TEXAS DEPARTMENT OF STATE HEALTH SERVICES

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EMS and Trauma Systems Funding Programs

1. Designated Trauma Facility and Emergency Medical Services Account – Comptroller's fund $# 5111:

Designated Trauma Facility and Emergency Medical Services Account (DTF/EMS) -- Driver's responsibility program ("3588 monies") -- Comptroller's Fund # 5111: surcharges/fines on bad drivers plus ~$10 from the $30 dollar State Traffic Fine. The department is appropriated ~ $75 million per year in FY 10/11 to help fund county and regional emergency medical services, designated trauma facilities, and trauma care systems. One half of the fines/surcharges are deposited into the DTF/EMS account. The other half is deposited to the Texas Mobility Fund. After setting aside $500,000 for extraordinary emergencies for hospitals, licensed EMS and registered first responders, 96% of the DTF/EMS account is distributed to hospitals for uncompensated trauma care, 2% is distributed to EMS providers, 1% is distributed to Regional Advisory Councils (RAC) and 1% goes to the department to administer the program.

Since the inception of the account in 2003, the department has distributed ~$ 309 million from the DTF/EMS Account to approximately 250 eligible Texas hospitals to reimburse a portion of their uncompensated trauma care provided. All eligible hospitals that applied received a minimum of $11,686 in FY 2004, $29,596 in FY 2005, $34,132 in FY 2006 and $28,853 in FY 2007, $42,831 in FY 2008 and $42,165 in FY 2009.

Statute/Rules
Texas Administrative Code: §157.131 -- Texas Administrative Code 157.131, Designated Trauma Facility and Emergency Medical Services Account

Texas Health Safety Code: §780-- CHAPTER 780. TRAUMA FACILITIES AND EMERGENCY MEDICAL SERVICES

Major provisions of the funding disbursement

Hospital Allocation – 96%

Eligibility requirements: Must be designated as a trauma facility or considered "in active pursuit of designation" (hospitals considered "in active pursuit of designation" must be designated within two years or return any monies received from this account); facility must submit the Department's Uncompensated Trauma Care Fund Application signed by the Chairman of the

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Board, Chief Executive Officer, Chief Financial Officer, Trauma Medical Director and Trauma Nurse Coordinator. Prior to the distribution of funds, the department reviews each applicant's uncompensated trauma care charges for accuracy and reasonability.

Funding Methodology:

- Fifteen percent (15%) of the total amount of funds available is divided equally amongst all eligible applicants. There is a cap of $50,000.
- eighty-five percent (85%) is distributed to eligible applicants based on a funding formula that takes into account the percentage of uncompensated trauma care costs a hospital provided in relation to the total uncompensated costs provided by all the eligible hospitals that applied for funding. The statute requires funds not expended in the EMS and RAC allotments be distributed through the hospital allocation.

Eligible Uses for Funds:
Hospitals have no restrictions on how to expend the reimbursements received from this program. Reimbursements are for expenditures already incurred by the hospital.

EMS Allocation – 2%

Eligibility Requirements:
Must be a licensed EMS provider and provide 911 and/or emergency transfers; participate in the appropriate RAC; utilize RAC bypass and diversion protocols; participate in the RAC's performance improvement program; submit an expenditure report if received funds in previous fiscal years; and have a valid contract in place for counties outside their county of licensure (if applicable). The statute requires funds to be passed through the respective RACs to eligible EMS providers.

Funding Methodology:
EMS funds are distributed by the statutory funding formula based on the geographic size of a county, the population of the county and the number of emergency or trauma care runs performed by eligible providers within the county. In accordance with Texas Administrative Code 157.131, the statutory formula will be adjusted, so that 60% of the funds are allocated to rural/frontier counties and 40% of the funds are allocated to urban counties. Additionally, the money distributed to each eligible EMS provider within the county is based on a distribution formula set by member of the respective RAC.

Eligible Uses for Funds:
Supplies, vehicles, operational expenses, education and training, equipment and/or communication systems.

