

By: Representatives Holland, Hines

To: Public Health and Human
Services; Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 908

1 AN ACT TO PROVIDE THAT ON JULY 1, 2007, THE UNIVERSITY OF
2 MISSISSIPPI MEDICAL CENTER SHALL ESTABLISH A SEPARATE UNIT AT THE
3 MEDICAL CENTER FOR THE TREATMENT OF BURN VICTIMS, WHICH SHALL BE
4 KNOWN AS THE MISSISSIPPI BURN CENTER; TO DIRECT THE LEGISLATURE TO
5 APPROPRIATE NOT LESS THAN \$10,000,000.00 ANNUALLY TO THE
6 UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE OPERATION OF THE
7 MISSISSIPPI BURN CENTER; TO AMEND SECTIONS 7-9-70, 21-19-58,
8 27-7-88, 27-19-44.3, 27-39-331 AND 27-39-332, MISSISSIPPI CODE OF
9 1972, TO PROVIDE THAT APPROPRIATIONS FROM AND CONTRIBUTIONS TO THE
10 MISSISSIPPI BURN CARE FUND SHALL BE MADE TO THE UNIVERSITY OF
11 MISSISSIPPI MEDICAL CENTER INSTEAD OF THE STATE DEPARTMENT OF
12 HEALTH AFTER THE MISSISSIPPI BURN CENTER IS OPERATIONAL; TO AMEND
13 SECTION 41-59-5, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY
14 OF THE STATE BOARD OF HEALTH REGARDING A PLAN FOR THE DELIVERY OF
15 SERVICES TO MISSISSIPPI BURN VICTIMS THROUGH THE EXISTING TRAUMA
16 CARE SYSTEM OF HOSPITALS; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) The University of Mississippi Medical Center
19 shall establish a separate unit at the medical center for the
20 treatment of burn victims, which shall be known as the Mississippi
21 Burn Center.

22 (2) The Legislature shall appropriate not less than Ten
23 Million Dollars (\$10,000,000.00) annually to the University of
24 Mississippi Medical Center for the operation of the Mississippi
25 Burn Center, in addition to any funds that it appropriates to the
26 medical center from the Mississippi Burn Care Fund.

27 **SECTION 2.** Section 7-9-70, Mississippi Code of 1972, is
28 amended as follows:

29 7-9-70. (1) There is * * * created and established in the
30 State Treasury a special trust fund to be known as the
31 "Mississippi Fire Fighters Memorial Burn Center Fund." There
32 shall be deposited in such fund (a) all such fees as the State
33 Treasurer is directed to deposit therein under subsection (4) of
34 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and

35 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,
36 donation, bequest, trust, grant, endowment, transfer of money or
37 securities or any other monies from any source whatsoever as may
38 be designated for deposit in the fund.

39 (2) The principal of the trust fund created under subsection
40 (1) of this section shall remain inviolate and shall be invested
41 as provided by law. Interest and income derived from investment
42 of the principal of the trust fund may be appropriated by the
43 Legislature and expended exclusively for the support and
44 maintenance of the Mississippi Fire Fighters Memorial Burn Center.

45 (3) From and after June 17, 2005, there shall be created in
46 the State Treasury a fund known as the Mississippi Burn Care Fund.
47 The Mississippi Burn Care Fund shall be the Mississippi Fire
48 Fighters Memorial Burn Center Fund and any reference to the
49 Mississippi Fire Fighters Memorial Burn Center Fund in law shall
50 mean the Mississippi Burn Care Fund. All funds payable to the
51 Mississippi Fire Fighters Memorial Burn Center Fund shall, from
52 and after June 17, 2005, be paid to the Mississippi Burn Care
53 Fund. All balances in the Mississippi Fire Fighters Memorial Burn
54 Center Fund and the Mississippi Fire Fighters Memorial Fire
55 Fighters Burn Center Escrow Fund shall be transferred to the
56 Mississippi Burn Care Fund on June 17, 2005. All interest earned
57 by funds in the Mississippi Burn Care Fund shall be credited to
58 the fund and not the General Fund. For fiscal year 2006, and for
59 each fiscal year thereafter, the Legislature may appropriate
60 interest, income or other funds credited to the Mississippi Burn
61 Care Fund, and there shall be no requirement that the monies
62 deposited to the fund be held inviolate in trust. Any
63 appropriation of funds from the Mississippi Burn Care Fund shall
64 be to the Mississippi Department of Health for the purpose of
65 carrying out its responsibilities established in Section 41-59-5;
66 however, after the Mississippi Burn Center established at the
67 University of Mississippi Medical Center under Section 1 of this

