MONTANA
ADMINISTRATIVE
REGISTER

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF PROPOSED RULEMAKING

MAR NOTICE NO. 2026-847.1

Summary

Amendment of ARM 37.104.3001 pertaining to Trauma Center Designation Criteria

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Hearing Date and Time

Friday, May 15, 2026, at 2:00 p.m.

Virtual Hearing Information

Join Zoom Meeting: https://mt-gov.zoom.us/j/83982943343?pwd=DPcOELwZ9fvbMrqmzUQoU6nKT3BRax.1

Meeting ID: 839 8294 3343 and Password: 483254

Dial by Telephone: +1 646 558 8656

Meeting ID: 839 8294 3343 and Password: 483254

Find your local number: https://mt-gov.zoom.us/u/kcnLTXifuQ

Comments

Comments may be submitted using the contact information below. Comments must be received by Friday, May 22, 2026, at 5:00 p.m.

Accommodations

The agency will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. Requests must be made by Friday, May 1, 2026, at 5:00 p.m.

Contact

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Fax: (406) 444-9744

Rulemaking Actions

AMEND

The rule proposed to be amended is as follows, stricken matter interlined, new matter underlined:

37.104.3001 DEFINITIONS

In addition to the definitions in 50-6-401, MCA, the following definitions apply to this subchapter:

(1) "Application" means the submission of written information by a health care facility, on forms required by the department, requesting designation as a specific level of trauma facility and providing information regarding its compliance with the Montana Trauma Facility Designation Criteria concerning the resources a facility must have to qualify as that level of trauma facility.

(2) "Area trauma hospital" means a health care facility that is designated by the department as having met the essential standards for area trauma hospitals as specified in the Montana Trauma Facility Designation Criteria.

(3) "Community trauma facility" means a health care facility that is designated by the department as having met the standards for a community trauma facility as described in the Montana Trauma Facility Designation Criteria.

(4) "Comprehensive trauma center" means a health care facility that is designated by the department as having met the standards for a comprehensive trauma center as described in the Montana Trauma Facility Designation Criteria.

(5) "Corrective action plan" means the specific actions that are required of a health care facility by the department in order to be in compliance with trauma facility requirements and that are included in a plan written by the health care facility and approved by the site review team.

(6) "Designated facility" refers to a health care facility that has been determined by the department to satisfy the requirements of one of the four categories of trauma facilities as described in the Montana Trauma Facility Designation Criteria.

(7) "Designation" means a formal determination by the department that a health care facility has met the requirements for a level of trauma facility as described in the Montana Trauma Facility Designation Criteria.

(8) "Designation subcommittee" means members of the State Trauma Care Committee's Performance Improvement Subcommittee that are selected by the Trauma Care Committee's chairperson to evaluate a site review team's report and who make recommendations to the department concerning a health care facility's designation.

(9) "Emergency department" means an area of a licensed health care facility that customarily receives patients in need of emergency evaluation or care.

(10) "Focused review" means a method established by the department to assess a health care facility's compliance with a corrective action plan to meet the resource criteria in the Montana Trauma Facility Designation Criteria.

(11) "Montana Trauma Facility Designation Criteria" means the document within the Montana Trauma System Plan that contains the requirements for a facility to meet in order to be designated as a particular type of trauma care facility. The department adopts and incorporates by reference the department's Montana Trauma Facility Designation Criteria (~~2024~~ 2026). A copy of the Montana Trauma Facility Designation Criteria (~~2024~~ 2026) may be obtained from the Department of Public Health and Human Services, Public Health and Safety Division, Emergency Medical Services and Trauma Systems Section, 1400 Broadway, P.O. Box 202951, Helena, MT 59620-2951 or electronically at https://dphhs.mt.gov/publichealth/emsts/Trauma/Regulation.

(12) "Nurse practitioner" means a person who is licensed as a professional registered nurse and approved by the Montana Board of Nursing as a nurse practitioner.

(13) "Peer review" means the confidential review by health care practitioners from multiple disciplines of provider performance in order to reduce morbidity and mortality and to improve the care of patients.

(14) "Physician" means a person licensed to practice medicine in Montana by the Montana Board of Medical Examiners.

(15) "Physician's assistant" means a person who is licensed to practice as a physician assistant by the Montana Board of Medical Examiners.

(16) "Practitioner" means a physician, nurse practitioner, or physician's assistant.

(17) "Provisional designation" means that a health care facility has substantially, although not completely, complied with the requirements for a given level of trauma facility, that a corrective action plan has been submitted by the facility to the department, and that the facility has been authorized by the department to serve as a trauma facility on a temporary basis.

(18) "Regional trauma center" means a health care facility that is designated by the department as having met the criteria for a regional trauma center as described in the Montana Trauma Facility Designation Criteria.

(19) "Regional Trauma Care Advisory Committee" means a regional committee composed of representatives from each of the region's trauma facilities established pursuant to 50-6-411, MCA.

(20) "Site review team" means a group of individuals selected by the department who have expertise in trauma care and trauma program administration and that evaluates a medical facility's compliance with required trauma facility criteria.

(21) "Site survey" means the process by which the site review team visits a health care facility that has applied for trauma facility designation, reviews the compliance of the medical facility with the applicable trauma facility criteria, and makes recommendations regarding designation to the department.

(22) "Trauma diversion" means a health care facility that temporarily does not have all the resources available to optimally resuscitate a seriously injured patient, with the result that such a patient is diverted from that hospital prior to arrival there and arrangements are made simultaneously for the patient to be received and treated at another facility that can provide more readily available and appropriate medical care.

(23) "Trauma patient" means an individual suffering from a trauma as defined in 50-6-401, MCA.

(24) "Trauma receiving facility" means a health care facility that is designated by the department as having met the criteria for a trauma receiving facility as described in the Montana Trauma Facility Designation Criteria.

Authorizing statute(s): 50-6-402, MCA

Implementing statute(s): 50-6-401, 50-6-402, MCA

General Reasonable Necessity Statement

The Department of Public Health and Human Services (department) is proposing to amend ARM 37.104.3001 pertaining to trauma center designation criteria.

The department is proposing to amend this rule to update the Montana Trauma Facility Designation Criteria adopted and incorporated by reference under ARM 37.104.3001(11). The department proposes to update the trauma designation criteria based upon the continued advancement of medical practice and to conform with nationally recognized best practices. The proposed rule amendment is necessary to ensure that the Montana Trauma Facility Designation Criteria remain relevant, practical, and supportive of high-quality trauma care across all facilities in the state.

A copy of the proposed changes to the Montana Trauma Facility Designation Criteria is electronically accessible at: https://dphhs.mt.gov/publichealth/emsts/Trauma/Regulation.

Small Business Impact

Pursuant to 2-4-111, MCA, the agency has determined there is no class or group of small businesses affected by the proposed rule amendment and that the proposed rule amendment will not have a significant and direct effect upon small businesses. The proposed rulemaking impacts trauma care facilities which do not meet the definition of a small business.

Bill Sponsor Notification

The bill sponsor contact requirements do not apply.

Interested Persons

The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by the department. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be emailed, mailed or otherwise delivered to the contact person above.

Rule Reviewer

Robert Lishman

Approval

Charles T. Brereton, Director

Department of Public Health and Human Services