

By: Representative Jennings

To: Public Health and Human
Services; Appropriations

HOUSE BILL NO. 1521

1 AN ACT TO AMEND SECTION 7-9-70, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE MISSISSIPPI BURN CARE FUND SHALL BE A TRUST FUND
3 AND THAT MONIES IN THE FUND SHALL REMAIN INVIOLETE AND SHALL BE
4 INVESTED AS PROVIDED BY LAW; TO PROVIDE THAT INTEREST AND INCOME
5 DERIVED FROM INVESTMENT OF THE PRINCIPAL OF THE TRUST FUND MAY BE
6 APPROPRIATED BY THE LEGISLATURE TO THE MISSISSIPPI FIRE FIGHTER'S
7 ASSOCIATION FOR DEPOSIT IN A SPECIAL ACCOUNT OF THE ASSOCIATION;
8 TO PROVIDE THAT MONIES IN THE ACCOUNT MAY BE EXPENDED BY THE
9 MISSISSIPPI FIRE FIGHTER'S ASSOCIATION ONLY FOR THE PURPOSES OF
10 DEFRAYING THE EXPENSES OF THE MISSISSIPPI BURN CAMP FOR KIDS AND
11 FOR IMPLEMENTING THE MISSISSIPPI FIRE FIGHTER FAMILY ASSISTANCE
12 PROGRAM; TO PRESCRIBE THE PURPOSES FOR WHICH MONIES IN THE SPECIAL
13 ACCOUNT OF THE MISSISSIPPI FIRE FIGHTER'S ASSOCIATION MAY BE
14 EXPENDED; TO REMOVE THE AUTHORITY OF THE LEGISLATURE TO
15 APPROPRIATE MONIES IN THE MISSISSIPPI BURN CARE FUND TO THE STATE
16 DEPARTMENT OF HEALTH; TO AMEND SECTION 41-59-5, MISSISSIPPI CODE
17 OF 1972, TO DELETE THE DUTIES OF THE STATE BOARD OF HEALTH WITH
18 REGARD TO THE MANAGEMENT AND EXPENDITURE OF MONIES APPROPRIATED
19 FROM THE MISSISSIPPI BURN CARE FUND TO THE STATE DEPARTMENT OF
20 HEALTH FOR DEVELOPMENT AND IMPLEMENTATION OF A PLAN FOR THE
21 DELIVERY OF SERVICES TO MISSISSIPPI BURN VICTIMS THROUGH THE
22 EXISTING TRAUMA CARE SYSTEM OF HOSPITALS; TO AMEND SECTIONS
23 27-39-331 AND 27-39-332, MISSISSIPPI CODE OF 1972, IN CONFORMITY
24 WITH THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 27-19-44.3,
25 MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE STATE DEPARTMENT OF
26 HEALTH TO FILE AN ANNUAL REPORT WITH THE SECRETARY OF THE SENATE
27 AND THE CLERK OF THE HOUSE OF REPRESENTATIVES DESCRIBING THE
28 EXPENDITURE OF FUNDS FROM THE MISSISSIPPI BURN CARE FUND RECEIVED
29 FROM FEES COLLECTED FROM THE ISSUANCE OF DISTINCTIVE LICENSE TAGS
30 TO FIRE FIGHTERS; AND FOR RELATED PURPOSES.

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

32 **SECTION 1.** Section 7-9-70, Mississippi Code of 1972, is
33 amended as follows:

34 7-9-70. (1) There is hereby created and established in the
35 State Treasury a special trust fund to be known as the
36 "Mississippi Fire Fighters Memorial Burn Center Fund." There
37 shall be deposited in such fund (a) all such fees as the State
38 Treasurer is directed to deposit therein under subsection (4) of
39 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and
40 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,
41 donation, bequest, trust, grant, endowment, transfer of money or

42 securities or any other monies from any source whatsoever as may
43 be designated for deposit in the fund.

44 * * *

45 (2) From and after the effective date of this act, there
46 shall be created in the State Treasury a fund known as the
47 Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall
48 be the Mississippi Fire Fighters Memorial Burn Center Fund and any
49 reference to the Mississippi Fire Fighters Memorial Burn Center
50 Fund in law shall mean the Mississippi Burn Care Fund. All funds
51 payable to the Mississippi Fire Fighters Memorial Burn Center Fund
52 shall from the effective date of this act, be paid to the
53 Mississippi Burn Care Fund. All balances in the Mississippi Fire
54 Fighters Memorial Burn Center Fund and the Mississippi Fire
55 Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be
56 transferred to the Mississippi Burn Care Fund on the effective
57 date of this act. All interest earned by funds in the Mississippi
58 Burn Care Fund shall be credited to the fund and not the General
59 Fund. For fiscal year 2008, and for each fiscal year thereafter,
60 the principal of the trust fund created under subsection (1) of
61 this section shall remain inviolate and shall be invested as
62 provided by law. Interest and income derived from investment of
63 the principal of the trust fund may be appropriated by the
64 Legislature to the Mississippi Fire Fighter's Association for
65 deposit in a special account of the association. Monies in the
66 account may be expended by the Mississippi Fire Fighter's
67 Association only for the purposes of defraying the expenses of the
68 Mississippi Burn Camp for Kids and for implementing the
69 Mississippi Fire Fighter Family Assistance Program. Monies in the
70 account expended for the Mississippi Fire Fighter Family
71 Assistance Program shall be used by the Mississippi Fire Fighter's
72 Association to assist fire fighters and their families in the
73 payment of medical bills, travel expenses to medical facilities,
74 room and board for fire fighters' spouses and other expenses

