

TITLE 57
PUBLIC FUNDS IN GENERAL
CHAPTER 20
TRAUMA REGISTRY

57-2003. ESTABLISHMENT OF TRAUMA REGISTRY. The department, or an authorized contractor of the department, shall:

- (1) Establish a trauma registry to collect and analyze information on the incidence, severity, causes and outcomes of trauma, and other such data necessary to evaluate trauma and the health system's response to it;
- (2) Establish the data elements and data dictionary, including child specific data elements that hospitals must report, and the time frame and format for reporting by adoption of rules in the manner provided in chapter 52, title 67, Idaho Code;
- (3) Support, where necessary, data collection and abstraction by providing:
 - (a) A data collection system and technical assistance to each hospital; and
 - (b) Funding or, at the discretion of the department, personnel for collection and abstraction for each hospital.

57-2001. PURPOSE OF THE REGISTRY.

- (1) The specific issues to be identified and evaluated through the trauma registry are:
 - (a) Injury surveillance;
 - (b) Geographic patterns of trauma incidence;
 - (c) Types of injuries treated in hospitals in Idaho;
 - (d) Areas or regions of the state where improvements in the emergency medical system may be needed;
 - (e) Public education and prevention needs and efforts; and
 - (f) Other factors to consider in recommending, designing or implementing a statewide trauma system.
- (2) The data collected by the trauma registry shall be of such a nature as to allow the department to identify at least the following:
 - (a) Access to care;
 - (b) Performance of the out-of-hospital and hospital emergency medical systems;
 - (c) Costs of trauma care; and
 - (d) Outcomes of persons who are victims of trauma.
- (3) The department shall evaluate the data collected, as well as data collected from other relevant sources, and, beginning one (1) year after the effective date of this chapter, shall prepare an annual report.

57-2004. PARTICIPATION IN PROGRAM.

(1) Each licensed hospital shall report each case of trauma which meets the inclusion criteria to the department or the authorized contractor of the department within one hundred eighty (180) days of treatment.

(2) Each report of trauma shall include information as defined by the department.

(3) The department or authorized contractor of the department shall have physical access to all records which would identify reportable cases and/or establish characteristics, treatment or medical status of reportable cases in the event that there has been a failure to report as delineated in subsections (1) and (2) of this section.

(4) Nothing in this chapter shall prevent the department or authorized contractor from identifying and reporting cases using data linkages with death records, other trauma registries, and other potential sources.

57-2002. TRAUMA REGISTRY -- DEFINITIONS. When used in this chapter:

(1) "Confidential information" means information which may identify a patient, health care facility or health care practitioner.

(2) "Contractor" means that individual, partnership, corporation or other entity performing trauma registry services under a contractual agreement with the department.

(3) "De-identified information" means records and information contained in the trauma registry, including compilations and analyses thereof, which does not contain information which might identify a patient, health care facility or health care practitioner.

(4) "Department" means the bureau of emergency medical services of the Idaho Department of Health and Welfare.

(5) "Trauma" is the result of an act or event that damages, harms or hurts a human being resulting in intentional or unintentional damage to the body resulting from acute exposure to mechanical, thermal, electrical, or chemical energy or from the absence of such essentials as heat or oxygen.

(6) "Trauma registry" means the population based data system that provides ongoing and systematic collection, analysis, interpretation, and dissemination of information related to injury for system improvement, prevention and research activities. Elements in the registry shall describe the nature and scope of the injury problem, identify the incidence and prevalence of traumatic injury, severity of injury, performance of out-of-hospital and hospital emergency medical systems, patient outcome, and the impact of trauma on the health care system.

(7) "Trauma system" means the organized approach to treating injured patients that establishes and promotes standards for patient transportation, equipment, and information analysis for effective and coordinated trauma care. Trauma systems represent a continuum of care that is fully integrated into the emergency medical

services system and is a coordinated effort between out-of-hospital and hospital providers with the close cooperation of medical specialists in each phase of care. The focus is on prevention, coordination of acute care, and aggressive rehabilitation. Ideally, systems are designed to be inclusive of all injured patients requiring acute care facilities, striving to meet the needs of the patient, regardless of the severity of injury, geographic location or population density. Ultimately, a trauma system seeks to prevent injuries from happening and the reduction of death and disability when it does happen.

57-2005. CREATION OF TRAUMA REGISTRY FUND -- PURPOSE.

There is hereby created and established in the state treasury a fund to be known as the "Trauma Registry Fund" to which shall be deposited the revenues derived from grants, appropriations or other sources of funds. All moneys now or hereafter in the trauma registry fund are hereby dedicated for the purpose of contracting for and obtaining the services of a continuous registry of all trauma incident patients in the state of Idaho and maintaining cooperative exchange of information with other states providing a similar trauma incident registry. The department of health and welfare, bureau of emergency medical services, is charged with the administration of this fund for the purposes specified herein. All claims against the fund shall be examined, audited and allowed in the manner now or hereafter provided by law for claims against the state of Idaho.

57-2006. CONFIDENTIALITY.

(1) Information and records contained in the trauma registry shall be kept confidential and may be released only as provided by this chapter and the rules of the department.

(2) The department and authorized contractor may enter into agreements to exchange confidential information with other trauma registries in order to obtain complete reports of Idaho residents treated in other states and to provide information to other states regarding their residents treated in Idaho. Agreements sharing information from the trauma registry shall include a provision requiring the receiving agency to keep such information confidential.

(3) The department and authorized contractor may, in their discretion, publish or furnish to health researchers and the public, de-identified information including compilations and analyses thereof.

(4) The department and authorized contractor may furnish confidential information to other trauma registries, federal trauma programs, or health researchers in order to perform and collaborate with research studies. Persons and entities receiving confidential information for research purposes must comply with rules of the department relating to the confidentiality of trauma registry records and information.

(5) The department and authorized contractor may furnish confidential information relating to a specific licensed hospital, including compilations and analyses of such confidential information, to the specific licensed hospital to which it relates.

(6) Trauma registry records and information shall not be available for purposes of litigation except by order of the court. Any such order shall contain such protective provisions as are reasonable and necessary to prevent the public or further disclosure of

the records and information and shall contain a provision requiring the destruction of the records and information when no longer needed for the litigation.

57-2007. LIABILITY.

(1) No action for damages arising from the disclosure of confidential information may be maintained against any reporting entities or employees of such entities that participate in good faith in the reporting of trauma registry data in accordance with this chapter.

(2) No license of a health care facility or health care practitioner may be denied, suspended or revoked for the good faith disclosure of confidential information in accordance with this chapter.

(3) The immunity granted in subsections (1) and (2) of this section shall not be construed to apply to the unauthorized disclosure of confidential information when such disclosure is due to gross negligence or willful misconduct of the reporting entities.