

By: Senator(s) Doxey

To: Public Health and
Welfare; Appropriations

SENATE BILL NO. 2473

1 AN ACT TO AUTHORIZE THE MISSISSIPPI FIREFIGHTERS' ASSOCIATION
2 TO ADMINISTER A STATE PLAN TO DELIVER SERVICES TO MISSISSIPPI BURN
3 VICTIMS IF THE ASSOCIATION AGREES TO THE ADMINISTRATION OF THE
4 PLAN AND ADOPTS A PLAN THAT MEETS CERTAIN CRITERIA; TO AMEND
5 SECTION 27-19-44.3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
6 MISSISSIPPI FIREFIGHTERS' ASSOCIATION TO MAKE REPORT ANNUALLY TO
7 THE LEGISLATURE DESCRIBING THE EXPENDITURE OF FUNDS APPROPRIATED
8 TO IT FROM THE MISSISSIPPI BURN CARE FUND; TO AMEND SECTIONS
9 7-9-70, 21-19-58, 27-39-331, 27-39-332 AND 41-59-5, MISSISSIPPI
10 CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) The Mississippi Firefighters' Association
13 shall administer a state plan to deliver services to Mississippi
14 burn victims if the association agrees to the administration of
15 the plan and adopts a plan that includes the following:

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

18 (b) Procedures for allocating funds appropriated from
19 the Mississippi Burn Care Fund to hospitals that provide services
20 to Mississippi burn victims; and

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

23 (2) The expenditure of funds appropriated to the Mississippi
24 Firefighters' Association shall be subject to audit by the State
25 Auditor.

26 (3) The administration of the plan by the Mississippi
27 Firefighters' Association shall begin on the first day of July
28 following the date the plan is adopted by the association.

29 **SECTION 2.** Section 27-19-44.3, Mississippi Code of 1972, is
30 amended as follows:

31 27-19-44.3. (1) If the Mississippi Firefighters'
32 Association is not administering a plan to deliver services to
33 Mississippi burn victims as provided for in Section 1 of Senate
34 Bill No. 2473, 2007 Regular Session, the Mississippi Department of
35 Health shall file an annual report with the Secretary of the
36 Senate and the Clerk of the House of Representatives not later
37 than January 10 of each year, describing the expenditure of funds
38 appropriated to it from the Mississippi Burn Care Fund * * *.

39 (2) If the Mississippi Firefighters' Association is
40 administering a plan to deliver services to Mississippi burn
41 victims as provided for in Section 1 of Senate Bill No. 2473, 2007
42 Regular Session, the Mississippi Firefighters' Association shall
43 file an annual report with the Secretary of the Senate and the
44 Clerk of the House of Representatives not later than January 10 of
45 each year, describing the expenditure of funds appropriated to it
46 from the Mississippi Burn Care Fund.

47 **SECTION 3.** Section 7-9-70, Mississippi Code of 1972, is
48 amended as follows:

49 7-9-70. (1) There is hereby created and established in the
50 State Treasury a special trust fund to be known as the
51 "Mississippi Fire Fighters Memorial Burn Center Fund." There
52 shall be deposited in such fund (a) all such fees as the State
53 Treasurer is directed to deposit therein under subsection (4) of
54 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and
55 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,
56 donation, bequest, trust, grant, endowment, transfer of money or
57 securities or any other monies from any source whatsoever as may
58 be designated for deposit in the fund.

59 (2) The principal of the trust fund created under subsection
60 (1) of this section shall remain inviolate and shall be invested
61 as provided by law. Interest and income derived from investment
62 of the principal of the trust fund may be appropriated by the

63 Legislature and expended exclusively for the support and
64 maintenance of the Mississippi Fire Fighters Memorial Burn Center.

65 (3) From and after the effective date of this act, there
66 shall be created in the State Treasury a fund known as the
67 Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall
68 be the Mississippi Fire Fighters Memorial Burn Center Fund and any
69 reference to the Mississippi Fire Fighters Memorial Burn Center
70 Fund in law shall mean the Mississippi Burn Care Fund. All funds
71 payable to the Mississippi Fire Fighters Memorial Burn Center Fund
72 shall from the effective date of this act, be paid to the
73 Mississippi Burn Care Fund. All balances in the Mississippi Fire
74 Fighters Memorial Burn Center Fund and the Mississippi Fire
75 Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be
76 transferred to the Mississippi Burn Care Fund on the effective
77 date of this act. All interest earned by funds in the Mississippi
78 Burn Care Fund shall be credited to the fund and not the General
79 Fund. For fiscal year 2006, and for each fiscal year thereafter,
80 the Legislature may appropriate interest, income or other funds
81 credited to the Mississippi Burn Care Fund, and there shall be no
82 requirement that the monies deposited to the fund be held
83 inviolate in trust. Any appropriation of funds from the
84 Mississippi Burn Care Fund shall be to the Mississippi Department
85 of Health for the purpose of carrying out its responsibilities
86 established in Section 41-59-5; however, if the Mississippi
87 Firefighters' Association agrees to administer a plan to deliver
88 services to Mississippi burn victims and the plan meets the
89 requirements of Section 1 of Senate Bill No. 2473, 2007 Regular
90 Session, the appropriation of funds from the Mississippi Burn Care
91 Fund shall be made to the Mississippi Firefighters' Association.
92 The Mississippi Burn Care Fund shall be authorized to accept
93 gifts, donations, bequests, appropriations or other grants from
94 any source, governmental or private, for deposit into the fund.
95 The Department of Health shall be the agency responsible for

