

By: The Entire Membership

To: Public Health and Human
Services; Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 567

1 AN ACT TO PROVIDE THAT THE UNIVERSITY OF MISSISSIPPI MEDICAL
2 CENTER SHALL ESTABLISH A SEPARATE UNIT AT THE MEDICAL CENTER FOR
3 THE TREATMENT OF BURN VICTIMS, WHICH SHALL BE KNOWN AS THE
4 MISSISSIPPI BURN CENTER; TO DIRECT THE LEGISLATURE TO APPROPRIATE
5 NOT LESS THAN \$10,000,000.00 FOR THE CONSTRUCTION OF THE
6 MISSISSIPPI BURN CENTER, AND TO APPROPRIATE SUFFICIENT FUNDS
7 ANNUALLY TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE
8 OPERATION OF THE MISSISSIPPI BURN CENTER; TO AMEND SECTIONS
9 7-9-70, 21-19-58, 27-19-44.3, 27-39-331 AND 27-39-332, MISSISSIPPI
10 CODE OF 1972, TO PROVIDE THAT APPROPRIATIONS FROM AND
11 CONTRIBUTIONS TO THE MISSISSIPPI BURN CARE FUND SHALL BE MADE TO
12 THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER INSTEAD OF THE STATE
13 DEPARTMENT OF HEALTH AFTER THE MISSISSIPPI BURN CENTER IS
14 OPERATIONAL; TO AMEND SECTION 27-7-88, MISSISSIPPI CODE OF 1972,
15 TO AUTHORIZE INDIVIDUALS WHO FILE A MISSISSIPPI INCOME TAX RETURN
16 TO MAKE A CONTRIBUTION TO THE BURN CARE FUND AT THE TIME OF FILING
17 THEIR TAX RETURN, IN ADDITION TO ANY INCOME TAX LIABILITY THAT
18 THEY PAY WHEN FILING THE TAX RETURN OR IN ADDITION TO THE AMOUNT
19 OF THEIR TAX REFUND THAT THEY DESIGNATE AS A CONTRIBUTION TO THE
20 FUND; TO AMEND SECTION 41-59-5, MISSISSIPPI CODE OF 1972, TO
21 REVISE THE AUTHORITY OF THE STATE BOARD OF HEALTH REGARDING A PLAN
22 FOR THE DELIVERY OF SERVICES TO MISSISSIPPI BURN VICTIMS THROUGH
23 THE EXISTING TRAUMA CARE SYSTEM OF HOSPITALS; AND FOR RELATED
24 PURPOSES.

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

26 **SECTION 1.** (1) The University of Mississippi Medical Center
27 shall establish a separate unit at the medical center for the
28 treatment of burn victims, which shall be known as the Mississippi
29 Burn Center.

30 (2) The Legislature shall appropriate not less than Ten
31 Million Dollars (\$10,000,000.00) for the construction of the
32 Mississippi Burn Center, and shall appropriate sufficient funds
33 annually to the University of Mississippi Medical Center for the
34 operation of the Mississippi Burn Center.

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

37 7-9-70. (1) There is * * * created and established in the
38 State Treasury a special trust fund to be known as the

39 "Mississippi Fire Fighters Memorial Burn Center Fund." There
40 shall be deposited in such fund (a) all such fees as the State
41 Treasurer is directed to deposit therein under subsection (4) of
42 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and
43 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,
44 donation, bequest, trust, grant, endowment, transfer of money or
45 securities or any other monies from any source whatsoever as may
46 be designated for deposit in the fund.

47 (2) The principal of the trust fund created under subsection
48 (1) of this section shall remain inviolate and shall be invested
49 as provided by law. Interest and income derived from investment
50 of the principal of the trust fund may be appropriated by the
51 Legislature and expended exclusively for the support and
52 maintenance of the Mississippi Fire Fighters Memorial Burn Center.

53 (3) From and after June 17, 2005, there shall be created in
54 the State Treasury a fund known as the Mississippi Burn Care Fund.
55 The Mississippi Burn Care Fund shall be the Mississippi Fire
56 Fighters Memorial Burn Center Fund and any reference to the
57 Mississippi Fire Fighters Memorial Burn Center Fund in law shall
58 mean the Mississippi Burn Care Fund. All funds payable to the
59 Mississippi Fire Fighters Memorial Burn Center Fund shall, from
60 and after June 17, 2005, be paid to the Mississippi Burn Care
61 Fund. All balances in the Mississippi Fire Fighters Memorial Burn
62 Center Fund and the Mississippi Fire Fighters Memorial Fire
63 Fighters Burn Center Escrow Fund shall be transferred to the
64 Mississippi Burn Care Fund on June 17, 2005. All interest earned
65 by funds in the Mississippi Burn Care Fund shall be credited to
66 the fund and not the General Fund. For fiscal year 2006, and for
67 each fiscal year thereafter, the Legislature may appropriate
68 interest, income or other funds credited to the Mississippi Burn
69 Care Fund, and there shall be no requirement that the monies
70 deposited to the fund be held inviolate in trust. Any
71 appropriation of funds from the Mississippi Burn Care Fund shall

