

By: Senator(s) Gordon

To: Appropriations

SENATE BILL NO. 2067

1 AN ACT TO AMEND SECTION 7-9-70, MISSISSIPPI CODE OF 1972, TO  
 2 CREATE A MISSISSIPPI BURN CARE FUND, TO PROVIDE THAT THE  
 3 MISSISSIPPI FIREFIGHTERS MEMORIAL BURN CENTER FUND SHALL BE THE  
 4 MISSISSIPPI BURN CARE FUND, TO REQUIRE THE BOARD OF HEALTH TO  
 5 ESTABLISH STANDARDS AND PROCEDURES FOR THE USE OF FUNDS  
 6 APPROPRIATED FROM THE FUND; TO AMEND SECTIONS 21-19-58, 27-7-88,  
 7 27-19-44.1, 27-19-44.3, 27-39-331, 27-39-332 AND 41-59-5,  
 8 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED  
 9 PURPOSES.

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

11 **SECTION 1.** Section 7-9-70, Mississippi Code of 1972, is  
 12 amended as follows:

13 7-9-70. (1) There is hereby created and established in the  
 14 State Treasury a special trust fund to be known as the  
 15 "Mississippi Fire Fighters Memorial Burn Center Fund." There  
 16 shall be deposited in such fund (a) all such fees as the State  
 17 Treasurer is directed to deposit therein under subsection (4) of  
 18 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and  
 19 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,  
 20 donation, bequest, trust, grant, endowment, transfer of money or  
 21 securities or any other monies from any source whatsoever as may  
 22 be designated for deposit in the fund.

23 (2) The principal of the trust fund created under subsection  
 24 (1) of this section shall remain inviolate and shall be invested  
 25 as provided by law. Interest and income derived from investment  
 26 of the principal of the trust fund may be appropriated by the  
 27 Legislature and expended exclusively for the support and  
 28 maintenance of the Mississippi Fire Fighters Memorial Burn Center.

29 (3) From and after the effective date of this act, there  
 30 shall be created in the State Treasury a fund known as the

31 Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall  
32 be the Mississippi Fire Fighters Memorial Burn Center Fund and any  
33 reference to the Mississippi Fire Fighters Memorial Burn Center  
34 Fund in law shall mean the Mississippi Burn Care Fund. All funds  
35 payable to the Mississippi Fire Fighters Memorial Burn Center Fund  
36 shall from the effective date of this act, be paid to the  
37 Mississippi Burn Care Fund. All balances in the Mississippi Fire  
38 Fighters Memorial Burn Center Fund and the Mississippi Fire  
39 Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be  
40 transferred to the Mississippi Burn Care Fund on the effective  
41 date of this act. All interest earned by funds in the Mississippi  
42 Burn Care Fund shall be credited to the fund and not the General  
43 Fund. For fiscal year 2006, and for each fiscal year thereafter,  
44 the Legislature may appropriate interest, income or other funds  
45 credited to the Mississippi Burn Care Fund, and there shall be no  
46 requirement that the monies deposited to the fund be held  
47 inviolate in trust. Any appropriation of funds from the  
48 Mississippi Burn Care Fund shall be to the Mississippi Department  
49 of Health for the purpose of carrying out its responsibilities  
50 established in Section 8 of this act. The Mississippi Burn Care  
51 Fund shall be authorized to accept gifts, donations, bequests,  
52 appropriations or other grants from any source, governmental or  
53 private, for deposit into the fund. The Department of Health  
54 shall be the agency responsible for receiving any such gifts,  
55 donations, bequests, appropriations or grants and shall deposit  
56 such to the Mississippi Burn Care Fund.

57 **SECTION 2.** Section 21-19-58, Mississippi Code of 1972, is  
58 amended as follows:

59 21-19-58. The board of supervisors of any county, and the  
60 governing authorities of any municipality in the state, are hereby  
61 authorized and empowered, in their discretion, to make  
62 contributions to the Mississippi Department of Health for deposit  
63 to the Mississippi Burn Care Fund from the general fund or federal

64 revenue sharing funds of such county or municipality wherein such  
65 funds may be available.

