

By: Representative Davis

To: Public Health and Welfare; Appropriations

HOUSE BILL NO. 202

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, 2001, AND THE SECOND PAYMENT ON JANUARY 1, 2002; 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. For  
 32 the purposes of this act, the term "AED" shall be defined as in  
 33 Section 41-60-31.

34 (2) There is created in the State Treasury a special fund to  
 35 be designated as the "Automatic External Defibrillator  
 36 Reimbursement Fund." The State Fiscal Officer shall transfer the  
 37 sum of One Million One Hundred Thousand Dollars (\$1,100,000.00)



38 from the State General Fund to this special fund. The transfer  
39 shall be made in two (2) equal payments, with the first payment to  
40 be made on July 1, 2001, and the second payment to be made on  
41 January 1, 2002. Such monies as are deposited into the fund under  
42 the provisions of this section may be expended by the Department  
43 of Finance and Administration upon appropriation by the  
44 Legislature, and upon requisition therefor by the executive  
45 director of the department, in accordance with the provisions of  
46 this section. Five Hundred Fifty Thousand Dollars (\$550,000.00)  
47 shall be available for expenditure after July 1, 2001, and Five  
48 Hundred Fifty Thousand Dollars (\$550,000.00) shall be available  
49 for expenditure after January 1, 2002. Unexpended amounts  
50 remaining in the fund at the end of a fiscal year shall not lapse  
51 into the State General Fund, and any interest earned on amounts in  
52 the fund shall be deposited to the credit of the fund.

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

55 (i) If the population of the county in the areas  
56 outside of the incorporated municipalities in the county is five  
57 thousand (5,000) or more, according to the most recent federal  
58 decennial census, the county shall be reimbursed fifty percent  
59 (50%) of the actual purchase price of each AED purchased, not to  
60 exceed a total reimbursement amount of Five Thousand Dollars  
61 (\$5,000.00) for all AEDs purchased by the county.

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

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



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

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

84                   (c) The board of supervisors of a county or the  
85 governing authorities of a municipality, as the case may be, shall  
86 submit their requests for reimbursement from the fund to the  
87 Department of Finance and Administration, and shall provide  
88 documentation of the purchase of each AED and the actual purchase  
89 price of each AED. The department shall review each request, and  
90 if adequate documentation has been provided, the department shall  
91 reimburse the county or municipality as provided in this section.  
92 Monies in the fund shall be available on a first come, first  
93 served basis, and no county or municipality has a right to  
94 reimbursement if there are not sufficient monies in the fund to  
95 make the reimbursement.

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

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

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



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

105           (d) File with the Legislature on or before January 2,  
106 2002, and on or before July 1, 2002, a report detailing how the  
107 monies in the fund were expended during the preceding portion of  
108 the fiscal year.

109       SECTION 2. Any county sheriff, deputy sheriff, municipal  
110 police officer, other county or municipal law enforcement officer,  
111 fire fighter or emergency medical services (EMS) person who is  
112 employed by a county or municipality may use an automatic external  
113 defibrillator (AED) for the purpose of saving the life of another  
114 person in cardiac arrest. However, before any such person may use  
115 an AED, the person must obtain appropriate training as specified  
116 by the county or municipality in which the person is employed, and  
117 obtain certification from the county or municipality as having  
118 received the training and having a demonstrated proficiency in the  
119 use of an AED. The training shall include, at a minimum,  
120 completion of a course in cardiopulmonary resuscitation (CPR) or  
121 successful completion of a basic first aid course that includes  
122 CPR training, and a course in the use of an AED.

123       SECTION 3. This act shall take effect and be in force from  
124 and after July 1, 2001.