72 be to the Mississippi Department of Health for the purpose of
73 carrying out its responsibilities established in Section 41-59-5;
74 however, after the Mississippi Burn Center established at the
75 University of Mississippi Medical Center under Section 1 of this
76 act is operational, any appropriation of funds from the
77 Mississippi Burn Care Fund shall be to the University of
78 Mississippi Medical Center for the operation of the Mississippi
79 Burn Center. The Mississippi Burn Care Fund shall be authorized
80 to accept gifts, donations, bequests, appropriations or other
81 grants from any source, governmental or private, for deposit into
82 the fund. The Department of Health, or the University of
83 Mississippi Medical Center after the Mississippi Burn Center is
84 operational, shall be the agency responsible for receiving any
85 such gifts, donations, bequests, appropriations or grants and
86 shall deposit such to the Mississippi Burn Care Fund.

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

89 21-19-58. The board of supervisors of any county, and the
90 governing authorities of any municipality in the state, are * * *
91 authorized and empowered, in their discretion, to make
92 contributions to the Mississippi Department of Health, or the
93 University of Mississippi Medical Center after the Mississippi
94 Burn Center is operational, for deposit to the Mississippi Burn
95 Care Fund from the general fund or federal revenue sharing funds
96 of such county or municipality wherein such funds may be
97 available.

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

100 27-7-88. (1) Each resident individual taxpayer who files a
101 Mississippi income tax return and who will receive a tax refund
102 from the State Tax Commission may designate that a contribution be
103 made to the Mississippi Burn Care Fund created in Section 7-9-70,
104 by marking the appropriate box printed on the return under this

105 subsection. In the case of a joint return, each spouse may
106 designate that a portion of the refund shall be paid to the fund.

107 The State Tax Commission shall print on the Mississippi
108 income tax form for residents a space for designating the
109 contribution in substantially the following form:

110 "MISSISSIPPI BURN CARE FUND

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

113 (2) Each resident individual taxpayer who files a
114 Mississippi income tax return, whether or not the individual will
115 receive a tax refund from the State Tax Commission, may choose to
116 make a contribution to the Mississippi Burn Care Fund created in
117 Section 7-9-70 at the time of filing his or her tax return, by
118 marking the appropriate box printed on the return under this
119 subsection and paying the amount of the contribution to the State
120 Tax Commission when filing the tax return. The contribution
121 authorized to be made under this subsection shall be in addition
122 to any income tax liability that the individual pays when filing
123 the tax return or in addition to the amount of the individual's
124 tax refund that is designated as a contribution to the fund under
125 subsection (1) of this section. In the case of a joint return,
126 each spouse may make a contribution to the fund under this
127 subsection.

128 The State Tax Commission shall print on the Mississippi
129 income tax form for residents a space for indicating the amount of
130 the contribution in substantially the following form:

131 "MISSISSIPPI BURN CARE FUND

132 I wish to contribute ()\$1 ()\$5 ()\$10 ()Other \$____ to
133 the MISSISSIPPI BURN CARE FUND," in addition to the payment of my
134 income tax liability or in addition to the amount of my tax refund
135 that I designated as a contribution to the fund."

136 (3) The State Tax Commission shall explain in the
137 instructions accompanying the individual income tax form the

138 purposes for which the contributions authorized in subsections (1)
139 and (2) of this section shall be used.

140 (4) Subsection (1) of this section shall apply to taxable
141 years beginning on or after January 1, 2001, and subsection (2) of
142 this section shall apply to taxable years beginning on or after
143 January 1, 2007.

144 (5) The Chairman of the State Tax Commission shall determine
145 annually the total amount designated * * * to be paid to the fund
146 under subsection (1) of this section, along with all interest
147 earned thereon, and the total amount contributed to the fund under
148 subsection (2) of this section, and shall report the total amounts
149 to the State Treasurer, who shall pay those amounts into the
150 Mississippi Burn Care Fund.