66 **SECTION 3.** Section 27-7-88, Mississippi Code of 1972, is  
67 amended as follows:

68 27-7-88. (1) Each resident individual taxpayer who files a  
69 Mississippi income tax return and who will receive a tax refund  
70 from the State Tax Commission may designate that a contribution be  
71 made to the Mississippi \* \* \* Burn Care Fund created in Section  
72 7-9-70, Mississippi Code of 1972, by marking the appropriate box  
73 printed on the return pursuant to this subsection. In the case of  
74 a joint return, each spouse may designate that a portion of the  
75 refund shall be paid to such fund.

76 The State Tax Commission shall print on the Mississippi  
77 income tax form for residents a space for designating the  
78 contribution in substantially the following form:

79 "MISSISSIPPI \* \* \* BURN CARE FUND

80 I wish to contribute ( )\$1 ( )\$5 ( )\$10 ( )Other \$\_\_\_\_\_ of  
81 my TAX REFUND TO THE MISSISSIPPI \* \* \* BURN CARE FUND."

82 (2) The State Tax Commission shall explain in the  
83 instructions accompanying the individual income tax form the  
84 purposes for which the contributions authorized herein shall be  
85 used.

86 (3) This section shall apply to taxable years beginning on  
87 or after January 1, 2001.

88 (4) The Chairman of the State Tax Commission shall determine  
89 annually the total amount designated by individuals to be paid to  
90 the fund, along with all interest earned thereon, and shall report  
91 such amount to the State Treasurer who shall pay such amount into  
92 the Mississippi \* \* \* Burn Care Fund.

93 **SECTION 4.** Section 27-19-44.1, Mississippi Code of 1972, is  
94 amended as follows:

95 27-19-44.1. (1) Notwithstanding any other provision of law  
96 to the contrary, One Dollar (\$1.00) of the additional fee for any

97 distinctive or special tag that would otherwise be distributed to  
98 a nongovernmental organization or entity, shall be deposited to  
99 the credit of the special fund created in Section 27-19-44.2.

100 (2) Subsection (1) of this section shall not apply to funds  
101 required to be deposited to the credit of the Mississippi \* \* \*  
102 Burn Care Fund created in Section 7-9-70.

103 (3) Subsection (1) of this section shall not apply if a  
104 portion of the fee for any distinctive or special tag is required  
105 to be deposited to the credit of the fund created in Section  
106 27-19-44.2 by the law authorizing the issuance of the distinctive  
107 or special tag.

108 **SECTION 5.** Section 27-19-44.3, Mississippi Code of 1972, is  
109 amended as follows:

110 27-19-44.3.

111 \* \* \*

112 \* \* \* The Mississippi Department of Health shall file an  
113 annual report with the Secretary of the Senate and the Clerk of  
114 the House of Representatives not later than January 10 of each  
115 year, describing the expenditure of funds appropriated to it from  
116 the Mississippi Burn Care Fund received \* \* \* from fees collected  
117 from the issuance of distinctive or special license tags under  
118 this chapter.

119 **SECTION 6.** Section 27-39-331, Mississippi Code of 1972, is  
120 amended as follows:

121 27-39-331. The board of supervisors of any county is hereby  
122 authorized and empowered, in its discretion, to set aside,  
123 appropriate and expend monies from the general fund to \* \* \* the  
124 Mississippi Department of Health for deposit to the Mississippi  
125 Burn Care Fund.

126 **SECTION 7.** Section 27-39-332, Mississippi Code of 1972, is  
127 amended as follows:

128 27-39-332. The board of supervisors of any county is hereby  
129 authorized and empowered, in its discretion, to levy a tax not to

130 exceed one (1) mill per annum upon all taxable property of the  
131 county to be provided to \* \* \* the Mississippi Department of  
132 Health to support the Mississippi Burn Care Fund.

