MISSISSIPPI LEGISLATURE
REGULAR SESSION 2007
By: Representative Holland
To: Public Health and Human Services

HOUSE BILL NO. 926

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

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

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

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

(a) "ALS" means advanced life support.

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

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

(d) "Offline medical director" means the administrative physician who is appointed by the local emergency medical service.
lead agency to establish standards and monitor and evaluate the
integration of component and system activities.

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

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

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

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