

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/18/2001

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: DuWayne Johnsrud (608) 266-3534

By/Representing: Larry Konopacki (aide

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Addl. Drafters: fasttn

Subject: Health - emergency med services

Extra Copies:

Submit via email: YES

Requester's email: Rep.Johnsrud@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Statewide trauma system

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**Instructions:**

See Attached; see 01b1545

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kenneda 11/26/2001	hhagen 11/27/2001		_____			State
/1			jfrantze 11/27/2001	_____	lrb_docadmin 11/27/2001	lrb_docadmin 01/22/2002 lrb_docadmin 01/22/2002	

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For: *at intro*  
*1/22/02*

<END>

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/1			jfrantze 11/27/2001		lrb_docadmin 11/27/2001		

11/27/2001 11:50:44 AM

Page 2

**LRB-3804**

FE Sent For:

**<END>**

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1?	kenneda	lc hmb 11/26/01	J 11/27	J+H 11/27			

FE Sent For:

<END>

**B I L L**  
**REQUEST FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Rep. Johnson

Date: 9/5/01 Person submitting request (name, phone number): Larry Konopacki 6-3534

Persons to contact for questions about this draft (names, phone numbers): Larry Konopacki 6-3534

**Describe the problem, including any helpful examples.**

**How do you want to solve the problem?**

1) Please draft legislation to fund statewide trauma system as outlined on attached memo.

2) Please contact me (6-3534) to let me know who will be working on this draft, and an approximate timeline. Thanks

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not re-typed) copy.

You may attach a marked-up (not retyped) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

**Requests are confidential unless stated otherwise.**

- May we tell others that we are working on this for you?  Yes  No
- If yes: Anyone who asks?  Yes  No Any legislator?  Yes  No Only the following persons: \_\_\_\_\_

Do you consider this request urgent?  Yes  No If yes, please indicate why: \_\_\_\_\_

Should we give this request priority over any other pending request of this legislator, agency or body?  Yes  No If yes, sign your name here: \_\_\_\_\_

Yes No

## STATEWIDE TRAUMA SYSTEM

Provides one-time funding of \$185,000 PR in 2001-02 and \$500,000 PR in 2002-03 and 2.0 PR two-year project positions, beginning in 2001-02, to fund the statewide trauma system required under 1997 Wisconsin Act 154. The Department of Transportation will be required to make a grant to DII'S of these amounts from federal grant moneys DOT receives under the state and community highway safety grant program (Section 402 of Title 23 of the United State Code). Specify that the positions would include a trauma registrar and an injury education coordinator.

- ✓ Provide that confidential injury data collected under the system would be used for performance improvements in the trauma care system, and be limited only to confidential review.
- ✓ Extend the sunset date for the Statewide Trauma Advisory Council from July 1, 2002 to July 1, 2004.
- ✓ Eliminate statutory requirement that the Joint Committee on Finance approve the Department's report on the statewide trauma system under section 13.10 of the statutes prior to the Department submitting rules to develop and implement the system.

---

### Note:

Under 1997 Act 154, as amended by 1999 Act 9, DHFS is required to implement a statewide trauma system by July 1, 2002. The act requires DHFS and the Statewide Trauma Advisory Council to prepare a joint report on the development and implementation of the system. Approval of the report by the Joint Committee on Finance is required in order for DHFS to proceed with rules to develop and implement the system. DHFS and the Advisory Council submitted a report to the Committee on January 25, 2001, which included a request for funding of \$4.7 million, 3.0 positions and statutory language to: (a) provide that confidential injury data collected under the system would be used for performance improvements in the trauma care system, and be limited to confidential review, only; (b) extend the sunset of the Statewide Trauma Advisory Council from July 1, 2002 to July 1, 2004; and (c) eliminate the statutory requirement that the Joint Committee on Finance approve the Department's report on the statewide trauma system under section 13.10 of the statutes prior to the Department submitting rules to develop and implement the system.

This motion would adopt the statutory changes described above, and provide 2.0 two-year project positions and \$185,000 PR in 2001-02 and \$500,000 PR in 2002-03 for the following: (a) \$60,000 in 2001-02 and \$80,000 in 2002-03 for a trauma registrar; (b) \$60,000 in 2001-02 and \$80,000 in 2002-03 for an injury education coordinator; (c) \$40,000 in 2001-02 for a consultant to develop information systems for the trauma system; (d) \$25,000 in 2001-02 and \$50,000 in 2002-03 for meeting expenses for the regional advisory trauma councils; and (e) \$290,000 in 2002-03 for grants to regional advisory trauma councils.

*Gov. vetoed this provision*

*SECS 174p, 670, 2850 ag, 9123 (12r), (12s) and 9152 (2t)*



By Nov. 28, please

State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3804/1  
DAK & TNF/hmh  
e 6

D-NOTE

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Gen. Cat.