133 **SECTION 8.** Section 41-59-5, Mississippi Code of 1972, is  
134 amended as follows:

135 41-59-5. (1) The State Board of Health shall establish and  
136 maintain a program for the improvement and regulation of emergency  
137 medical services (hereinafter EMS) in the State of Mississippi.  
138 The responsibility for implementation and conduct of this program  
139 shall be vested in the State Health Officer of the State Board of  
140 Health along with such other officers and boards as may be  
141 specified by law or regulation.

142 (2) The board shall provide for the regulation and licensing  
143 of public and private ambulance service, inspection and issuance  
144 of permits for ambulance vehicles, training and certification of  
145 EMS personnel, including drivers and attendants, the development  
146 and maintenance of a statewide EMS records program, development  
147 and adoption of EMS regulations, the coordination of an EMS  
148 communications system, and other related EMS activities.

149 (3) The board is authorized to promulgate and enforce such  
150 rules, regulations and minimum standards as needed to carry out  
151 the provisions of this chapter.

152 (4) The board is authorized to receive any funds  
153 appropriated to the board from the Emergency Medical Services  
154 Operating Fund created in Section 41-59-61 and is further  
155 authorized, with the Emergency Medical Services Advisory Council  
156 acting in an advisory capacity, to administer the disbursement of  
157 such funds to the counties, municipalities and organized emergency  
158 medical service districts and the utilization of such funds by the  
159 same, as provided in Section 41-59-61.

160 (5) The department acting as the lead agency, in  
161 consultation with and having solicited advice from the EMS  
162 Advisory Council, shall develop a uniform nonfragmented inclusive

163 statewide trauma care system that provides excellent patient care.  
164 It is the intent of the Legislature that the purpose of this  
165 system is to reduce death and disability resulting from traumatic  
166 injury, and in order to accomplish this goal it is necessary to  
167 assign additional responsibilities to the department. The  
168 department is assigned the responsibility for creating,  
169 implementing and managing the statewide trauma care system. The  
170 department shall be designated as the lead agency for trauma care  
171 systems development. The department shall develop and administer  
172 trauma regulations that include, but are not limited to, the  
173 Mississippi Trauma Care System Plan, trauma system standards,  
174 trauma center designations, field triage, interfacility trauma  
175 transfer, EMS aero medical transportation, trauma data collection,  
176 trauma care system evaluation and management of state trauma  
177 systems funding. The department shall take the necessary steps to  
178 develop, adopt and implement the Mississippi Trauma Care System  
179 Plan and all associated trauma care system regulations necessary  
180 to implement the Mississippi trauma care system. The department  
181 shall cause the implementation of both professional and lay trauma  
182 education programs. These trauma educational programs shall  
183 include both clinical trauma education and injury prevention. As  
184 it is recognized that rehabilitation services are essential for  
185 traumatized individuals to be returned to active, productive  
186 lives, the department shall coordinate the development of the  
187 inclusive trauma system with the Mississippi Department of  
188 Rehabilitation Services and all other appropriate rehabilitation  
189 systems.

190 (6) The State Board of Health is authorized to receive any  
191 funds appropriated to the board from the Mississippi Trauma Care  
192 System Fund created in Section 41-59-75. It is further  
193 authorized, with the Emergency Medical Services Advisory Council  
194 and the Mississippi Trauma Advisory Committee acting in advisory

195 capacities, to administer the disbursements of such funds  
196 according to adopted trauma care system regulations.

197 (7) In addition to the trauma-related duties provided for in  
198 this section, the Board of Health shall develop a plan for the  
199 delivery of services to Mississippi burn victims through the  
200 existing trauma care system of hospitals. Such plan shall be  
201 operational by July 1, 2005, and shall include:

202 (a) Systems by which burn patients will be assigned or  
203 transferred to hospitals capable of meeting their needs;

204 (b) Procedures for allocating funds appropriated from  
205 the Mississippi Burn Care Fund to hospitals that provide services  
206 to Mississippi burn victims; and

207 (c) Such other provisions necessary to provide burn  
208 care for Mississippi residents.

209 **SECTION 9.** This act shall take effect and be in force from  
210 and after its passage.