68 act is operational, any appropriation of funds from the
69 Mississippi Burn Care Fund shall be to the University of
70 Mississippi Medical Center for the operation of the Mississippi
71 Burn Center. The Mississippi Burn Care Fund shall be authorized
72 to accept gifts, donations, bequests, appropriations or other
73 grants from any source, governmental or private, for deposit into
74 the fund. The Department of Health, or the University of
75 Mississippi Medical Center after the Mississippi Burn Center is
76 operational, shall be the agency responsible for receiving any
77 such gifts, donations, bequests, appropriations or grants and
78 shall deposit such to the Mississippi Burn Care Fund.

79 **SECTION 3.** Section 21-19-58, Mississippi Code of 1972, is
80 amended as follows:

81 21-19-58. The board of supervisors of any county, and the
82 governing authorities of any municipality in the state, are * * *
83 authorized and empowered, in their discretion, to make
84 contributions to the Mississippi Department of Health, or the
85 University of Mississippi Medical Center after the Mississippi
86 Burn Center is operational, for deposit to the Mississippi Burn
87 Care Fund from the general fund or federal revenue sharing funds
88 of such county or municipality wherein such funds may be
89 available.

90 **SECTION 4.** Section 27-7-88, Mississippi Code of 1972, is
91 amended as follows:

92 27-7-88. (1) Each resident individual taxpayer who files a
93 Mississippi income tax return and who will receive a tax refund
94 from the State Tax Commission may designate that a contribution be
95 made to the Mississippi Burn Care Fund created in Section 7-9-70,
96 not exceeding One Thousand Dollars (\$1,000.00), by marking the
97 appropriate box printed on the return pursuant to this subsection.
98 In the case of a joint return, each spouse may designate that a
99 portion of the refund shall be paid to such fund.

100 The State Tax Commission shall print on the Mississippi
101 income tax form for residents a space for designating the
102 contribution in substantially the following form:

103 "MISSISSIPPI BURN CARE FUND

104 I wish to contribute ()\$1 ()\$5 ()\$10 ()Other \$_____ of
105 my TAX REFUND TO THE MISSISSIPPI BURN CARE FUND."

106 (2) The State Tax Commission shall explain in the
107 instructions accompanying the individual income tax form the
108 purposes for which the contributions authorized herein shall be
109 used. Any funds in the Mississippi Burn Care Fund may be
110 appropriated to the State Department of Health for the purposes
111 established in Section 41-59-5; however, after the Mississippi
112 Burn Center established at the University of Mississippi Medical
113 Center under Section 1 of this act is operational, any
114 appropriation of funds from the Mississippi Burn Care Fund shall
115 be to the University of Mississippi Medical Center for the
116 operation of the Mississippi Burn Center.

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

119 (4) The Chairman of the State Tax Commission shall determine
120 annually the total amount designated by individuals to be paid to
121 the fund, along with all interest earned thereon, and shall report
122 such amount to the State Treasurer who shall pay such amount into
123 the Mississippi Burn Care Fund.

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

126 27-19-44.3. The Mississippi Department of Health, or the
127 University of Mississippi Medical Center after the Mississippi
128 Burn Center is operational, shall file an annual report with the
129 Secretary of the Senate and the Clerk of the House of
130 Representatives not later than January 10 of each year, describing
131 the expenditure of funds appropriated to it from the Mississippi

132 Burn Care Fund received from fees collected from the issuance of
133 distinctive or special license tags under this chapter.

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

136 27-39-331. The board of supervisors of any county is * * *
137 authorized and empowered, in its discretion, to set aside,
138 appropriate and expend monies from the general fund to the
139 Mississippi Department of Health, or the University of Mississippi
140 Medical Center after the Mississippi Burn Center is operational,
141 for deposit to the Mississippi Burn Care Fund.

