

By: Representatives Holland, Bailey, Hines, Reynolds, Broomfield, Akins, Aldridge, Arinder, Baker (74th), Baker (8th), Banks, Barnett, Beckett, Blackmon, Bondurant, Bounds, Brown, Buck, Burnett, Calhoun, Chism, Clark, Clarke, Cockerham, Coleman (29th), Coleman (65th), Compretta, Cummings, Davis, Dedeaux, Denny, Dickson, Eaton, Ellington, Ellis, Espy, Evans, Fillingane, Flaggs, Fleming, Formby, Franks, Fredericks, Frierson, Gadd, Gibbs, Gregory, Guice, Gunn, Hamilton (109th), Hamilton (6th), Harrison, Holloway, Horne, Howell, Huddleston, Hudson, Ishee, Janus, Jennings, Johnson, Lane, Lott, Malone, Markham, Martinson, Masterson, Mayhall, Mayo, McBride, McCoy, Middleton, Miles, Mims, Moak, Montgomery, Moore, Morgan, Moss, Myers, Nicholson, Norquist, Palazzo, Parker, Patterson, Peranich, Perkins, Read, Reed, Reeves, Robinson (63rd), Robinson (84th), Rogers (14th), Rogers (61st), Rotenberry, Scott, Shows, Simpson, Smith (27th), Smith (39th), Smith (59th), Snowden, Staples, Stevens, Straughter, Stringer, Sullivan, Thomas, Turner, Upshaw, Vince, Walley, Ward, Warren, Watson, Weathersby, Wells-Smith, Whittington, Woods, Young, Zuber

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 567  
(As Passed the House)

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; TO CREATE THE TRAUMA  
24 CARE TASK FORCE TO CONDUCT A STUDY OF THE STATUS OF TRAUMA CARE  
25 AND BURN CARE IN MISSISSIPPI AND DEVELOP A REPORT TO THE GOVERNOR  
26 AND THE 2008 REGULAR SESSION OF THE LEGISLATURE; AND FOR RELATED  
27 PURPOSES.

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

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

33 (2) The Legislature shall appropriate not less than Ten  
34 Million Dollars (\$10,000,000.00) for the construction of the  
35 Mississippi Burn Center, and shall appropriate sufficient funds

36 annually to the University of Mississippi Medical Center for the  
37 operation of the Mississippi Burn Center.

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

40 7-9-70. (1) There is \* \* \* created and established in the  
41 State Treasury a special trust fund to be known as the  
42 "Mississippi Fire Fighters Memorial Burn Center Fund." There  
43 shall be deposited in such fund (a) all such fees as the State  
44 Treasurer is directed to deposit therein under subsection (4) of  
45 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and  
46 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,  
47 donation, bequest, trust, grant, endowment, transfer of money or  
48 securities or any other monies from any source whatsoever as may  
49 be designated for deposit in the fund.

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

56 (3) From and after June 17, 2005, there shall be created in  
57 the State Treasury a fund known as the Mississippi Burn Care Fund.  
58 The Mississippi Burn Care Fund shall be the Mississippi Fire  
59 Fighters Memorial Burn Center Fund and any reference to the  
60 Mississippi Fire Fighters Memorial Burn Center Fund in law shall  
61 mean the Mississippi Burn Care Fund. All funds payable to the  
62 Mississippi Fire Fighters Memorial Burn Center Fund shall, from  
63 and after June 17, 2005, be paid to the Mississippi Burn Care  
64 Fund. All balances in the Mississippi Fire Fighters Memorial Burn  
65 Center Fund and the Mississippi Fire Fighters Memorial Fire  
66 Fighters Burn Center Escrow Fund shall be transferred to the  
67 Mississippi Burn Care Fund on June 17, 2005. All interest earned  
68 by funds in the Mississippi Burn Care Fund shall be credited to

69 the fund and not the General Fund. For fiscal year 2006, and for  
70 each fiscal year thereafter, the Legislature may appropriate  
71 interest, income or other funds credited to the Mississippi Burn  
72 Care Fund, and there shall be no requirement that the monies  
73 deposited to the fund be held inviolate in trust. Any  
74 appropriation of funds from the Mississippi Burn Care Fund shall  
75 be to the Mississippi Department of Health for the purpose of  
76 carrying out its responsibilities established in Section 41-59-5;  
77 however, after the Mississippi Burn Center established at the  
78 University of Mississippi Medical Center under Section 1 of this  
79 act is operational, any appropriation of funds from the  
80 Mississippi Burn Care Fund shall be to the University of  
81 Mississippi Medical Center for the operation of the Mississippi  
82 Burn Center. The Mississippi Burn Care Fund shall be authorized  
83 to accept gifts, donations, bequests, appropriations or other  
84 grants from any source, governmental or private, for deposit into  
85 the fund. The Department of Health, or the University of  
86 Mississippi Medical Center after the Mississippi Burn Center is  
87 operational, shall be the agency responsible for receiving any  
88 such gifts, donations, bequests, appropriations or grants and  
89 shall deposit such to the Mississippi Burn Care Fund.

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

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

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

103           27-7-88. (1) Each resident individual taxpayer who files a  
104 Mississippi income tax return and who will receive a tax refund  
105 from the State Tax Commission may designate that a contribution be  
106 made to the Mississippi Burn Care Fund created in Section 7-9-70,  
107 by marking the appropriate box printed on the return under this  
108 subsection. In the case of a joint return, each spouse may  
109 designate that a portion of the refund shall be paid to the fund.

