

By: Representative Holland

To: Public Health and Human Services

HOUSE BILL NO. 926

1 AN ACT TO PROVIDE CIVIL IMMUNITY TO CERTAIN EMERGENCY MEDICAL
2 SERVICE PERSONNEL; TO ENACT DEFINITIONS; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** (1) Emergency medical control personnel who
5 provide services consistent with the individual's licensure,
6 certification or training, with or without compensation, shall not
7 be liable in a civil action for any act or omission resulting in
8 injury, death or loss to person or property unless the act or
9 omission is the result of gross negligence or reckless disregard
10 that is the proximate cause of the injury, death or loss to person
11 or property.

12 (2) For the purposes of this section, the following terms
13 shall have the meanings ascribed to them unless the context
14 clearly requires otherwise:

15 (a) "ALS" means advanced life support.

16 (b) "Emergency medical control personnel" means offline
17 medical directors, online medical directors, any employee of an
18 offline or online medical director or an employee of a facility
19 that provides medical control.

20 (c) "Medical control" means directions and advice
21 provided from a centrally designated medical facility staffed by
22 appropriate personnel, operating under medical supervision, and
23 supplying professional support through radio or telephonic
24 communication for on-site and in-transit basic and ALS services
25 given by field and satellite facility personnel.

26 (d) "Offline medical director" means the administrative
27 physician who is appointed by the local emergency medical service

28 lead agency to establish standards and monitor and evaluate the
29 integration of component and system activities.

30 (e) "Online medical director" means the
31 supervising physician who provides medical control and area
32 direction online to the pre-hospital system stationed at the
33 designated base station hospital, and who assumes the supervision
34 and responsibility for all advanced care rendered in an emergency
35 at the scene of an accident and en route to the hospital under his
36 area jurisdiction; the term also includes other emergency
37 department physicians who provide medical control to pre-hospital
38 ALS personnel.

39 (f) "Gross negligence" means conduct that demonstrates
40 a willful or wanton disregard for the safety of others, or
41 demonstrates such indifference to the consequences of an act under
42 the surrounding circumstances as to render the conduct tantamount
43 to willful.

44 (g) "Reckless disregard" means conduct of a person who
45 knowingly or intentionally did a thing or a wrongful act.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2007.