

**75-5665. Statewide trauma system plan, development; duties of secretary; establishment of regional councils; trauma registry; standardized reports; budgeting; contracts; meetings; privileged information.** (a) The secretary of health and environment, after consultation with and consideration of recommendations from the advisory committee, shall:

- (1) Develop rules and regulations necessary to carry out the provisions of this act, including fixing, charging and collecting fees from trauma facilities to recover all or part of the expenses incurred in the designation of trauma facilities pursuant to subsection (f);
  - (2) develop a statewide trauma system plan including the establishment of regional trauma councils, using the 2001 Kansas EMS-Trauma Systems Plan study as a guide and not more restrictive than state law. The secretary shall ensure that each council consist of at least six members. Members of the councils shall consist of persons chosen for their expertise in and commitment to emergency medical and trauma services. Such members shall be chosen from the region and include prehospital personnel, physicians, nurses and hospital personnel involved with the emergency medical and trauma services and a representative of a county health department. The plan should:
    - (A) Maximize local and regional control over decisions relating to trauma care;
    - (B) minimize bureaucracy;
    - (C) adequately protect the confidentiality of proprietary and personal health information;
    - (D) promote cost effectiveness;
    - (E) encourage participation by groups affected by the system;
    - (F) emphasize medical direction and involvement at all levels of the system;
    - (G) rely on accurate data as the basis for system planning and development; and
    - (H) facilitate education of health care providers in trauma care;
  - (3) plan, develop and administer a trauma registry to collect and analyze data on incidence, severity and causes of trauma and other pertinent information which may be used to support the secretary's decision-making and identify needs for improved trauma care;
  - (4) provide all technical assistance to the regional councils as necessary to implement the provisions of this act;
  - (5) collect data elements for the trauma registry that are consistent with the recommendations of the American college of surgeons committee on trauma and centers for disease control;
  - (6) designate trauma facilities by level of trauma care capabilities after considering the American college of surgeons committee on trauma standards and other states' standards except that trauma level designations shall not be based on criteria that place practice limitations on registered nurse anesthetists which are not required by state law;
  - (7) develop a phased-in implementation schedule for each component of the trauma system, including the trauma registry, which considers the additional burden placed on the emergency medical and trauma providers;
  - (8) develop standard reports to be utilized by the regional trauma councils and those who report data to the registry in performing their functions;
  - (9) assess the fiscal impact on all components of the trauma system, and thereafter recommend other funding sources for the trauma system and trauma registry;
  - (10) prepare and submit an annual budget in accordance with the provisions of this act. Such budget shall include costs for the provision of technical assistance to the regional trauma councils and the cost of developing and maintaining the trauma registry and analyzing and reporting on the data collected; and
  - (11) enter into contracts as deemed necessary to carry out the duties and functions of the secretary under this act.
- (b) (1) Any meeting of a regional trauma council or any part of a meeting of such a council during which a review of incidents of trauma injury or trauma care takes place shall be conducted in closed session. A regional trauma council and the officers thereof when acting in their official capacity in considering incidents of trauma injury or trauma care shall constitute a peer review committee and peer review officers for all purposes of K.S.A. 65-4915, and amendments thereto.
- (2) A regional trauma council or an officer thereof may advise, report to and discuss activities, information and findings of the council which relate to incidents of trauma injury or trauma care with the secretary of health and environment and make reports as provided in this section without waiver of the privilege provided by this subsection and K.S.A. 65-4915, and amendments thereto, and the records and findings of such council or officer which are privileged under this subsection and K.S.A. 65-4915, and amendments thereto, shall remain privileged as provided by this subsection and K.S.A. 65-4915, and amendments thereto.
- (3) The provisions of this subsection shall expire on July 1, 2021, unless the legislature reviews and reenacts this provision prior to July 1, 2021.

**History:** L. 1999, ch. 127, § 3; L. 2006, ch. 111, § 1; L. 2011, ch. 114, § 38; L. 2016, ch. 82, § 14; July 1.