

By: Representatives Davis, Warren

To: Public Health and
Welfare;
Appropriations

HOUSE BILL NO. 1289

1 AN ACT TO ESTABLISH A PROGRAM FOR THE PURPOSE OF REIMBURSING
2 COUNTIES AND MUNICIPALITIES FOR A PORTION OF THE COST OF
3 PURCHASING AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) FOR USE BY
4 LOCAL LAW ENFORCEMENT OFFICERS, FIRE FIGHTERS AND EMERGENCY
5 MEDICAL SERVICES PERSONS; TO CREATE A SPECIAL FUND IN THE STATE
6 TREASURY TO BE DESIGNATED AS THE "AUTOMATIC EXTERNAL DEFIBRILLATOR
7 REIMBURSEMENT FUND"; TO PROVIDE THAT THE STATE FISCAL OFFICER
8 SHALL TRANSFER THE SUM OF \$1.1 MILLION FROM THE STATE GENERAL FUND
9 TO THE SPECIAL FUND IN TWO EQUAL PAYMENTS, WITH THE FIRST PAYMENT
10 ON JULY 1, 1999, AND THE SECOND PAYMENT ON JANUARY 1, 2000; TO
11 PROVIDE THAT THE TOTAL AMOUNT OF REIMBURSEMENT FROM THE FUND FOR A
12 COUNTY OR MUNICIPALITY, AND THE PORTION OF THE AED PURCHASE PRICE
13 THAT WILL BE REIMBURSABLE FROM THE FUND, WILL BE BASED ON THE
14 POPULATION OF THE COUNTY OR MUNICIPALITY; TO SPECIFICALLY
15 AUTHORIZE ANY LOCAL LAW ENFORCEMENT OFFICER, FIRE FIGHTER OR
16 EMERGENCY MEDICAL SERVICES PERSON TO USE AN AED FOR THE PURPOSE OF
17 SAVING THE LIFE OF ANOTHER PERSON IN CARDIAC ARREST; TO PROVIDE
18 THAT BEFORE ANY SUCH PERSON MAY USE AN AED, THE PERSON MUST OBTAIN
19 APPROPRIATE TRAINING AS SPECIFIED BY THE COUNTY OR MUNICIPALITY,
20 AND OBTAIN CERTIFICATION FROM THE COUNTY OR MUNICIPALITY AS HAVING
21 RECEIVED THE TRAINING AND HAVING A DEMONSTRATED PROFICIENCY IN THE
22 USE OF AN AED; AND FOR RELATED PURPOSES.

23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

24 SECTION 1. (1) There is established a program for the
25 purpose of reimbursing counties and municipalities for a portion
26 of the cost of purchasing automatic external defibrillators (AEDs)
27 for use by county sheriffs, deputy sheriffs, municipal police
28 officers, other county and municipal law enforcement officers,
29 fire fighters and emergency medical services (EMS) persons who are
30 employed by the counties and municipalities. The program shall be
31 administered by the Department of Finance and Administration.

32 (2) There is created in the State Treasury a special fund to
33 be designated as the "Automatic External Defibrillator
34 Reimbursement Fund." The State Fiscal Officer shall transfer the
35 sum of One Million One Hundred Thousand Dollars (\$1,100,000.00)
36 from the State General Fund to this special fund. The transfer
37 shall be made in two (2) equal payments, with the first payment to

38 be made on July 1, 1999, and the second payment to be made on
39 January 1, 2000. Such monies as are deposited into the fund under
40 the provisions of this section may be expended by the Department
41 of Finance and Administration upon appropriation by the
42 Legislature, and upon requisition therefor by the executive
43 director of the department, in accordance with the provisions of
44 this section. Five Hundred Fifty Thousand Dollars (\$550,000.00)
45 shall be available for expenditure after July 1, 1999, and Five
46 Hundred Fifty Thousand Dollars (\$550,000.00) shall be available
47 for expenditure after January 1, 2000. Unexpended amounts
48 remaining in the fund at the end of a fiscal year shall not lapse
49 into the State General Fund, and any interest earned on amounts in
50 the fund shall be deposited to the credit of the fund.

