

By: Representative Pierce

To: Public Health and Welfare

HOUSE BILL NO. 1438

1 AN ACT TO AMEND SECTION 41-59-81, MISSISSIPPI CODE OF 1972,  
2 TO DIRECT THE STATE BOARD OF HEALTH TO ADOPT RULES AND REGULATIONS  
3 TO PROVIDE THAT A FIRST RESPONDER WILL NOT BE REQUIRED TO BE UNDER  
4 MEDICAL CONTROL UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION  
5 41-59-83, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING  
6 PROVISION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 41-59-81, Mississippi Code of 1972, is  
9 amended as follows:

10 41-59-81. The \* \* \* State Board of Health may promulgate and  
11 enforce rules and regulations to provide for the best and most  
12 effective emergency medical care, and to comply with national  
13 standards for first responder basic life support. Notwithstanding  
14 any other provision of law, first responder personnel may be  
15 authorized to provide first responder basic life support services  
16 as defined by rules and regulations promulgated by the State Board  
17 of Health.

18 Rules and regulations promulgated under this authority shall,  
19 as a minimum:

20 (a) Define and authorize functions and training  
21 programs for first responder personnel. All those training  
22 programs shall meet or exceed the performance requirements of the  
23 most current training program "First Responder: National Standard  
24 Curriculum" as developed by the United States Department of  
25 Transportation, National Highway Traffic Safety Administration.

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



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

32 (d) Provide that a first responder will not be required  
33 to be under medical control if the first responder (i) is located  
34 in a county that does not have a hospital, or (ii) is without the  
35 ability to obtain appropriate medical control within the county in  
36 which the first responder is located.

37 **SECTION 2.** Section 41-59-83, Mississippi Code of 1972, is  
38 amended as follows:

39 41-59-83. When authorized by medical direction, except as  
40 otherwise provided in Section 41-59-81(d), a first responder, an  
41 emergency medical technician-basic, an emergency medical  
42 technician-intermediate or an emergency medical  
43 technician-paramedic may carry and administer, or aid in the  
44 administration of, a dose of epinephrine from an auto-injector to  
45 treat persons experiencing allergic reactions and anaphylaxis.

46 **SECTION 3.** Section 1 of this act shall take effect and be in  
47 force from and after July 1, 2003, and Section 2 of this act shall  
48 take effect and be in force from and after July 1, 2004.