1 AN ACT ...; relating to: the statewide trauma system and making appropriations.

**Analysis by the Legislative Reference Bureau**

Under current law, the department of health and family services (DHFS) must implement a statewide trauma system by July 1, 2002, and must seek the advice of the trauma advisory council in developing and implementing the system. The 13-member trauma advisory council terminates on July 1, 2002. Also under current law, DHFS must promulgate rules to develop and implement the system, including a method for classification of all hospitals as to their respective emergency care capabilities. These rules may not be submitted to the legislative council staff, as part of the rule-making process, until the joint committee on finance of the legislature first approves a report, prepared by DHFS and the trauma advisory council, on development and implementation of the statewide trauma system.

This bill extends the date for termination of the trauma advisory council to July 1, 2004; requires that confidential injury data collected under the state trauma system be used only for confidential review relating to performance improvements in the system; requires that DHFS, in developing the system, develop regional trauma advisory councils; and eliminates the requirement that the joint committee on finance approve a report on the system before DHFS submits proposed rules on the system to legislative council staff. In addition, the bill transfers \$185,000 in fiscal year 2001-02 and \$500,000 in fiscal year 2002-03 of federal grant moneys from the department of transportation to DHFS to provide program revenue project positions and fund expenses of and grants to regional advisory trauma councils.



For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

INSERT  
2-1

X

1 SECTION 1. 20.395 (4) (ax) of the statutes, as affected by 2001 Wisconsin Act 16,  
2 is amended to read:

3 20.395 (4) (ax) *Departmental management and operations, federal funds.* All  
4 moneys received from the federal government for the administration and  
5 management of departmental programs except those programs under subs. (2) (bx)  
6 and (dx) and (3) (ix), and for departmental planning and administrative activities  
7 including all moneys received as federal aid as authorized by the governor under s.  
8 16.54 to promote highway safety and continue the local traffic safety representatives  
9 program and for purposes of s. 85.07 and for activities related to the transportation  
10 employment and mobility program under s. 85.24 that are not funded from the  
11 appropriation under sub. (1) (bs), (bv), or (bx), and to transfer to the appropriation  
12 account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z) for  
13 such purposes, and for the transfers under 2001 Wisconsin Act .... (this act), section

Proof  
w/act 7

(14) - autoref  
A+B

History: 2001 a. 16.

15 SECTION 2. 20.395 (4) (ax) of the statutes, as affected by 2001 Wisconsin Acts  
16 16 and .... (this act), is amended to read:

17 20.395 (4) (ax) *Departmental management and operations, federal funds.* All  
18 moneys received from the federal government for the administration and  
19 management of departmental programs except those programs under subs. (2) (bx)  
20 and (dx) and (3) (ix), and for departmental planning and administrative activities  
21 including all moneys received as federal aid as authorized by the governor under s.

Proof  
w/act

1 16.54 to promote highway safety and continue the local traffic safety representatives  
2 program and for purposes of s. 85.07 and for activities related to the transportation  
3 employment and mobility program under s. 85.24 that are not funded from the  
4 appropriation under sub. (1) (bs), (bv), or (bx), and to transfer to the appropriation  
5 account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z) for  
6 such purposes, ~~and for the transfers under 2001 Wisconsin Act .... (this act), section~~

INSERT  
3-7

7 authored by A+B

History: 2001 a. 16.

AR (P)

8 **SECTION 3. Nonstatutory provisions.**

INSERT  
3-8

9 **SECTION 4. Effective date.**

STATEWIDE TRAUMA CARE SYSTEM ✓

10 (1) ~~now~~ The treatment of section 20.395 (4) (ax) of the statutes (by SECTION

<sup>cs</sup>  
SECTION  
lowercase

11 (3) takes effect on July 1, 2003.

AR  
"A"

(END)

D-NOTE

ARC:.....Hughes - AM39 - Statewide trauma system

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 ~~1. Page 29, line 3: after that line insert:~~

3 ~~SECTION 174p.~~ 15.197 (25) (c) of the statutes is amended to read:

4 15.197 (25) (c) This subsection does not apply beginning on July 1, 2002

5 2004. ~~2002.~~

*LPS:  
check  
spacing*

INSERT  
2-1

6 ~~2. Page 350, line 7: after "and" insert "for the transfers under 2001 Wisconsin~~

7 ~~Act ... (this act), section 9152 (2t), and"~~

8 ~~3. Page 946, line 6: after that line insert:~~

9 ~~SECTION 2850ag.~~ 146.56 (1) of the statutes is amended to read:

INSERT  
3-7

*check spacing*

1 146.56 (1) Not later than July 1, 2002, the department shall develop and  
 2 implement a statewide trauma care system. The department shall seek the advice  
 3 of the ~~statewide trauma advisory council~~ under s. 15.197 (25) in developing and  
 4 implementing the system and, as part of the system, shall develop regional trauma  
 5 advisory councils.

