



**Division of EMS and Trauma
TRAUMA SECTION
POLICY**

NUMBER:

**Trauma-
001**

Subject:
Regional Trauma Network Appeal Process

Supersedes #:
New

Previous Date:
NA

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Approved By:
Eileen Worden, Trauma Section Manager

Date:
September
19, 2016

PURPOSE:

Regional Trauma Networks must meet the requirements outlined in the Administrative Rules. Michigan Administrative Rule Code R. 325.125 *et seq.* All Regional Trauma Networks seeking recognition will file the appropriate application with the Michigan Department of Health and Human Services. Applications are reviewed and approved by the department, the Statewide Trauma Advisory Subcommittee, and the Emergency Medical Services Coordination Committee. The purpose of this policy is to describe the implementation of Rule 325.132(7)(c): *“The third phase is the final phase, with the department making a final decision regarding the regional trauma network plan. **This phase also includes an appeal procedure for the denial of an approval of application in accordance with the department’s administrative hearings requirements.**”*

POLICY:

According to the authority in Section 20910 of 1978 PA 368, MCL 333.9227, Section 333.20910; 2004 PA 580, 2004 PA 581, 2004 PA 582, and Administrative Rule 325.129(1). The department, with the advice of the Emergency Medical Services Coordination Committee and the Statewide Trauma Advisory Subcommittee, contingent upon sufficient funding being appropriated, shall establish regional trauma networks, consistent with the current emergency preparedness regions, to provide system oversight of the trauma care provided in each region of the state. Regional trauma networks shall be comprised of collaborating local Medical Control Authorities (MCAs) in a region. The collaborating MCAs in a region shall apply to the department for approval and recognition as a regional trauma network. The department, with the Statewide Trauma Advisory Subcommittee (STAC) and Emergency Medical Services Coordination Committee (EMSCC), shall review the appropriateness of the regional structure every three years.

COMPLIANCE CONFERENCE:

A compliance conference will be scheduled prior to the department issuing a final determination denying the Regional Trauma Network’s approval. The compliance conference will be attended by the leadership (on record) of the Regional Trauma Network, a representative of the advisory body (either STAC or EMSCC who will be recused from the final vote), the Trauma Section Manager and the pertinent Regional Trauma Coordinator. The compliance conference will focus on addressing the identified critical deficiencies in the application.

- If the identified critical deficiencies are met within 30 days of the compliance conference, the Regional Trauma Network’s application will go back to the STAC.



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- If the identified critical deficiencies are not met within 30 days of the compliance conference, the department will issue a final determination denying the application and the network may then appeal that determination as described below.

PROCEDURE:

The Network has 30 days to file an appeal from the time the denial of application for recognition is received.

The Network acting as an MCA or consortium of MCA's may proceed to appeal the decision to the STAC. The STAC will review all appeals and provide a summary and recommendations to the department.

The department will provide the appeal to the STAC not later than 60 days from receipt of notice of the appeal from the STAC.

1. The STAC will review pertinent documentation submitted to the department.
2. A written summary from the Regional Trauma Network (including all participating MCA's) filing the appeal must be submitted to the STAC for review on the date of the meeting.
3. The STAC will provide an opportunity for the Regional Trauma Network filing the appeal to provide oral testimony. Testimony is limited to 15 minutes.
4. The STAC will base its recommendation on the written materials presented and oral testimony. No additional material will be accepted by the STAC after the appeal has been presented.
5. The STAC will provide a written summary and recommendation to the department and the EMSCC.
6. The department will make a determination on the recognition of the Regional Trauma Network based on recommendations from the STAC and EMSCC.
7. The Network may appeal the department's decision to deny recognition of the Regional Trauma Network at an Administrative Hearing within 10 days of notification of the department's denial.
8. The Network may function under provisional status until the appeal process is completed.
9. The appeals process will be confidential to the extent allowable by law.

DESIGNATION ADMINISTRATIVE HEARING:

According to 20910 of 1978 PA 368, MCL 333.9227 and 333.20910; 2004 PA 580, 2004 PA 581, 2004 PA 582
Rule 325.129 Rule 5



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See Also:

Administrative Procedure Act of 1969 Act 306 of 1969
Chapter 4 Procedures in Contested Cases Sections 24.271-24.287
Chapter 6 Judicial Review 24.301-24.306

Note: The procedures set forth in this policy are intended ONLY as guidance and should not be construed as all inclusive for every circumstance. The department will review each case on an individual basis and make its determination based on all facts presented in relation to the case. If the department deviates from this policy as adopted the reason shall be stated in writing.