Heart Association and American Stroke
14 Association guidelines; or

15 (3) A level III stroke center if such hospital has been certified as an acute stroke-ready
16 hospital by the Joint Commission or any other certifying organization designated by the department
17 if such certification is in accordance with the American Heart Association and American Stroke
18 Association guidelines.

19
20 Except as provided under subsection 5 of this section, the department shall not require compliance
21 with any additional standards for establishing or renewing stroke designations. The designation
22 shall continue if such hospital remains certified. The department may remove a hospital's
23 designation as a stroke center if the hospital requests removal of the designation or the department
24 determines that the certificate recognizing the hospital as a stroke center has been suspended or
25 revoked. Because the department may not have access to the records of the certifying organization,
26 any decision made by the department to withdraw its designation of a stroke center under this
27 subsection that is based on the revocation or suspension of a certification by a certifying
28 organization shall not be subject to judicial review. The department shall report to the certifying
29 organization any complaint it receives related to the certification of a stroke center designated under
30 this subsection. The department shall also advise the complainant of which organization certified
31 the stroke center and provide the necessary contact information should the complainant wish to
32 pursue a complaint with the certifying organization.

33 5. Any hospital receiving designation as a stroke center under subsection 4 of this section
34 shall:

35 (1) Annually and within thirty days of any changes submit to the department proof of stroke
36 certification and the names and contact information of the medical director and the program
37 manager of the stroke center;

38 (2) Submit to the department a copy of the certifying organization's final stroke certification
39 survey results within thirty days of receiving such results;

40 (3) Submit every four years an application on a form prescribed by the department for
41 stroke center review and designation;

42 (4) Participate in the emergency medical services regional system of stroke care in its
43 respective emergency medical services region as defined in 19 CSR 30-40.302; and

44 (5) Participate in local and regional emergency medical services systems by reviewing and
45 sharing outcome data and providing training and clinical educational resources.

46
47 Any hospital receiving designation as a level III stroke center under subsection 4 of this section
48 shall have a formal agreement with a level I or level II stroke center for physician consultative

1 services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-
 2 thrombolytic therapy.

3 6. Hospitals designated as a STEMI or stroke center by the department, including those
 4 designated under subsection 4 of this section, shall submit data to meet the data submission
 5 requirements specified by rules promulgated by the department. Such submission of data may be
 6 done by the following methods:

7 (1) Entering hospital data directly into a state registry by direct data entry;

8 (2) Downloading hospital data from a nationally recognized registry or data bank and
 9 importing the data files into a state registry; or

10 (3) Authorizing a nationally recognized registry or data bank to disclose or grant access to
 11 the department to facility-specific data held by the registry or data bank.

12
 13 A hospital submitting data under subdivision (2) or (3) of this subsection shall not be required to
 14 collect and submit any additional STEMI or stroke center data elements.

15 7. When collecting and analyzing data under the provisions of this section, the department
 16 shall comply with the following requirements:

17 (1) The names of any health care professionals as defined in section 376.1350 shall not be
 18 subject to disclosure;

19 (2) The data shall not be disclosed in a manner that permits the identification of an
 20 individual patient or encounter;

21 (3) The data shall be used for the evaluation and improvement of hospital and emergency
 22 medical services trauma, stroke, and STEMI care;

23 (4) The data collection system shall be capable of accepting file transfers of data entered
 24 into any nationally recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma,
 25 stroke, or STEMI certification reporting requirements;

26 (5) STEMI and stroke center data elements shall conform to nationally recognized
 27 performance measures, such as the American Heart Association's Get With the Guidelines, and
 28 include published, detailed measure specifications, data coding instructions, and patient population
 29 inclusion and exclusion criteria to ensure data reliability and validity; and

30 (6) Generate from the trauma, stroke, and STEMI registries quarterly regional and state
 31 outcome data reports for trauma, stroke, and STEMI designated centers for the state advisory
 32 council on emergency medical services and regional emergency medical services committees to
 33 review for performance improvement and patient safety.

34 8. The board of registration for the healing arts shall have sole authority to establish
 35 education requirements for physicians who practice in an emergency department of a facility
 36 designated as a trauma, STEMI, or stroke center by the department under this section. The
 37 department shall deem such education requirements promulgated by the board of registration for the
 38 healing arts sufficient to meet the standards for designations under this section.

39 9. The department of health and senior services may establish appropriate fees to offset the
 40 costs of trauma, STEMI, and stroke center reviews.

41 [5.] 10. No hospital shall hold itself out to the public as a STEMI center, stroke center, adult
 42 trauma center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated
 43 as such by the department of health and senior services.

44 [6.] 11. Any person aggrieved by an action of the department of health and senior services
 45 affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the
 46 revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation,
 47 may seek a determination thereon by the administrative hearing commission under chapter 621. It
 48 shall not be a condition to such determination that the person aggrieved seek a reconsideration, a

1 rehearing, or exhaust any other procedure within the department."; and
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3 Further amend said bill, Page 2, Section B, Line 2, by deleting the words "section A" and inserting
4 in lieu thereof the words "the enactment of section 190.265 of section A"; and
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6 Further amend said bill, page, and section, Line 5, by deleting the words "section A" and inserting
7 in lieu thereof the words "the enactment of section 190.265 of section A"; and
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9 Further amend said bill by amending the title, enacting clause, and intersectional references
10 accordingly.
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