



Trauma Rule Promulgation 64J-2

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Welcome



- The rulemaking process is complicated.
- It can also be difficult to find the rules that pertain to the section or division that you want to review.
- Florida's trauma related framework consists of statutes, rules and standards

Why Do Agencies Create Rules?



- Often, laws or statutes passed by the Legislature do not provide the level of detail needed.
- In those cases, the law will direct a state agency to draft rules to help provide detail the statute does not provide.
- The Trauma Statutes are under Title XXIX Public Health Chapter 395.40 – 395.51
- The Trauma Rules are found in the Florida Administrative Code (FAC) Chapter 64J-2

Where Are We Now on the Trauma Standards?



- **Develop draft language with internal and external community partners**
 - Draft language is currently in sub-committee being reviewed and compared to the ACS Gray Book to determine if any language will be added or deleted to the proposed state trauma standards
 - The draft trauma standards will then be introduced to FCOT and AFTC stakeholders for comments and input.
 - Then the most current draft trauma standards will be presented to FTSAC for final input and formal recommendation to DOH Leadership

Where Are We Now?



- Initial rule promulgation activities
 - DOH Leadership will review and consult with DOH Office of General Counsel to deliberate on forward movement
 - Generally, section 120.54, Florida Statutes, outlines the procedure for creating a rule and affords opportunities for the public to comment and/or legally object to the rule
 - All rulemaking notices are published in the *Florida Administrative Register* (FAR), both in print and online.

Rulemaking Procedure Stages



- Notice of Development of Rulemaking (includes a 21 Day public comment period)
- Development Workshop
- Notice of Proposed Rule
- Hearing on the Proposed Rule
- Changes to the Proposed Rule
- Adoption of the Proposed Rule

Workshop - Rule Promulgation



- **Formal process for Development of Rulemaking**
 - **Rule Workshops = Community Partner Review and Feedback**
 - The agency can hold a workshop on its own or because a member of the public has requested.
 - The initial draft is presented during the workshop to receive comment and critique on the content
 - Feedback must be received within specified time period for review
 - DOH consults with OGC to review feedback for incorporation into rule language and an updated draft is developed.

Hearing - Rule Promulgation



- **Formal process for Notice of Proposed Rule:**
 - **Rule Hearing = Community Partner Concurrence and Final Rule Draft to be submitted for adoption**
 - Final draft published in Florida Administrative Register (FAR) and hearing (if requested) **AFTER 21 day public comment period ends**
 - Final chance for interested stakeholders to comment orally or written submission at the hearing – may include claim of adverse impact in excess of \$200,000
 - Agency required to prepare a Statement of Estimated Regulatory Costs (SERC) FS 120.54(3)(b)

Process Adoption of New Rule



- Finalized language is submitted to DOH OGC for review and then sent to the Joint Administrative Procedures Committee (JAPC) to review the rule and SERC for technical and substantive errors and consults with the agency
- Rule language reviewed and approved through standardized DOH approval process with final approver being the DOH State Surgeon General (SSG)
- Proposed Rule then reviewed by Department of State for content and alignment with the governing statute and all applicable laws/rules, and if no issue, rule effective 20 days after filing

GOAL Acheived



Rule is adopted and notification is disseminated to all interested stakeholders.

**Published in the
*Florida Administrative Code (FAC)***