RAC Allocation – 1%

Eligibility Requirements:
A must be RAC is recognized by the department; be listed as an exempt organization under §501(c)(3); submit documentation of ongoing system development; demonstrate that a regional system performance improvement process is ongoing and submit required EMS allocation eligibility information.

Funding Methodology:

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RAC funds are distributed by the statutory funding formula based on the geographic size of a Trauma Service Area (TSA), population of the TSA and the number of trauma runs by EMS providers and the number of trauma patients treated by hospitals within a respective TSA.

Eligible Uses for Funds:
Supplies, operational expenses, education and training, equipment and/or communication systems.

2. Fund for Emergency Medical Services, Trauma Facilities, and Trauma Care Systems -- $100 court cost on alcohol related convictions – Comptroller's fund # 5108:

The department was appropriated ~2.4 million dollars in FY 10/11 to help fund county and regional emergency medical services, designated trauma facilities, and trauma care systems (source of funds -- $100 court cost placed on alcohol related convictions). After setting aside $250,000 for extraordinary emergencies, 27% is distributed to hospitals for uncompensated trauma care, 50% is distributed to EMS providers, 20% is distributed to Regional Advisory Councils and 3% goes to the department to administer the program. The statute requires that any funds not expended from the account be distributed through the hospital allocation.

FY10/11 Article II Appropriation Riders:
Rider 24 (Trauma Formula Distribution)

Statute/Rules
Texas Administrative Code: §157.130 -- Texas Administrative Code 157.130, EMS and Trauma Care System Account

Texas Health Safety Code: §773.122 -- SECTION 773.122. PAYMENTS FROM THE ACCOUNTS

Texas Health Safety Code: §773.006 -- SECTION 773.006. FUND FOR EMERGENCY MEDICAL SERVICES, TRAUMA FACILITIES, AND TRAUMA CARE SYSTEMS

Major provisions of the funding disbursement

Hospital Allocation – 27%

Eligibility requirements: Must be designated as a trauma facility; facility must submit the Department's Uncompensated Trauma Care Fund Application.

Funding Formula:

- Fifteen percent (15%) of the total amount of funds available is divided equally amongst all eligible applicants. There is a cap of $50,000.
- eighty-five percent (85%) is distributed to eligible applicants based on the percentage of uncompensated trauma care a hospital provided in relation to the total uncompensated provided by all the eligible hospitals that applied. The statute requires that any funds not expended from the EMS and RAC allotments be distributed through the hospital allocation.

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Eligible Uses for Funds:
Hospitals have no restrictions. This disbursement is a reimbursement for funds already expended by the hospital.

EMS Allocation – 50%

Eligibility Requirements:
Must be a licensed EMS provider and provide 911 and/or emergency transfers; participate in the appropriate RAC; utilize RAC bypass and diversion protocols; participate in the RAC's performance improvement program; submit an expenditure report if received funds in previous fiscal years; and have a valid contract in place for counties outside their county of licensure

Funding Formula:
EMS funds are distributed by the statutory formula based on the geographic size of a county, population of the county and on the number of emergency or trauma care runs performed by eligible recipients in the county. In accordance with Texas Administrative Code 157.131, the statutory formula will be adjusted, in so far as possible, so that 60% of the funds are allocated to rural/frontier counties and 40% of the funds are allocated to urban counties. Additionally, the money distributed to each eligible EMS provider in the county is based on a distribution formula set by the RAC.

Eligible Uses for Funds:
Supplies, vehicles, operational expenses, education and training, equipment and/or communication systems.

RAC Allocation – 20%

Eligibility Requirements:
RAC is recognized by the department; be listed as an exempt organization under §501(c)(3); submit documentation of ongoing system development; demonstrate that a regional system performance improvement process is ongoing and submit required EMS allocation eligibility information.

Funding Formula:
RAC funds are distributed by the statutory formula based on the geographic size of a Trauma Service Area (TSA), population of the TSA and a percentage of trauma care provided within a respective TSA.