6 ~~SECTION 283.01~~ah. 146.56 (2) of the statutes is amended to read:

7 146.56 (2) The department shall promulgate rules to develop and implement  
 8 the system. The rules shall include a method by which to classify all hospitals as to  
 9 their respective emergency care capabilities. The classification rule shall be based  
 10 on standards developed by the American College of Surgeons. Within 180 days after  
 11 promulgation of the classification rule, and every ~~4~~ 3 years thereafter, each hospital  
 12 shall certify to the department the classification level of trauma care services that  
 13 is provided by the hospital, based on the rule. The department may require a hospital  
 14 to document the basis for its certification. The department may not direct a hospital  
 15 to establish a certain level of certification. Confidential injury data that is collected  
 16 under this subsection shall be used for confidential review relating to performance  
 17 improvements in the trauma care system, and may be used for no other purpose.

18 4. Page 1282, line 16, after that line insert:

19 ~~SECTION 40.11k~~. 1997 Wisconsin Act 154, section 3 (2) is amended to read:

20 [1997 Wisconsin Act 154] Section 3 (2) JOINT COMMITTEE ON FINANCE REVIEW. The  
 21 department of health and family services shall submit the report under subsection  
 22 (1) to the joint committee on finance of the legislature for its review under section  
 23 13.10 of the statutes. ~~The department of health and family services may not submit~~  
 24 ~~the rules under section 146.56 (2) of the statutes, as created by this act, to the~~

3-7

INSTR  
3-7

1 legislative council staff for review under section 227.15 of the statutes until the joint  
2 committee on finance approves the report under subsection (1).

3 5. Page 1356, line 13: after that line insert:

INSTR  
3-8

4 <sup>(1)</sup> ~~(2)~~ STATEWIDE TRAUMA CARE SYSTEM. From the appropriation account under  
5 section 20.395 (4) (ax) of the statutes, as affected by this act, the department of  
6 transportation shall transfer \$185,000 in fiscal year 2001-02 and \$500,000 in fiscal  
7 year 2002-03 to the appropriation under section 20.435 (1) (kx) of the statutes for the  
8 purposes of the statewide trauma care system under section 146.56 of the statutes.

9 6. Page 1338, line 20: after that line insert:

10 <sup>(2)</sup> ~~(12)~~ STATEWIDE TRAUMA CARE SYSTEM; POSITIONS. The authorized FTE positions  
11 for the department of health and family services are increased by 2.0 PR project  
12 positions, to be funded from the appropriation account under section 20.435 (1) (kx)  
13 of the statutes, for the purposes of the statewide trauma care system under section  
14 146.56 of the statutes, as affected by this act, for the period beginning on July 1, 2001,  
15 and ending on June 30, 2003.

16 <sup>(3)</sup> ~~(12)~~ STATEWIDE TRAUMA CARE SYSTEM; REGIONAL ADVISORY TRAUMA COUNCILS.  
17 From the appropriation account under section 20.435 (1) (kx) of the statutes, the  
18 department of health and family services shall expend \$25,000 in state fiscal year  
19 2001-02 and \$50,000 in state fiscal year 2002-03 for expenses of the regional  
20 advisory trauma councils under section 146.56 (1) of the statutes, as affected by this  
21 act, and shall distribute \$290,000 in state fiscal year 2002-03 as grants to regional  
22 advisory trauma councils for performance of activities under the statewide trauma  
23 system.

3804/1

D-NOTE

DAK: kmh:

Date

This bill assumes that the funding for  
the statewide trauma system will cease

as of July 1, 2003. If, instead, you intend that

<sup>some</sup> some or all of the funding specified in the

nonstatutory provisions should be permanent,

the nonstatutory language should be made

statutory and it should be made clear

that the funding transfer is annual.

Please let me know if I may assist

further with the bill.

DAK

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3804/1dn  
DAK:hmh:jf

November 27, 2001

This bill assumes that the funding for the statewide trauma system will cease as of July 1, 2003. If, instead, you intend that some or all of the funding specified in the nonstatutory provisions should be permanent, the nonstatutory language should be made statutory and it should be made clear that the funding transfer is annual.

Please let me know if I may assist further with the bill.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)

**Basford, Sarah**

---

**From:** Johnsrud, DuWayne  
**Sent:** Tuesday, January 22, 2002 10:27 AM  
**To:** LRB.Legal  
**Subject:** Please jacket LRB 3804/1

**Importance:** High

Please jacket LRB 3804/1 for the assembly. Thanks very much!

State Representative DuWayne Johnsrud  
608-266-3534



LAB-3804/1 CCC-

~~DAK & TNE~~

Am#:

CCC

~~Am#~~

~~6200A~~

2001 Assembly Bill 743

Page 3, line 17: delete the material beginning with that line and ending with page 4, line 11.

Page 5, line 9: delete "<sup>(CS)</sup>SECTION 7" and substitute "<sup>(CS)</sup>SECTION 3".

DAK & TNE



State of Wisconsin  
2001-2002 LEGISLATURE

**CORRECTIONS IN:**

**2001 ASSEMBLY BILL 743**

Prepared by the Legislative Reference Bureau  
(January 24, 2002)

1. Page 3, line 17: delete the material beginning with that line and ending with page 4, line 11.
2. Page 5, line 9: delete "SECTION 7" and substitute "SECTION 3".