HOUSE BILL NO. 1089
(As Sent to Governor)

AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE "AUTO-INJECTOR" AND "FIRST RESPONDER" FOR THE PURPOSE OF THE EMERGENCY MEDICAL SERVICES LAW; TO PROVIDE THAT FIRST RESPONDERS AND ALL LEVELS OF EMERGENCY MEDICAL TECHNICIANS, WHEN AUTHORIZED BY MEDICAL DIRECTION, MAY CARRY AND ADMINISTER EPINEPHRINE FROM AUTO-INJECTORS TO TREAT PERSONS EXPERIENCING ALLERGIC REACTIONS AND ANAPHYLAXIS; TO PROVIDE FOR CERTIFICATION OF FIRST RESPONDERS BY THE STATE BOARD OF HEALTH; TO AUTHORIZE THE STATE BOARD OF HEALTH TO ISSUE REGULATIONS FOR FIRST RESPONDER BASIC LIFE SUPPORT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 41-59-3, Mississippi Code of 1972, is amended as follows:

41-59-3. As used in this chapter, unless the context otherwise requires, the term:

(a) "Ambulance" shall mean any privately or publicly owned land or air vehicle that is especially designed, constructed, modified or equipped to be used, maintained and operated upon the streets, highways or airways of this state to assist persons who are sick, injured, wounded, or otherwise incapacitated or helpless;

(b) "Auto-injector" means a spring-loaded needle and syringe with a single dose of medicine that will automatically release and inject the medicine.

(c) "Permit" shall mean an authorization issued for an ambulance vehicle and/or a special use EMS vehicle as meeting the standards adopted pursuant to this chapter;

(d) "License" shall mean an authorization to any person, firm, corporation, or governmental division or agency to provide ambulance services in the State of Mississippi;
(e) "Emergency medical technician" shall mean an individual who possesses a valid emergency medical technician's certificate issued pursuant to the provisions of this chapter;

(f) "Certificate" shall mean official acknowledgment that an individual has successfully completed the recommended basic emergency medical technician training course referred to in this chapter which entitles that individual to perform the functions and duties of an emergency medical technician;

(g) "Board" shall mean the State Board of Health;

(h) "Department" means the Mississippi State Department of Health, Division of Emergency Medical Services;

(i) "Executive officer" shall mean the Executive Officer of the State Board of Health, or his designated representative;

(j) "First Responder" means a person who uses a limited amount of equipment to perform the initial assessment of and intervention with sick, wounded or otherwise incapacitated persons, who (i) is trained to assist other EMS personnel by successfully completing, within the previous two (2) years, an approved "First Responder: National Standard Curriculum" training program, as developed and promulgated by the United States Department of Transportation, (ii) is nationally registered as a First Responder by the National Registry of Emergency Medical Technicians; and (iii) is certified as a First Responder by the Mississippi State Department of Health, Division of Emergency Medical Services;

(k) "Invalid vehicle" shall mean any privately or publicly owned land or air vehicle which is maintained, operated and used only to transport persons routinely who are convalescent or otherwise nonambulatory and do not require the service of an emergency medical technician while in transit;

(l) "Special use EMS vehicle" means any privately or publicly owned land, water or air emergency vehicle used to
support the provision of emergency medical services. These
vehicles shall not be used routinely to transport patients;

(m) "Trauma care system" or "trauma system" means a
formally organized arrangement of health care resources that has
been designated by the department by which major trauma victims
are triaged, transported to and treated at trauma care facilities;

(n) "Trauma care facility" or "trauma center" means a
hospital located in the State of Mississippi or a Level I trauma
care facility or center located in a state contiguous to the State
of Mississippi that has been designated by the department to
perform specified trauma care services within a trauma care system
pursuant to standards adopted by the department. Participation in
this designation by each hospital is voluntary;

(o) "Trauma registry" means a collection of data on
patients who receive hospital care for certain types of injuries.
Such data are primarily designed to ensure quality trauma care and
outcomes in individual institutions and trauma systems, but have
the secondary purpose of providing useful data for the
surveillance of injury morbidity and mortality.

SECTION 2. When authorized by medical direction, a First
Responder, an Emergency Medical Technician-Basic, an Emergency
Medical Technician-Intermediate or an Emergency Medical
Technician-Paramedic may carry and administer, or aid in the
administration of, a dose of epinephrine from an auto-injector to
treat persons experiencing allergic reactions and anaphylaxis.

SECTION 3. Any person desiring certification as a First
Responder shall apply to the board using forms prescribed by the
board. Each application for a first responder certificate shall
be accompanied by a certificate fee to be fixed by the board,
which shall be paid to the board. Upon the successful completion
of the board's approved first responder training program, the
board shall make a determination of the applicant's qualifications
as a First Responder as set forth in the regulations promulgated
by the board, and shall issue a first responder certificate to the
applicant.

SECTION 4. The Mississippi State Board of Health is
authorized to promulgate and enforce rules and regulations to
provide for the best and most effective emergency medical care,
and to comply with national standards for first responder basic
life support. Notwithstanding any other provision of law, first
responder personnel may be authorized to provide first responder
basic life support services as defined by rules and regulations
promulgated by the State Board of Health.

Rules and regulations promulgated pursuant to this authority
shall, as a minimum:

(a) Define and authorize functions and training
programs for first responder personnel; provided that all such
training programs shall meet or exceed the performance
requirements of the most current training program "First
Responder: National Standard Curriculum" as developed by the
United States Department of Transportation, National Highway
Traffic Safety Administration.

(b) Specify minimum operational requirements which will
include, but not be limited to, medical control over the
administration of a dose of epinephrine from an auto-injector.

(c) Specify minimum testing and certification
requirements and provide for continuing education and periodic
recertification for all first responder personnel.

SECTION 5. This act shall take effect and be in force from
and after July 1, 2002.