

By: Representatives Moore, Baker (74th),
Holland, Dedeaux

To: Public Health and Human
Services

HOUSE BILL NO. 445

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF "FIRST RESPONDER" IN THE EMERGENCY
3 MEDICAL SERVICES LAW BY DELETING THE REQUIREMENT FOR CERTIFICATION
4 BY THE STATE DEPARTMENT OF HEALTH; TO REPEAL SECTION 41-59-79,
5 MISSISSIPPI CODE OF 1972, WHICH REQUIRES FIRST RESPONDERS TO BE
6 CERTIFIED BY THE STATE DEPARTMENT OF HEALTH; TO REPEAL SECTION
7 41-59-81, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE STATE
8 BOARD OF HEALTH TO PROMULGATE RULES AND REGULATIONS REGARDING THE
9 CERTIFICATION OF FIRST RESPONDERS; TO BRING FORWARD SECTION
10 41-59-83, WHICH AUTHORIZES CERTAIN EMERGENCY MEDICAL PERSONNEL TO
11 CARRY AND ADMINISTER EPINEPHRINE; TO REPEAL SECTION 5, CHAPTER
12 623, LAWS OF 2002, AS AMENDED BY CHAPTER 3, 2002 FIRST
13 EXTRAORDINARY SESSION, WHICH DELAYS UNTIL JULY 1, 2004, THE
14 EFFECTIVE DATE OF THE FIRST RESPONDER PROVISIONS; AND FOR RELATED
15 PURPOSES.

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

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

19 41-59-3. As used in this chapter, unless the context
20 otherwise requires, the term:

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

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

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

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

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

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

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

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

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

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

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 (1) "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 41-59-79, Mississippi Code of 1972, which
87 requires first responders to be certified, is repealed.

88 **SECTION 3.** Section 41-59-81, Mississippi Code of 1972, which
89 authorizes the State Board of Health to promulgate rules and
90 regulations regarding the certification of first responders, is
91 repealed.

92 **SECTION 4.** Section 41-59-83, Mississippi Code of 1972, is
93 brought forward as follows:

94 41-59-83. When authorized by medical direction, a first
95 responder, an emergency medical technician-basic, an emergency
96 medical technician-intermediate or an emergency medical
97 technician-paramedic may carry and administer, or aid in the

98 administration of, a dose of epinephrine from an auto-injector to
99 treat persons experiencing allergic reactions and anaphylaxis.

100 **SECTION 5.** Section 5, Chapter 623, Laws of 2002, as amended
101 by Chapter 3, 2002 First Extraordinary Session, which delays until
102 July 1, 2004, the effective date of the first responder
103 provisions, is repealed.

104 **SECTION 6.** This act shall take effect and be in force from
105 and after July 1, 2004.