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

153 27-19-44.3. The Mississippi Department of Health, or the
154 University of Mississippi Medical Center after the Mississippi
155 Burn Center is operational, shall file an annual report with the
156 Secretary of the Senate and the Clerk of the House of
157 Representatives not later than January 10 of each year, describing
158 the expenditure of funds appropriated to it from the Mississippi
159 Burn Care Fund received from fees collected from the issuance of
160 distinctive or special license tags under this chapter.

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

163 27-39-331. The board of supervisors of any county is * * *
164 authorized and empowered, in its discretion, to set aside,
165 appropriate and expend monies from the general fund to the
166 Mississippi Department of Health, or the University of Mississippi
167 Medical Center after the Mississippi Burn Center is operational,
168 for deposit to the Mississippi Burn Care Fund.

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

171 27-39-332. The board of supervisors of any county is * * *
172 authorized and empowered, in its discretion, to levy a tax not to
173 exceed one (1) mill per annum upon all taxable property of the
174 county, which shall be provided directly to the Mississippi
175 Department of Health, or the University of Mississippi Medical
176 Center after the Mississippi Burn Center is operational, to
177 support the Mississippi Burn Care Fund.

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

180 41-59-5. (1) The State Board of Health shall establish and
181 maintain a program for the improvement and regulation of emergency
182 medical services (hereinafter EMS) in the State of Mississippi.
183 The responsibility for implementation and conduct of this program
184 shall be vested in the State Health Officer of the State Board of
185 Health along with such other officers and boards as may be
186 specified by law or regulation.

187 (2) The board shall provide for the regulation and licensing
188 of public and private ambulance service, inspection and issuance
189 of permits for ambulance vehicles, training and certification of
190 EMS personnel, including drivers and attendants, the development
191 and maintenance of a statewide EMS records program, development
192 and adoption of EMS regulations, the coordination of an EMS
193 communications system, and other related EMS activities.

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

197 (4) The board is authorized to receive any funds
198 appropriated to the board from the Emergency Medical Services
199 Operating Fund created in Section 41-59-61 and is further
200 authorized, with the Emergency Medical Services Advisory Council
201 acting in an advisory capacity, to administer the disbursement of
202 such funds to the counties, municipalities and organized emergency

203 medical service districts and the utilization of such funds by the
204 same, as provided in Section 41-59-61.

205 (5) The department acting as the lead agency, in
206 consultation with and having solicited advice from the EMS
207 Advisory Council, shall develop a uniform nonfragmented inclusive
208 statewide trauma care system that provides excellent patient care.
209 It is the intent of the Legislature that the purpose of this
210 system is to reduce death and disability resulting from traumatic
211 injury, and in order to accomplish this goal it is necessary to
212 assign additional responsibilities to the department. The
213 department is assigned the responsibility for creating,
214 implementing and managing the statewide trauma care system. The
215 department shall be designated as the lead agency for trauma care
216 systems development. The department shall develop and administer
217 trauma regulations that include, but are not limited to, the
218 Mississippi Trauma Care System Plan, trauma system standards,
219 trauma center designations, field triage, interfacility trauma
220 transfer, EMS aero medical transportation, trauma data collection,
221 trauma care system evaluation and management of state trauma
222 systems funding. The department shall take the necessary steps to
223 develop, adopt and implement the Mississippi Trauma Care System
224 Plan and all associated trauma care system regulations necessary
225 to implement the Mississippi trauma care system. The department
226 shall cause the implementation of both professional and lay trauma
227 education programs. These trauma educational programs shall
228 include both clinical trauma education and injury prevention. As
229 it is recognized that rehabilitation services are essential for
230 traumatized individuals to be returned to active, productive
231 lives, the department shall coordinate the development of the
232 inclusive trauma system with the Mississippi Department of
233 Rehabilitation Services and all other appropriate rehabilitation
234 systems.

235 (6) The State Board of Health is authorized to receive any
236 funds appropriated to the board from the Mississippi Trauma Care
237 System Fund created in Section 41-59-75. It is further
238 authorized, with the Emergency Medical Services Advisory Council
239 and the Mississippi Trauma Advisory Committee acting in advisory
240 capacities, to administer the disbursements of such funds
241 according to adopted trauma care system regulations.

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

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

249 (b) Until the Mississippi Burn Center established at
250 the University of Mississippi Medical Center under Section 1 of
251 this act is operational, procedures for allocating funds
252 appropriated from the Mississippi Burn Care Fund to hospitals that
253 provide services to Mississippi burn victims; and

254 (c) Such other provisions necessary to provide burn
255 care for Mississippi residents.

256 After the Mississippi Burn Center established at the
257 University of Mississippi Medical Center under Section 1 of this
258 act is operational, the Board of Health shall revise the plan to
259 include the Mississippi Burn Center.

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