

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 1017

1 AN ACT TO AMEND SECTIONS 41-59-35, 41-59-45, 41-60-11 AND
2 41-60-13, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CERTAIN
3 EMERGENCY MEDICAL SERVICE TECHNICIAN TITLES UNLESS THE USER HAS
4 BEEN CERTIFIED BY LAW; TO AUTHORIZE THE STATE BOARD OF HEALTH TO
5 LEVY FINES AGAINST AMBULANCE SERVICES, EMERGENCY MEDICAL
6 TECHNICIANS AND DRIVERS FOR STATUTORY AND REGULATORY VIOLATIONS;
7 TO CLARIFY THE NATIONAL STANDARD CURRICULUM PERFORMANCE
8 REQUIREMENTS OF TRAINING PROGRAMS FOR ADVANCED LIFE SUPPORT
9 TRAINEES AND PERSONNEL; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 41-59-35, Mississippi Code of 1972, is
12 amended as follows:

13 41-59-35. (1) An emergency medical technician certificate
14 so issued shall be valid for a period not exceeding two (2) years
15 from the date of issuance and may be renewed upon payment of a
16 renewal fee to be fixed by the board, which shall be paid to the
17 board, provided that the holder meets the qualifications set forth
18 in this Chapter 59 and Chapter 60 and rules and regulations
19 promulgated by the board.

20 (2) The board is authorized to suspend or revoke a
21 certificate so issued at any time it is determined that the holder
22 no longer meets the prescribed qualifications.

23 (3) It shall be unlawful for any person, corporation or
24 association to, in any manner, represent himself or itself as an
25 Emergency Medical Technician-Basic, Emergency Medical
26 Technician-Intermediate, Emergency Medical Technician-Paramedic,
27 or Emergency Medical Services Driver, or use in connection with
28 his or its name the words or letters of EMT, emt, paramedic, or
29 any other letters, words, abbreviations or insignia which would

30 indicate or imply that he or it is an Emergency Medical
31 Technician-Basic, Emergency Medical Technician-Intermediate,
32 Emergency Medical Technician-Paramedic, or Emergency Medical
33 Services Driver. It shall be unlawful to employ an uncertified
34 Emergency Medical Technician-Basic, Emergency Medical
35 Technician-Intermediate, or Emergency Medical Technician-Paramedic
36 to provide basic or advanced life support services.

37 (4) Any Emergency Medical Technician-Basic, Emergency
38 Medical Technician-Intermediate, Emergency Medical
39 Technician-Paramedic, or Emergency Medical Services Driver who
40 violates or fails to comply with these statutes or the rules and
41 regulations promulgated by the board under these statutes shall be
42 subject, after due notice and hearing, to an administrative fine
43 not to exceed One Thousand Dollars (\$1,000.00).

44 SECTION 2. Section 41-59-45, Mississippi Code of 1972, is
45 amended as follows:

46 41-59-45. (1) It shall be the duty of the licensed owner of
47 any ambulance service or other employer of emergency medical
48 technicians for the purpose of providing basic or advanced life
49 support services to insure compliance with the provisions of this
50 Chapter 59 and Chapter 60 and all rules and regulations
51 promulgated by the board.

52 (2) Any person, corporation or association that violates any
53 rule or regulation promulgated by the board under these statutes
54 regarding the provision of ambulance services or the provision of
55 basic or advanced life support services by emergency medical
56 technicians shall, after due notice and hearing, be subject to an
57 administrative fine not to exceed One Thousand Dollars (\$1,000.00)
58 per occurrence.

59 (3) Any person violating or failing to comply with any other
60 provisions of this Chapter 59 or Chapter 60 shall be deemed guilty
61 of a misdemeanor, and upon conviction thereof shall be fined an

62 amount not to exceed Fifty Dollars (\$50.00) or be imprisoned for a
63 period not to exceed thirty (30) days, or both, for each offense.

64 (4) The board may cause to be instituted a civil action in
65 the chancery court of the county in which any alleged offender of
66 this Chapter 59 or Chapter 60 may reside or have his principal
67 place of business for injunctive relief to prevent any violation
68 of any provision of this Chapter 59 or Chapter 60, or any rules or
69 regulation adopted by the board pursuant to the provisions of this
70 Chapter 59 or Chapter 60.

71 (5) Each day that any violation or failure to comply with
72 any provision of this chapter or any rule or regulation
73 promulgated by the board thereto is committed or permitted to
74 continue shall constitute a separate and distinct offense under
75 this section, except that the court may, in its discretion, stay
76 the cumulation of penalties.

77 It shall not be considered a violation of this Chapter 59 or
78 Chapter 60 for a vehicle domiciled in a nonparticipating
79 jurisdiction to travel in a participating jurisdiction.

80 SECTION 3. Section 41-60-11, Mississippi Code of 1972, is
81 amended as follows:

82 41-60-11. As used in Sections 41-60-11 and 41-60-13, unless
83 the context otherwise requires, the term:

84 (a) "Advanced life support" shall mean a sophisticated
85 level of prehospital and interhospital emergency care which
86 includes basic life support functions including cardiopulmonary
87 resuscitation (CPR), plus cardiac monitoring, cardiac
88 defibrillation, telemetered electrocardiography, administration of
89 antiarrhythmic agents, intravenous therapy, administration of
90 specific medications, drugs and solutions, use of adjunctive
91 ventilation devices, trauma care and other authorized techniques
92 and procedures.

93 (b) "Advanced life support personnel" shall mean
94 persons other than physicians engaged in the provision of advanced

95 life support, as defined and regulated by rules and regulations
96 promulgated by the board.

97 (c) "Emergency medical technician-intermediate" shall
98 mean a person specially trained in advanced life support modules,
99 numbers I, II and III as developed for the United States
100 Department of Transportation under Contract No. DOT-HS-900-089, as
101 authorized by the Mississippi State Board of Health.

102 (d) "Emergency medical technician-paramedic" shall mean
103 a person specially trained in an advanced life support training
104 program authorized by the Mississippi State Board of Health.

105 (e) "Medical control" shall mean directions and advice
106 provided from a centrally designated medical facility staffed by
107 appropriate personnel, operating under medical supervision,
108 supplying professional support through radio or telephonic
109 communication for on-site and in-transit basic and advanced life
110 support services given by field and satellite facility personnel.

111 SECTION 4. Section 41-60-13, Mississippi Code of 1972, is
112 amended as follows:

113 41-60-13. The Mississippi State Board of Health is
114 authorized to promulgate and enforce rules and regulations to
115 provide for the best and most effective emergency medical care,
116 and to comply with national standards for advanced life support.
117 Notwithstanding any other provision of law, advanced life support
118 personnel may be authorized to provide advanced life support
119 services as defined by rules and regulations promulgated by the
120 State Board of Health. Rules and regulations promulgated pursuant
121 to this authority shall, as a minimum:

122 (a) Define and authorize appropriate functions and
123 training programs for advanced life support trainees and
124 personnel * * *; provided, that all such training programs shall
125 meet or exceed the performance requirements of the current
126 training program for the emergency medical technician-paramedic,

127 developed for the United States Department of
128 Transportation * * *.

129 (b) Specify minimum operational requirements which will
130 assure medical control over all advanced life support services.

131 (c) Specify minimum testing and certification
132 requirements and provide for continuing education and periodic
133 recertification for all advanced life support personnel.

134 SECTION 5. This act shall take effect and be in force from
135 and after July 1, 2001.