75 related to treatment and care of fire fighters who have received
76 burns that require medical attention and, as determined by a
77 physician, are deemed critical or life threatening or cause other
78 major trauma to the body while operating at the scene of an
79 official emergency or during a training session or while in
80 transit to or from an official emergency or training session.
81 Monies in the account shall be secured by a bond purchased by the
82 Mississippi Fire Fighter's Association and the account shall be
83 subject to an annual audit by the State Auditor.

84 (3) The Mississippi Burn Care Fund shall be authorized to
85 accept gifts, donations, bequests, appropriations or other grants
86 from any source, governmental or private, for deposit into the
87 fund. * * *

88 **SECTION 2.** Section 41-59-5, Mississippi Code of 1972, is
89 amended as follows:

90 41-59-5. (1) The State Board of Health shall establish and
91 maintain a program for the improvement and regulation of emergency
92 medical services (hereinafter EMS) in the State of Mississippi.
93 The responsibility for implementation and conduct of this program
94 shall be vested in the State Health Officer of the State Board of
95 Health along with such other officers and boards as may be
96 specified by law or regulation.

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

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

107 (4) The board is authorized to receive any funds
108 appropriated to the board from the Emergency Medical Services
109 Operating Fund created in Section 41-59-61 and is further
110 authorized, with the Emergency Medical Services Advisory Council
111 acting in an advisory capacity, to administer the disbursement of
112 such funds to the counties, municipalities and organized emergency
113 medical service districts and the utilization of such funds by the
114 same, as provided in Section 41-59-61.

115 (5) The department acting as the lead agency, in
116 consultation with and having solicited advice from the EMS
117 Advisory Council, shall develop a uniform nonfragmented inclusive
118 statewide trauma care system that provides excellent patient care.
119 It is the intent of the Legislature that the purpose of this
120 system is to reduce death and disability resulting from traumatic
121 injury, and in order to accomplish this goal it is necessary to
122 assign additional responsibilities to the department. The
123 department is assigned the responsibility for creating,
124 implementing and managing the statewide trauma care system. The
125 department shall be designated as the lead agency for trauma care
126 systems development. The department shall develop and administer
127 trauma regulations that include, but are not limited to, the
128 Mississippi Trauma Care System Plan, trauma system standards,
129 trauma center designations, field triage, interfacility trauma
130 transfer, EMS aero medical transportation, trauma data collection,
131 trauma care system evaluation and management of state trauma
132 systems funding. The department shall take the necessary steps to
133 develop, adopt and implement the Mississippi Trauma Care System
134 Plan and all associated trauma care system regulations necessary
135 to implement the Mississippi trauma care system. The department
136 shall cause the implementation of both professional and lay trauma
137 education programs. These trauma educational programs shall
138 include both clinical trauma education and injury prevention. As
139 it is recognized that rehabilitation services are essential for

140 traumatized individuals to be returned to active, productive
141 lives, the department shall coordinate the development of the
142 inclusive trauma system with the Mississippi Department of
143 Rehabilitation Services and all other appropriate rehabilitation
144 systems.

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

152 * * *

153 **SECTION 3.** Section 27-39-331, Mississippi Code of 1972, is
154 amended as follows:

155 27-39-331. The board of supervisors of any county is hereby
156 authorized and empowered, in its discretion, to set aside,
157 appropriate and expend monies from the general fund * * * for
158 deposit to the Mississippi Burn Care Fund.

159 **SECTION 4.** Section 27-39-332, Mississippi Code of 1972, is
160 amended as follows:

161 27-39-332. The board of supervisors of any county is hereby
162 authorized and empowered, in its discretion, to levy a tax not to
163 exceed one (1) mill per annum upon all taxable property of the
164 county for deposit to the Mississippi Burn Care Fund.

165 **SECTION 5.** Section 27-19-44.3, Mississippi Code of 1972,
166 which requires the State Department of Health to file an annual
167 report with the Secretary of the Senate and the Clerk of the House
168 of Representatives describing the expenditure of funds from the
169 Mississippi Burn Care Fund received from fees collected from the
170 issuance of distinctive license tags to fire fighters, is
171 repealed.

172 **SECTION 6.** This act shall take effect and be in force from
173 and after July 1, 2007.