Eligible Uses for Funds:
Supplies, operational expenses, education and training, equipment and/or communication systems.

Department Administration – 3%

3. The EMS and Trauma Care Systems Account -- 911 surcharge – Comptroller's fund $# 5007:

911 surcharge: The Department is appropriated ~ 1.8 million per fiscal year in FY 10/11 to help fund county and regional emergency medical services, designated trauma facilities, and

trauma care systems. 27% is distributed to hospitals for uncompensated trauma care, 50% is distributed to EMS providers, 20% is distributed to our Regional Advisory Councils and 3% is distributed to the department to administer the program.

FY10/11 Article II Appropriation Riders:
Rider 24 (Trauma Formula Distribution)

Statute/Rules

Texas Administrative Code: §157.130 -- Texas Administrative Code 157.130, EMS and Trauma Care System Account
Texas Health Safety Code: §773.122 -- SECTION 773.122. PAYMENTS FROM THE ACCOUNTS
Texas Health Safety Code: §771.072 -- SECTION 771.072. EQUALIZATION SURCHARGE

Major provisions of the funding disbursement

Hospital Allocation – 27%

Eligibility requirements: Must be designated as a trauma facility; facility must submit the Department's Uncompensated Trauma Care Fund Application.

Funding Formula:

- Fifteen percent (15%) of the total amount of funds available is divided equally amongst all eligible applicants. There is a cap of $50,000.
- eighty-five percent (85%) is distributed to eligible applicants based on the percentage of uncompensated trauma care a hospital provided in relation to the total uncompensated provided by all the eligible hospitals that applied. The statute requires that any funds not expended from the EMS and RAC allotments be distributed through the hospital allocation.

Eligible Uses for Funds:
Hospitals have no restrictions. This disbursement is a reimbursement for funds already expended by the hospital.

EMS Allocation – 50%

Eligibility Requirements:
Must be a licensed EMS provider and provide 911 and/or emergency transfers; participate in the appropriate RAC; utilize RAC bypass and diversion protocols; participate in the RAC's performance improvement program; submit an expenditure report if received funds in previous fiscal years; and have a valid contract in place for counties outside their county of licensure

Funding Formula:
EMS funds are distributed by the statutory formula based on the geographic size of a county, population of the county and on the number of emergency or trauma care runs performed by eligible recipients in the county. In accordance with Texas Administrative Code 157.131, the statutory formula will be adjusted, in so far as possible, so that 60% of the funds are allocated to rural/frontier counties and 40% of the funds are allocated to urban counties. Additionally, the

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money distributed to each eligible EMS provider in the county is based on a distribution formula set by the RAC.

Eligible Uses for Funds:
Supplies, vehicles, operational expenses, education and training, equipment and/or communication systems.

RAC Allocation – 20%

Eligibility Requirements:
RAC is recognized by the department; be listed as an exempt organization under §501(c)(3); submit documentation of ongoing system development; demonstrate that a regional system performance improvement process is ongoing and submit required EMS allocation eligibility information.

Funding Formula:
RAC funds are distributed by the statutory formula based on the geographic size of a Trauma Service Area (TSA), population of the TSA and a percentage of trauma care provided within a respective TSA.

Eligible Uses for Funds:
Supplies, operational expenses, education and training, equipment and/or communication systems.

Department Administration – 3%

4. *Permanent Fund for EMS and Trauma Care Account -- Tobacco Endowment --* Comptroller's fund $# 5046:

The Office of EMS and Trauma Systems Coordination (OEMS/TS) is appropriated a portion of the interest earned on the 100 million dollar Tobacco Endowment for Texas. The interest generates ~ 4.7 million dollars per fiscal in FY 10/11. The department uses apportion of the money to operate. The remaining funding is used to provide grants to the 22 Regional Advisory Councils for trauma systems development and grants to licensed EMS providers for equipment and non disposable supplies.

