

10A NCAC 13P .1504 TRAUMA CENTERS

(a) The Department shall deny the initial or renewal designation, without first allowing a focused review, of a trauma center for any of the following reasons:

- (1) failure to comply with G.S. 131E-162 and the rules adopted under that Statute;
- (2) obtaining or attempting to obtain a trauma center designation through fraud or misrepresentation;
- (3) endangerment to the health, safety, or welfare of patients cared for in the hospital; or
- (4) repeated deficiencies placed on the trauma center in previous site visits.

(b) When a trauma center is required to have a focused review, it must demonstrate compliance with the provisions of G.S. 131E-162 and the rules adopted under that Statute within 12 months or less.

(c) The Department shall revoke a trauma center designation at any time or deny a request for renewal of designation, whenever the Department finds that the trauma center has failed to comply with the provisions of G.S. 131E-162 and the rules adopted under that Statute; and

- (1) it is not probable that the trauma center can remedy the deficiencies within 12 months or less;
- (2) although the trauma center may be able to remedy the deficiencies it is not probable that the trauma center shall be able to remain in compliance with designation rules for the foreseeable future;
- (3) the trauma center failed to meet the requirements of a focused review;
- (4) failure to comply endangers the health, safety, or welfare of patients cared for in the trauma center; or
- (5) the trauma center altered, destroyed or attempted to destroy evidence needed for a complaint investigation.

(d) The Department shall give the trauma center written notice of revocation. This notice shall be given personally or by certified mail and shall set forth:

- (1) the factual allegations;
- (2) the statutes or rules alleged to be violated; and
- (3) notice of the hospital's right to a contested case hearing on the revocation of the designation.

(e) Focused review is not a procedural prerequisite to the revocation of a designation pursuant to Paragraph (c) of this Rule.

(f) A trauma center may voluntarily withdraw its designation for a maximum of one year by submitting a written request to the Department. This request shall include the reasons for withdrawal and a plan for resolution of the issues. To reactivate the designation, the facility shall provide to the Department written documentation of compliance. Voluntary withdrawal does not affect the original expiration date of the trauma center's designation.

(g) If the trauma center fails to resolve the issues which resulted in a voluntary withdrawal within one year, the Department shall revoke the trauma center designation.

(h) In the event of a revocation or voluntary withdrawal, the Department shall provide written notification to all hospitals and emergency medical services providers within the trauma center's defined trauma primary catchment area. The Department shall provide written notification to all hospitals and emergency medical services providers within the trauma center's defined trauma primary catchment area if, and when, the voluntary withdrawal reactivates to full designation.

History Note: Authority G.S. 131E-162; 143-508(d)(10);

Eff. January 1, 2013;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.