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

144 27-39-332. The board of supervisors of any county is * * *
145 authorized and empowered, in its discretion, to levy a tax not to
146 exceed one (1) mill per annum upon all taxable property of the
147 county to be provided to the Mississippi Department of Health, or
148 the University of Mississippi Medical Center after the Mississippi
149 Burn Center is operational, to support the Mississippi Burn Care
150 Fund.

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

153 41-59-5. (1) The State Board of Health shall establish and
154 maintain a program for the improvement and regulation of emergency
155 medical services (hereinafter EMS) in the State of Mississippi.
156 The responsibility for implementation and conduct of this program
157 shall be vested in the State Health Officer of the State Board of
158 Health along with such other officers and boards as may be
159 specified by law or regulation.

160 (2) The board shall provide for the regulation and licensing
161 of public and private ambulance service, inspection and issuance
162 of permits for ambulance vehicles, training and certification of
163 EMS personnel, including drivers and attendants, the development
164 and maintenance of a statewide EMS records program, development

165 and adoption of EMS regulations, the coordination of an EMS
166 communications system, and other related EMS activities.

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

170 (4) The board is authorized to receive any funds
171 appropriated to the board from the Emergency Medical Services
172 Operating Fund created in Section 41-59-61 and is further
173 authorized, with the Emergency Medical Services Advisory Council
174 acting in an advisory capacity, to administer the disbursement of
175 such funds to the counties, municipalities and organized emergency
176 medical service districts and the utilization of such funds by the
177 same, as provided in Section 41-59-61.

178 (5) The department acting as the lead agency, in
179 consultation with and having solicited advice from the EMS
180 Advisory Council, shall develop a uniform nonfragmented inclusive
181 statewide trauma care system that provides excellent patient care.
182 It is the intent of the Legislature that the purpose of this
183 system is to reduce death and disability resulting from traumatic
184 injury, and in order to accomplish this goal it is necessary to
185 assign additional responsibilities to the department. The
186 department is assigned the responsibility for creating,
187 implementing and managing the statewide trauma care system. The
188 department shall be designated as the lead agency for trauma care
189 systems development. The department shall develop and administer
190 trauma regulations that include, but are not limited to, the
191 Mississippi Trauma Care System Plan, trauma system standards,
192 trauma center designations, field triage, interfacility trauma
193 transfer, EMS aero medical transportation, trauma data collection,
194 trauma care system evaluation and management of state trauma
195 systems funding. The department shall take the necessary steps to
196 develop, adopt and implement the Mississippi Trauma Care System
197 Plan and all associated trauma care system regulations necessary

198 to implement the Mississippi trauma care system. The department
199 shall cause the implementation of both professional and lay trauma
200 education programs. These trauma educational programs shall
201 include both clinical trauma education and injury prevention. As
202 it is recognized that rehabilitation services are essential for
203 traumatized individuals to be returned to active, productive
204 lives, the department shall coordinate the development of the
205 inclusive trauma system with the Mississippi Department of
206 Rehabilitation Services and all other appropriate rehabilitation
207 systems.

208 (6) The State Board of Health is authorized to receive any
209 funds appropriated to the board from the Mississippi Trauma Care
210 System Fund created in Section 41-59-75. It is further
211 authorized, with the Emergency Medical Services Advisory Council
212 and the Mississippi Trauma Advisory Committee acting in advisory
213 capacities, to administer the disbursements of such funds
214 according to adopted trauma care system regulations.

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

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

222 (b) Until the Mississippi Burn Center established at
223 the University of Mississippi Medical Center under Section 1 of
224 this act is operational, procedures for allocating funds
225 appropriated from the Mississippi Burn Care Fund to hospitals that
226 provide services to Mississippi burn victims; and

227 (c) Such other provisions necessary to provide burn
228 care for Mississippi residents.

229 After the Mississippi Burn Center established at the
230 University of Mississippi Medical Center under Section 1 of this

231 act is operational, the Board of Health shall revise the plan to
232 include the Mississippi Burn Center.

233 **SECTION 9.** This act shall take effect and be in force from
234 and after July 1, 2007.