MODERNIZING THE LEGAL DEFINITION OF TRAUMA

There is little doubt that "traumatic" injuries are commonly understood to include a wide variety of circumstances, including crash, gunshot and burn injuries. However, the current system is riddled with inconsistent definitions of what constitutes "trauma," and fails to describe accurately the full range of "traumatic" injuries, which can result in gaps in coverage and provision of care. These definitional conflicts also have serious consequences to our nation's burn centers, including restricting their eligibility for federal trauma research grants and other federal programs.

No one would dispute that a burn – which is an injury caused by exposure to heat, chemicals, or radiation – would normally be considered a "trauma." Indeed, it is not unusual for "trauma centers" at our nation's hospitals to work closely with "burn centers" in dealing with such serious injuries.

Although burn injuries should fall under the definition of trauma, this is not the case. For example:

- Title 42, United States Code, section 300d-31(4) defines "trauma" as "an injury resulting from the exposure to a mechanical force." This would NOT be a burn injury.

- The matter is further confused by a second definition of "trauma" set forth in 42 U.S.C. section 300d-61(h)(3), which states that the term "trauma" means "any serious injury that could result in loss of life or in significant disability and that would meet pre-hospital triage criteria for transport to a designated trauma center." While SOME burns might fall under this definition, it is not at all clear whether they do, especially in light of the more specific definition in section 300d-31(4).

There should be no question that "trauma" includes burn injuries – and the American College of Surgeons and its Committee on Trauma agree. By defining "trauma" as "an injury resulting from the exposure to mechanical force," the US Code has not only excluded burns from the definition of trauma, but also from federal trauma research programs available under 42 U.S.C. section 300d-41.

The American Burn Association is working with the American College of Surgeons, the American Trauma Society, and others to correct the definition of "trauma" to make it clear that "trauma" includes burn injuries. We are also working together to otherwise modernize this definition to ensure that it accurately reflects the medical reality of trauma. The ABA also anticipates that – with consensus across medical groups – an updated, modernized, revision of the federal definition of trauma can be presented to Congress in the near future that will allow burn centers to compete for trauma care center grants under applicable federal programs.