

By: Representatives Moody,
Holland

To: Public Health and
Welfare

HOUSE BILL NO. 2
(As Passed the House)

1 AN ACT TO BRING FORWARD SECTION 41-59-3, MISSISSIPPI CODE OF
2 1972, WHICH DEFINES "AUTO-INJECTOR" AND "FIRST RESPONDER" FOR THE
3 PURPOSE OF THE EMERGENCY MEDICAL SERVICES LAW; TO BRING FORWARD
4 SECTIONS 2, 3 AND 4, CHAPTER 623, LAWS OF 2002, WHICH PROVIDE THAT
5 FIRST RESPONDERS AND ALL LEVELS OF EMERGENCY MEDICAL TECHNICIANS,
6 WHEN AUTHORIZED BY MEDICAL DIRECTION, MAY CARRY AND ADMINISTER
7 EPINEPHRINE FROM AUTO-INJECTORS TO TREAT PERSONS EXPERIENCING
8 ALLERGIC REACTIONS AND ANAPHYLAXIS, PROVIDE FOR CERTIFICATION OF
9 FIRST RESPONDERS BY THE STATE BOARD OF HEALTH, AND AUTHORIZE THE
10 STATE BOARD OF HEALTH TO ISSUE REGULATIONS FOR FIRST RESPONDER
11 BASIC LIFE SUPPORT; TO AMEND SECTION 5, CHAPTER 623, LAWS OF 2002,
12 TO DELAY THE EFFECTIVE DATE ON THE PRECEDING PROVISIONS UNTIL JULY
13 1, 2004; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 41-59-3, Mississippi Code of 1972, is
16 brought forward as follows:

17 41-59-3. As used in this chapter, unless the context
18 otherwise requires, the term:

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

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

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

31 (d) "License" shall mean an authorization to any
32 person, firm, corporation, or governmental division or agency to
33 provide ambulance services in the State of Mississippi;

34 (e) "Emergency medical technician" shall mean an
35 individual who possesses a valid emergency medical technician's
36 certificate issued pursuant to the provisions of this chapter;

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

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

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

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

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

60 (k) "Invalid vehicle" shall mean any privately or
61 publicly owned land or air vehicle which is maintained, operated
62 and used only to transport persons routinely who are convalescent

63 or otherwise nonambulatory and do not require the service of an
64 emergency medical technician while in transit;

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

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

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

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

86 **SECTION 2.** Section 2, Chapter 623, Laws of 2002, is brought
87 forward as follows:

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

94 **SECTION 3.** Section 3, Chapter 623, Laws of 2002, is brought
95 forward as follows:

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

106 **SECTION 4.** Section 4, Chapter 623, Laws of 2002, is brought
107 forward as follows:

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

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

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

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

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

131 **SECTION 5.** Section 5, Chapter 623, Laws of 2002, is amended
132 as follows:

133 Section 5. This act shall take effect and be in force from
134 and after July 1, 2004.

135 **SECTION 6.** This act shall take effect and be in force from
136 and after its passage.