
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 747 Session of
2005

INTRODUCED BY PILEGGI, ERICKSON, THOMPSON, ORIE, KITCHEN, MUSTO,
LEMMOND, RAFFERTY, PIPPY, WOZNIAK, C. WILLIAMS, RHOADES AND
BROWNE, JUNE 13, 2005

REFERRED TO PUBLIC HEALTH AND WELFARE, JUNE 13, 2005

AN ACT

1 Providing for the availability of and access to comprehensive
2 burn center care; and imposing powers and duties upon the
3 Department of Public Welfare.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Burn Center
8 Stabilization Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "American Burn Association." The national organization
14 recognized for its efforts and resources in promoting and
15 supporting burn-related research, education, care,
16 rehabilitation and prevention.

17 "Burn center." A hospital recognized by the American Burn
18 Association which participates in the association's burn center

1 verification program, or a hospital which has at least 75 annual
2 patient admissions of persons requiring comprehensive burn care
3 and is accredited by the Pennsylvania Trauma Foundation as a
4 Level I or Level II trauma center.

5 "Comprehensive burn care." Specialized services or
6 facilities for the treatment of severely burned patients.

7 "Department." The Department of Public Welfare of the
8 Commonwealth.

9 "Foundation." The Pennsylvania Trauma Systems Foundation, as
10 defined in section 3 of the act of July 3, 1985 (P.L.164,
11 No.45), known as the Emergency Medical Services Act.

12 "Hospital." An entity located in this Commonwealth that is
13 licensed as a hospital under the act of July 19, 1979 (P.L.130,
14 No.48), known as the Health Care Facilities Act.

15 "Secretary." The Secretary of Public Welfare of the
16 Commonwealth.

17 Section 3. Qualifications of burn centers.

18 (a) Certification.--The foundation shall certify any
19 hospital that meets the definition of burn center as defined in
20 this act.

21 (b) Submission of qualifications.--To be eligible to receive
22 funds under this act as a qualified burn center, a hospital must
23 submit a letter to the foundation for the purpose of determining
24 compliance no later than 30 days after the effective date of
25 this act.

26 (c) Determination of eligibility.--Within 30 days of receipt
27 of the letter, the foundation shall complete its review to
28 determine eligibility.

29 (d) Administrative fee.--The foundation may charge an
30 administrative fee to process the verification of

1 qualifications.

2 Section 4. Submission of list.

3 On July 1, 2005, and annually thereafter, the foundation
4 shall submit to the department its list of qualified burn
5 centers, with updates as necessary.

6 Section 5. Funding.

7 (a) Distribution.--

8 (1) Effective for fiscal year 2005-2006, and each year
9 thereafter, upon Federal approval of an amendment to the
10 Medicaid State plan, the department shall distribute annually
11 from funds appropriated for this purpose disproportionate
12 share payments to qualified burn centers in this Commonwealth
13 to provide financial assistance to assure readily available
14 and coordinated burn care of the highest quality to the
15 citizens of this Commonwealth.

16 (2) Effective July 1, 2005, and annually thereafter, the
17 secretary may evaluate the funds available and may make
18 appropriate adjustments based on the number of qualified burn
19 centers and changes in the additional costs required to
20 operate a burn center.

21 (b) Funding.--The department shall seek to maximize any
22 Federal funds, including funds obtained pursuant to Title XIX of
23 the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396 et seq.)
24 available for burn care stabilization.

25 (c) Payment calculation.--Payment to qualified hospitals
26 shall be allocated according to the following:

27 (1) Fifty percent of the total amount available for burn
28 centers shall be allocated equally among each burn center.

29 (2) Fifty percent of the total amount available for burn
30 centers shall be allocated on the basis of each burn center's

percentage of medical assistance and uninsured burn cases and patient days compared to the Statewide total number of medical assistance and uninsured burn cases and patient days for all burn centers. Each center shall use both in-State and out-of-State cases and patient days.

(3) Any burn center that has reached its disproportionate share limit as pursuant to Title XIX of the Social Security Act shall receive its share of the State funds available under this act.

Section 6. Reporting.

(a) General rule.--On March 1, 2006, and annually thereafter, the department shall report to the Public Health and Welfare Committee of the Senate and the Health and Human Services Committee of the House of Representatives on the burn centers funded under this act.

(b) Contents of report.--The report shall do all of the following:

(1) Identify the burn centers receiving funds.

(2) State the amount received and the number of individuals served.

(3) Make any recommendations for improvement in this act which further promotes the availability of burn care services to the citizens of this Commonwealth.

Section 7. Notification of burn center closure.

A hospital that receives funds under this act shall notify the department, the foundation and the Department of Health of its intent to cease operation of its burn center no later than 60 days prior to closure of the burn center.

Section 8. Repeal.

All acts and parts of acts are repealed insofar as they are

- 1 inconsistent with this act.
- 2 Section 9. Effective date.
- 3 This act shall take effect immediately.