

By: Senator(s) Huggins

To: Public Health and Welfare

SENATE BILL NO. 2209  
(As Sent to Governor)

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; TO DIRECT THE STATE BOARD OF HEALTH TO  
10 STUDY THE FEASIBILITY OF PLACING AN EMERGENCY MEDICAL SERVICES  
11 VEHICLE/AMBULANCE IN EVERY COUNTY OF THE STATE; AND FOR RELATED  
12 PURPOSES.

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

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

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

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

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

32 any other letters, words, abbreviations or insignia which would  
33 indicate or imply that he or it is an Emergency Medical  
34 Technician-Basic, Emergency Medical Technician-Intermediate,  
35 Emergency Medical Technician-Paramedic, or Emergency Medical  
36 Services Driver, unless certified in accordance with Chapters 59  
37 and 60 of this title and in accordance with the rules and  
38 regulations promulgated by the board. It shall be unlawful to  
39 employ an uncertified Emergency Medical Technician-Basic,  
40 Emergency Medical Technician-Intermediate, or Emergency Medical  
41 Technician-Paramedic to provide basic or advanced life support  
42 services.

43 (4) Any Emergency Medical Technician-Basic, Emergency  
44 Medical Technician-Intermediate, Emergency Medical  
45 Technician-Paramedic, or Emergency Medical Services Driver who  
46 violates or fails to comply with these statutes or the rules and  
47 regulations promulgated by the board hereunder shall be subject,  
48 after due notice and hearing, to an administrative fine not to  
49 exceed One Thousand Dollars (\$1,000.00).

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

52 41-59-45. (1) It shall be the duty of the licensed owner of  
53 any ambulance service or other employer of emergency medical  
54 technicians for the purpose of providing basic or advanced life  
55 support services to insure compliance with the provisions of this  
56 Chapter 59 and Chapter 60 and all rules and regulations  
57 promulgated by the board.

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

65 (3) Any person violating or failing to comply with any other  
66 provisions of this Chapter 59 or Chapter 60 shall be deemed guilty  
67 of a misdemeanor, and upon conviction thereof shall be fined an  
68 amount not to exceed Fifty Dollars (\$50.00) or be imprisoned for a  
69 period not to exceed thirty (30) days, or both, for each offense.

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

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

83 It shall not be considered a violation of this Chapter 59 or  
84 Chapter 60 for a vehicle domiciled in a nonparticipating  
85 jurisdiction to travel in a participating jurisdiction.

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

88 41-60-11. As used in Sections 41-60-11 and 41-60-13, unless  
89 the context otherwise requires, the term:

90 (a) "Advanced life support" shall mean a sophisticated  
91 level of prehospital and interhospital emergency care which  
92 includes basic life support functions including cardiopulmonary  
93 resuscitation (CPR), plus cardiac monitoring, cardiac  
94 defibrillation, telemetered electrocardiography, administration of  
95 antiarrhythmic agents, intravenous therapy, administration of  
96 specific medications, drugs and solutions, use of adjunctive

97 ventilation devices, trauma care and other authorized techniques  
98 and procedures.

99 (b) "Advanced life support personnel" shall mean  
100 persons other than physicians engaged in the provision of advanced  
101 life support, as defined and regulated by rules and regulations  
102 promulgated by the board.

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

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

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

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

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

128 (a) Define and authorize appropriate functions and  
129 training programs for advanced life support trainees and

130 personnel \* \* \*; provided, that all such training programs shall  
131 meet or exceed the performance requirements of the current  
132 training program for the emergency medical technician-paramedic,  
133 developed for the United States Department of  
134 Transportation \* \* \*.

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

137 (c) Specify minimum testing and certification  
138 requirements and provide for continuing education and periodic  
139 recertification for all advanced life support personnel.

140 SECTION 5. The State Board of Health shall study the  
141 feasibility of placing an emergency medical services  
142 vehicle/ambulance in every county of the state, including but not  
143 limited to, Benton, Carroll, Greene and Smith Counties, and shall  
144 file a report regarding that study with the Chairmen of the House  
145 and Senate Public Health and Welfare Committees not later than  
146 January 1, 2002.

147 SECTION 6. This act shall take effect and be in force from  
148 and after July 1, 2001.