



TEXAS DEPARTMENT OF STATE HEALTH SERVICES

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November 7, 2008

R. Todd Maxson, MD, FACS
Trauma Medical Director
Dell Children's Medical
Center of Central Texas
4900 Mueller Blvd
Austin, Texas 78723

Dear Dr. Maxson,

This letter is in follow up to your request for clarification to questions regarding TAC §157.125 Requirements for Trauma Facility Designation and as we discussed at our meeting on November 4, 2008.

Question: Can a facility that is verified by the American College of Surgeons as a Pediatric Trauma Center and designated by the State as a trauma center advertise itself as a Pediatric trauma center?

Answer: Yes, there is nothing in the current trauma facility designation statute that would prohibit a state designated trauma center from including "Pediatric" in its advertising if the center is in fact so designated, as a Pediatric Trauma Center by the ACS.

Question: Does the Department of State Health Services have the authority to classify a general healthcare facility as a Pediatric Trauma Center?

Answer: No, the current trauma facility designation statute does not give the Department authority to classify a trauma center as a "Pediatric Trauma Center".

Question: Does the State's trauma center designation statute give the Department of State Health Services the authority to change, through rule making, the State's designation categories to match the verification categories of the American College of Surgeons?

Answer: No, if by category, you mean any verification categories of the ACS other than "trauma center". The trauma center designation statute provides authority to the Department to designate only one category, that being a "trauma center".

Question: Is a change in the legislative statute mandatory to give the Department of State Health Services the authority to designate a trauma facility in the same manner as the ACS' verification?

Answer: Yes.

Question: What language would be necessary in a statute in order to give the Department of State Health Services the authority to change in the future the designation categories to match the verification categories of the ACS?

Answer: Clear and specific enough language to define the word category and to note and/or describe any additional or different types of categories.

Question: Does the present State trauma center designation statute give the Department of State Health Services the authority to designate a Level III pediatric trauma facility? (granted the State could designate a facility as a pediatric trauma facility)

Answer: No. The current trauma center designation statute does not give the Department authority to designate a trauma center as a "pediatric trauma facility", regardless of what level.

Question: What would be necessary for DSHS to have the authority to grant a Pediatric Level III designation? (granted the State could designate a facility as a pediatric trauma facility)

Answer: It would be necessary for the Legislature to amend the current trauma center designation statute.

It was a pleasure meeting with you to discuss trauma facility designation and how it applies to the pediatric hospital. If you have further questions, please do not hesitate to call me. I look forward to working with you and the other members of the Trauma Systems Committee of the Governor's EMS and Trauma Advisory Council (GETAC).

Very truly yours,



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