51 (3) (a) A county shall be eligible to receive reimbursement
52 from the fund for the purchase of AEDs as follows:

53 (i) If the population of the county in the areas
54 outside of the incorporated municipalities in the county is five
55 thousand (5,000) or more, according to the most recent federal
56 decennial census, the county shall be reimbursed fifty percent
57 (50%) of the actual purchase price of each AED purchased, not to
58 exceed a total reimbursement amount of Five Thousand Dollars
59 (\$5,000.00) for all AEDs purchased by the county.

60 (ii) If the population of the county in the areas
61 outside of the incorporated municipalities in the county is under
62 five thousand (5,000), according to the most recent federal
63 decennial census, the county shall be reimbursed seventy-five
64 percent (75%) of the actual purchase price of each AED purchased,
65 not to exceed a total reimbursement amount of Two Thousand Five
66 Hundred Dollars (\$2,500.00) for all AEDs purchased by the county.

67 (b) A municipality shall be eligible to receive
68 reimbursement from the fund for the purchase of AEDs as follows:

69 (i) If the population of the municipality is five
70 thousand (5,000) or more, according to the most recent federal
71 decennial census, the municipality shall be reimbursed fifty
72 percent (50%) of the actual purchase price of each AED purchased,
73 not to exceed a total reimbursement amount of Five Thousand
74 Dollars (\$5,000.00) for all AEDs purchased by the municipality.

75 (ii) If the population of the municipality is

76 under five thousand (5,000), according to the most recent federal
77 decennial census, the municipality shall be reimbursed
78 seventy-five percent (75%) of the actual purchase price of each
79 AED purchased, not to exceed a total reimbursement amount of Two
80 Thousand Five Hundred Dollars (\$2,500.00) for all AEDs purchased
81 by the municipality.

82 (c) The board of supervisors of a county or the
83 governing authorities of a municipality, as the case may be, shall
84 submit their requests for reimbursement from the fund to the
85 Department of Finance and Administration, and shall provide
86 documentation of the purchase of each AED and the actual purchase
87 price of each AED. The department shall review each request, and
88 if adequate documentation has been provided, the department shall
89 reimburse the county or municipality as provided in this section.

90 Monies in the fund shall be available on a first come, first
91 served basis, and no county or municipality has a right to
92 reimbursement if there are not sufficient monies in the fund to
93 make the reimbursement.

94 (4) The Department of Finance and Administration shall:

95 (a) Maintain an accurate record of all monies paid to
96 counties and municipalities from the fund, those records to be
97 kept separate from other records of the department;

98 (b) Notify counties and municipalities of the AED
99 reimbursement program and the requirements for them to be eligible
100 to receive reimbursement from the fund;

101 (c) Adopt and promulgate such rules and regulations as
102 may be necessary and desirable to implement this section; and

103 (d) File with the Legislature on or before January 4,
104 2000, and on or before July 1, 2000, a report detailing how the
105 monies in the fund were expended during the preceding portion of
106 the fiscal year.

107 SECTION 2. Any county sheriff, deputy sheriff, municipal
108 police officer, other county or municipal law enforcement officer,
109 fire fighter or emergency medical services (EMS) person who is

110 employed by a county or municipality may use an automatic external
111 defibrillator (AED) for the purpose of saving the life of another
112 person in cardiac arrest. However, before any such person may use
113 an AED, the person must obtain appropriate training as specified
114 by the county or municipality in which the person is employed, and
115 obtain certification from the county or municipality as having
116 received the training and having a demonstrated proficiency in the
117 use of an AED. The training shall include, at a minimum,
118 completion of a course in cardiopulmonary resuscitation (CPR) or
119 successful completion of a basic first aid course that includes
120 CPR training, and a course in the use of an AED.

121 SECTION 3. This act shall take effect and be in force from
122 and after July 1, 1999.