



**Division EMS and Trauma
TRAUMA SECTION
POLICY**

NUMBER:

**Trauma-
009**

Subject: Facility Appeal of Designation Determination

Supersedes #:
Trauma-005

Previous Date:
May 13, 2015

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Approved By:
Eileen Worden, Trauma Section Manager

Date:
December 5,
2017

PURPOSE:

Facilities applying for trauma designation must meet all of the requirements set forth in the Administrative Rules, Mich. Admin. Code R. 325.125 *et seq.* Applications for designation are reviewed by the Designation Subcommittee of the Statewide Trauma Care Advisory Subcommittee (STAC) and Emergency Medical Services Coordination Committee (EMSCC). The committee makes a recommendation to the Michigan Department of Health and Human Services (MDHHS) regarding designation based on the verification of resources conducted. The department then makes the final determination.

PROCESS:

- 1) Once MDHHS issues a final determination denying the designation sought, the facility has 10 business days from the date of the designation determination letter to notify the department in writing of their intent to appeal the decision.
- 2) The appellant, when requested, will submit written documentation (electronic versions cannot be accepted) supporting why the deficiencies cited are not correct.
NOTE: Documents of support cannot include any changes/corrections made AFTER the site visit.
- 3) Documentation must be clear, concise and pertain only to the identified critical deficiencies. Patient identifiers must be redacted on all materials.
- 4) Upon receiving the documentation, the Designation Subcommittee will review and if needed, request further documentation. Appeal documents must be submitted to the Verification/Designation Coordinator no later than 30 days from receipt of the final determination letter.
- 5) The appeal request will be placed on the Designation Subcommittee meeting agenda (a quorum is required for the Designation Subcommittee to conduct business). The appellant will be notified of the meeting date. The appellant will also be notified if a meeting is cancelled as soon as possible.
- 6) The Trauma Medical Director, Trauma Program Manager and Administrative Representative (appellant) may be required to attend. If required, all must be present on the scheduled date for the appeal to be heard.
- 7) MDHHS reserves the right to conduct a physical review of the facility.

PROCEDURE:

- Appellant did not effectively substantiate an argument to reconsider the designation determination. MDHHS will consider the Designation Subcommittee's recommendation. The designation determination will stand and the facility will be notified in writing.



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- Appellant did effectively substantiate an argument to reconsider the designation determination. MDHHS will consider the Designation Subcommittee's recommendation and make the final designation determination. The facility will be notified in writing.

Designation Appeal Process:

By authority conferred on the department of health and human services by sections 20910 and 20917a, and 2233 of 1978 PA 368, MCL 333.20910, 333.20917a, and 333.2233; and Executive Reorganization Order No 2015-1, MCL 400.227.

Administrative Hearing:

By statute, facilities may explore further recourse through the Michigan Administrative Hearing process.

Administrative Procedures 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.