96 receiving any such gifts, donations, bequests, appropriations or
97 grants and shall deposit such to the Mississippi Burn Care Fund.

98 **SECTION 4.** Section 21-19-58, Mississippi Code of 1972, is
99 amended as follows:

100 21-19-58. The board of supervisors of any county, and the
101 governing authorities of any municipality in the state, are hereby
102 authorized and empowered, in their discretion, to make
103 contributions to * * * the Mississippi Burn Care Fund from the
104 general fund or federal revenue sharing funds of such county or
105 municipality wherein such funds may be available.

106 **SECTION 5.** Section 27-39-331, Mississippi Code of 1972, is
107 amended as follows:

108 27-39-331. The board of supervisors of any county is hereby
109 authorized and empowered, in its discretion, to set aside,
110 appropriate and expend monies from the general fund * * * for
111 deposit to the Mississippi Burn Care Fund.

112 **SECTION 6.** Section 27-39-332, Mississippi Code of 1972, is
113 amended as follows:

114 27-39-332. The board of supervisors of any county is hereby
115 authorized and empowered, in its discretion, to levy a tax not to
116 exceed one (1) mill per annum upon all taxable property of the
117 county to provide funds for deposit into the Mississippi Burn Care
118 Fund.

119 **SECTION 7.** Section 41-59-5, Mississippi Code of 1972, is
120 amended as follows:

121 41-59-5. (1) The State Board of Health shall establish and
122 maintain a program for the improvement and regulation of emergency
123 medical services (hereinafter EMS) in the State of Mississippi.
124 The responsibility for implementation and conduct of this program
125 shall be vested in the State Health Officer of the State Board of
126 Health along with such other officers and boards as may be
127 specified by law or regulation.

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

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

138 (4) The board is authorized to receive any funds
139 appropriated to the board from the Emergency Medical Services
140 Operating Fund created in Section 41-59-61 and is further
141 authorized, with the Emergency Medical Services Advisory Council
142 acting in an advisory capacity, to administer the disbursement of
143 such funds to the counties, municipalities and organized emergency
144 medical service districts and the utilization of such funds by the
145 same, as provided in Section 41-59-61.

146 (5) The department acting as the lead agency, in
147 consultation with and having solicited advice from the EMS
148 Advisory Council, shall develop a uniform nonfragmented inclusive
149 statewide trauma care system that provides excellent patient care.
150 It is the intent of the Legislature that the purpose of this
151 system is to reduce death and disability resulting from traumatic
152 injury, and in order to accomplish this goal it is necessary to
153 assign additional responsibilities to the department. The
154 department is assigned the responsibility for creating,
155 implementing and managing the statewide trauma care system. The
156 department shall be designated as the lead agency for trauma care
157 systems development. The department shall develop and administer
158 trauma regulations that include, but are not limited to, the
159 Mississippi Trauma Care System Plan, trauma system standards,
160 trauma center designations, field triage, interfacility trauma

161 transfer, EMS aero medical transportation, trauma data collection,
162 trauma care system evaluation and management of state trauma
163 systems funding. The department shall take the necessary steps to
164 develop, adopt and implement the Mississippi Trauma Care System
165 Plan and all associated trauma care system regulations necessary
166 to implement the Mississippi trauma care system. The department
167 shall cause the implementation of both professional and lay trauma
168 education programs. These trauma educational programs shall
169 include both clinical trauma education and injury prevention. As
170 it is recognized that rehabilitation services are essential for
171 traumatized individuals to be returned to active, productive
172 lives, the department shall coordinate the development of the
173 inclusive trauma system with the Mississippi Department of
174 Rehabilitation Services and all other appropriate rehabilitation
175 systems.

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

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

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

190 (b) Procedures for allocating funds appropriated from
191 the Mississippi Burn Care Fund to hospitals that provide services
192 to Mississippi burn victims; and

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

195 (8) In the event that the Mississippi Firefighters'
196 Association agrees to administer a plan to deliver services to
197 Mississippi burn victims and the plan meets the requirements of
198 Section 1 of Senate Bill No. 2473, 2007 Regular Session,
199 subsection (7) of this section shall not be effective beginning on
200 the date the Mississippi Firefighters' Association begins to
201 administer the plan.

202 **SECTION 8.** This act shall take effect and be in force from
203 and after its passage.