

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 610 Session of
2007

INTRODUCED BY PILEGGI, ERICKSON, ORIE, PIPPY, BROWNE,
WONDERLING, PUNT, FERLO, FONTANA, TARTAGLIONE, COSTA, WAUGH,
RAFFERTY, C. WILLIAMS, O'PAKE, TOMLINSON, DINNIMAN,
McILHINNEY, FUMO, KITCHEN AND VANCE, MARCH 21, 2007

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 21, 2007

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

1 Association which participates in the association's burn center
2 verification program, or a hospital which has at least 70 annual
3 patient admissions of persons requiring comprehensive burn care
4 and is accredited by the Pennsylvania Trauma Foundation as a
5 Level I or Level II trauma center.

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

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

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

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

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

18 Section 3. Qualifications of burn centers.

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

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

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

30 (d) Administrative fee.--The foundation may charge an

1 administrative fee to process the verification of
2 qualifications.

3 Section 4. Submission of list.

4 On July 1, 2007, and annually thereafter, the foundation
5 shall submit to the department its list of qualified burn
6 centers, with updates as necessary.

7 Section 5. Funding.

8 (a) Distribution.--

9 (1) Effective for fiscal year 2007-2008, and each year
10 thereafter, upon Federal approval of an amendment to the
11 Medicaid State plan, the department shall distribute annually
12 from funds appropriated for this purpose disproportionate
13 share payments to qualified burn centers in this Commonwealth
14 to provide financial assistance to assure readily available
15 and coordinated burn care of the highest quality to the
16 citizens of this Commonwealth.

17 (2) Effective July 1, 2007, and annually thereafter, the
18 secretary may evaluate the funds available and may make
19 appropriate adjustments based on the number of qualified burn
20 centers and changes in the additional costs required to
21 operate a burn center.

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

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

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

30 (2) Fifty percent of the total amount available for burn

1 centers shall be allocated on the basis of each burn center's
2 percentage of medical assistance and uninsured burn cases and
3 patient days compared to the Statewide total number of
4 medical assistance and uninsured burn cases and patient days
5 for all burn centers. Each center shall use both in-State and
6 out-of-State cases and patient days.

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

11 Section 6. Reporting.

12 (a) General rule.--On March 1, 2008, and annually
13 thereafter, the department shall report to the Public Health and
14 Welfare Committee of the Senate and the Health and Human
15 Services Committee of the House of Representatives on the burn
16 centers funded under this act.

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

19 (1) Identify the burn centers receiving funds.

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

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

25 Section 7. Notification of burn center closure.

26 A hospital that receives funds under this act shall notify
27 the department, the foundation and the Department of Health of
28 its intent to cease operation of its burn center no later than
29 60 days prior to closure of the burn center.

30 Section 8. Repeal.

1 All acts and parts of acts are repealed insofar as they are
2 inconsistent with this act.
3 Section 9. Effective date.
4 This act shall take effect immediately.