FY10/11 Article II Appropriation Riders:
Rider 46 (Informational Listing – Permanent Funds and Endowments); Rider 47 (Estimated Appropriation and Unexpended Balance)

Statute/Rules

Texas Government Code: SECTION 403.106. PERMANENT FUND FOR EMERGENCY MEDICAL SERVICES AND TRAUMA CARE

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5. Regional Trauma Account – Red Light Camera program -- Comptroller's Fund # 5137:

The revenue is generated from surcharges/fines from Red Light Cameras. Cities are allowed to keep enough revenue from the red light cameras to cover the cost of their program. If revenue generates above their cost, then 50% is deposited into the Regional Trauma Account and the other 50% is used by the cities to fund traffic safety programs, including pedestrian safety programs, public safety programs, intersection improvements, and traffic enforcement. The statue requires 96% of the funds to be distributed to designated trauma facilities for uncompensated trauma care, 2% distributed to EMS providers, and 1% distributed to Regional Advisory Councils. The department also receives 1% to administer the program. The revenue deposited by the local authorities must be disbursed to eligible entities within the Trauma Service Area where the local authority resides. The supplemental appropriation bill (HB 4586) in the 81st Legislative Session appropriated ~ 13.3 million for FY 2009. Based on the language in the bill 100% of the funds appropriated was disbursed to 128 eligible hospitals. There is no appropriation in FY 10/11.

Statute/Rules
Texas Health Safety Code: §782. -- Section 782. Regional Emergency Medical Services

Texas Administrative Code: §157.132 – Texas Administrative Code 157.132 Regional Trauma Account

Hospital Allocation – 96%

Eligibility requirements: Must be designated as a trauma facility and submit the Department's Uncompensated Trauma Care Fund Application signed by the Chairman of the Board, Chief Executive Officer, Chief Financial Officer, Trauma Medical Director and Trauma Nurse Coordinator. Prior to the distribution of funds, the department reviews each applicant's uncompensated trauma care charges for accuracy and reasonability.

Funding Methodology:

- Fifteen percent (15%) of the total amount of funds available is divided equally among all eligible entities within the Trauma Service Area where the local authority resides. There is a cap of $50,000.
- Eighty-five percent (85%) is distributed, to eligible entities within the Trauma Service Area where the local authority resides, based on a funding formula that takes into account the percentage of uncompensated trauma care costs a hospital provided in relation to the total uncompensated costs provided by all the eligible hospitals that applied for funding in the given Trauma Service Area.

Eligible Uses for Funds:
Hospitals have no restrictions on how to expend the reimbursements received from this program. Reimbursements are for expenditures already incurred by the hospital.

EMS Allocation – 2%

Eligibility Requirements:
Must be a licensed EMS provider and provide 911 and/or emergency transfers; participate in the appropriate RAC; utilize RAC bypass and diversion protocols; participate in the RAC's performance improvement program; submit an expenditure report if received funds in previous

fiscal years; and have a valid contract in place for counties outside their county of licensure (if applicable). The statute requires funds to be passed through the respective RACs to eligible EMS providers.

Funding Methodology:
EMS funds are distributed to eligible entities based on the amount of revenue deposited into the Regional Trauma Account for the TSA in which the local authority submitting money is located. Additionally, the money distributed to each eligible EMS provider within the Trauma Service Area is based on a distribution formula set by member of the respective RAC.

Eligible Uses for Funds:
Supplies, vehicles, operational expenses, education and training, equipment and/or communication systems.

RAC Allocation – 1%

Eligibility Requirements:
A must be RAC is recognized by the department; be listed as an exempt organization under §501(c)(3); submit documentation of ongoing system development; demonstrate that a regional system performance improvement process is ongoing and submit required EMS allocation eligibility information.

Funding Methodology:
A RAC's share of the RAC allocation is based on the amount of revenue deposited into the Regional Trauma Account for the TSA in which the local authority submitting money is located.

Eligible Uses for Funds:
Supplies, operational expenses, education and training, equipment and/or communication systems.

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