110           The State Tax Commission shall print on the Mississippi  
111 income tax form for residents a space for designating the  
112 contribution in substantially the following form:

113                               "MISSISSIPPI BURN CARE FUND

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

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

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

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

139 (3) The State Tax Commission shall explain in the  
140 instructions accompanying the individual income tax form the  
141 purposes for which the contributions authorized in subsections (1)  
142 and (2) of this section shall be used.

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

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

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

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

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

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

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

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

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

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

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

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

200 (4) The board is authorized to receive any funds  
201 appropriated to the board from the Emergency Medical Services  
202 Operating Fund created in Section 41-59-61 and is further  
203 authorized, with the Emergency Medical Services Advisory Council  
204 acting in an advisory capacity, to administer the disbursement of  
205 such funds to the counties, municipalities and organized emergency  
206 medical service districts and the utilization of such funds by the  
207 same, as provided in Section 41-59-61.

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

230 education programs. These trauma educational programs shall  
231 include both clinical trauma education and injury prevention. As  
232 it is recognized that rehabilitation services are essential for  
233 traumatized individuals to be returned to active, productive  
234 lives, the department shall coordinate the development of the  
235 inclusive trauma system with the Mississippi Department of  
236 Rehabilitation Services and all other appropriate rehabilitation  
237 systems.

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

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

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

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

257 (c) Such other provisions necessary to provide burn  
258 care for Mississippi residents.

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



263           SECTION 9. (1) There is created the Trauma Care Task Force,  
264 which shall be composed of thirteen (13) members as follows:

265           (a) One (1) regional trauma registrar designated by the  
266 Trauma Care Committee of the Mississippi Hospital Association;

267           (b) One (1) licensed physician appointed by the  
268 Governor from a list of nominees from the Mississippi Chapter of  
269 the American College of Emergency Physicians;

270           (c) One (1) licensed physician appointed by the  
271 Governor from a list of nominees from the Mississippi Chapter of  
272 the American College of Surgeons;

273           (d) Two (2) hospital administrators designated by the  
274 Trauma Care Committee of Mississippi Hospital Association;

275           (e) Two (2) trauma nurse coordinators named by the  
276 Mississippi Association of Trauma Administrators;

277           (f) Two (2) members of the Mississippi House of  
278 Representatives appointed by the Speaker of the House;

279           (g) Two (2) members of the Senate appointed by the  
280 Lieutenant Governor;

281           (h) One (1) member appointed by the Governor, who shall  
282 be a person who has been a recipient of trauma care in Mississippi  
283 or who has an immediate family member who has been a recipient of  
284 trauma care in Mississippi;

285           (i) One (1) licensed physician or an appropriate  
286 administrator involved in the practice and/or delivery of trauma  
287 care at University Medical Center appointed by the Governor.

288           (2) All members of the task force shall be designated or  
289 appointed in accordance with Section 1 above and shall be so  
290 designated or appointed in sufficient time so as to allow for all  
291 members of the task force to be identified prior to the first  
292 meeting of the task force.

293           (3) The first meeting of the task force shall take place no  
294 later than June 1, 2007, on the call of the Governor at a place  
295 designated by him. At the first meeting of the task force, the

296 two (2) hospital administrators designated in accordance with  
297 Section 1 shall act as temporary chairmen of the task force in  
298 order to organize and to elect a chairman and vice chairman from  
299 its membership. Following the election of the chairman and vice  
300 chairman, the task force shall adopt rules for transacting its  
301 business and keeping records. Members of the task force other  
302 than the legislative members shall receive reimbursement for  
303 travel expenses incurred while engaged in official business of the  
304 task force in accordance with Section 25-3-41, and the legislative  
305 members of the task force shall receive the compensation  
306 authorized for committee meetings when the Legislature is not in  
307 session. Payment of such expenses set forth herein shall be from  
308 funds made available therefor by the Legislature or from any other  
309 public or private source.

310 (4) (a) The duties of the task force shall be to:

311 (i) Conduct a study of the status of trauma care,  
312 including burn care, in Mississippi; and

313 (ii) Review and determine the efficacy of the  
314 Mississippi Trauma Care Plan; and

315 (iii) Determine adequate funding requirements and  
316 research existing and potential funding mechanisms necessary to  
317 provide for trauma care in Mississippi; and

318 (iv) Make appropriate findings and recommendations  
319 regarding the matters considered in accordance with the trauma  
320 care study in subsection (1) and regarding its review of the  
321 Mississippi Trauma Care Plan. Such findings and recommendations  
322 shall address, at a minimum, the status of the state's trauma care  
323 system and any legislative action that may be needed to further  
324 enhance the delivery of trauma care in Mississippi.

325 (b) Before December 1, 2007, the task force shall make  
326 a report presenting such findings and recommendations to the  
327 Governor and to all members of the Legislature for consideration  
328 during the 2008 Regular Session.

329           (5) The State Department of Health shall provide appropriate  
330 staff support and shall designate an appropriate department  
331 employee to act as a point of contact for the provision of staff  
332 support to the task force. All other agencies, departments,  
333 offices and institutions of the state, including all state  
334 universities and community and junior colleges, shall cooperate  
335 with the task force and provide such assistance as requested by  
336 the task force.

337           (6) Upon presentation of its report, the task force shall be  
338 dissolved.

339           **SECTION 10.** This act shall take effect and be in force from  
340 and after July 1, 2007, except for Section 9, which shall take  
341 effect and be in force from and after the passage of this act.