MISSISSIPPI LEGISLATURE
REGULAR SESSION 2007
By: The Entire Membership
To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 567
(As Sent to Governor)


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

SECTION 1. (1) The University of Mississippi Medical Center shall establish a separate unit at the medical center for the treatment of burn victims, which shall be known as the Mississippi Burn Center. The opening and operation of the Mississippi Burn Center shall be conditioned upon the Board of Trustees of State Institutions of Higher Learning making a written determination, spread upon their minutes, that adequate funds are available from public and/or private sources for the annual operating cost of the facility.

(2) The Legislature may appropriate funds for the construction of the Mississippi Burn Center, and may appropriate sufficient funds annually to the University of Mississippi Medical Center for the operation of the Mississippi Burn Center.
SECTION 2. Section 7-9-70, Mississippi Code of 1972, is amended as follows:

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

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

(3) From and after June 17, 2005, there shall be created in the State Treasury a fund known as the Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall be the Mississippi Fire Fighters Memorial Burn Center Fund and any reference to the Mississippi Fire Fighters Memorial Burn Center Fund in law shall mean the Mississippi Burn Care Fund. All funds payable to the Mississippi Fire Fighters Memorial Burn Center Fund shall, from and after June 17, 2005, be paid to the Mississippi Burn Care Fund. All balances in the Mississippi Fire Fighters Memorial Burn Center Fund and the Mississippi Fire Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be transferred to the Mississippi Burn Care Fund on June 17, 2005. All interest earned by funds in the Mississippi Burn Care Fund shall be credited to the fund and not the General Fund. For fiscal year 2006, and for each fiscal year thereafter, the Legislature may appropriate
interest, income or other funds credited to the Mississippi Burn Care Fund, and there shall be no requirement that the monies deposited to the fund be held inviolate in trust. Any appropriation of funds from the Mississippi Burn Care Fund shall be to the Mississippi Department of Health for the purpose of carrying out its responsibilities established in Section 41-59-5; however, after the Mississippi Burn Center established at the University of Mississippi Medical Center under Section 1 of this act is operational, any appropriation of funds from the Mississippi Burn Care Fund shall be to the University of Mississippi Medical Center for the operation of the Mississippi Burn Center. The Mississippi Burn Care Fund shall be authorized to accept gifts, donations, bequests, appropriations or other grants from any source, governmental or private, for deposit into the fund. The Department of Health, or the University of Mississippi Medical Center after the Mississippi Burn Center is operational, shall be the agency responsible for receiving any such gifts, donations, bequests, appropriations or grants and shall deposit such to the Mississippi Burn Care Fund.

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

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

SECTION 4. Section 27-7-88, Mississippi Code of 1972, is amended as follows:
27-7-88.  (1) Each resident individual taxpayer who files a Mississippi income tax return and who will receive a tax refund from the State Tax Commission may designate that a contribution be made to the Mississippi Burn Care Fund created in Section 7-9-70, by marking the appropriate box printed on the return under this subsection. In the case of a joint return, each spouse may designate that a portion of the refund shall be paid to the fund.

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

"MISSISSIPPI BURN CARE FUND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The board is authorized to promulgate and enforce such
rules, regulations and minimum standards as needed to carry out
the provisions of this chapter.
(4) The board is authorized to receive any funds appropriated to the board from the Emergency Medical Services Operating Fund created in Section 41-59-61 and is further authorized, with the Emergency Medical Services Advisory Council acting in an advisory capacity, to administer the disbursement of such funds to the counties, municipalities and organized emergency medical service districts and the utilization of such funds by the same, as provided in Section 41-59-61.

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

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

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

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

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

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

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

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