

Senate Amendments to House Bill No. 567

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

28 SECTION 1. (1) The University of Mississippi Medical Center
29 may, in its discretion, establish a separate unit at the medical
30 center for the treatment of burn victims, which shall be known as
31 the Mississippi Burn Center. The establishment of the Mississippi
32 Burn Center and the appropriation of any funds by the Legislature
33 are conditioned upon the private sector or local or federal
34 government providing (a) fifty percent (50%) of the cost of
35 construction, furnishing and equipping of the facility, and (b)
36 fifty percent (50%) of the annual operating cost of the facility
37 for the first ten (10) years of its operation. The funds required
38 pursuant to this subsection from the private sector or local or
39 federal government sources may be provided in the form of cash or
40 in-kind contributions or any combination of cash or in-kind
41 contributions.

42 (2) The Legislature may appropriate funds for the
43 construction of the Mississippi Burn Center, and may appropriate
44 sufficient funds annually to the University of Mississippi Medical
45 Center for the operation of the Mississippi Burn Center, subject
46 to the conditions prescribed in subsection (1).

47 SECTION 2. Section 7-9-70, Mississippi Code of 1972, is
48 amended as follows:

49 7-9-70. (1) There is * * * 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 June 17, 2005, there shall be created in
66 the State Treasury a fund known as the Mississippi Burn Care Fund.
67 The Mississippi Burn Care Fund shall be the Mississippi Fire
68 Fighters Memorial Burn Center Fund and any reference to the
69 Mississippi Fire Fighters Memorial Burn Center Fund in law shall
70 mean the Mississippi Burn Care Fund. All funds payable to the
71 Mississippi Fire Fighters Memorial Burn Center Fund shall, from
72 and after June 17, 2005, be paid to the Mississippi Burn Care
73 Fund. All balances in the Mississippi Fire Fighters Memorial Burn
74 Center Fund and the Mississippi Fire Fighters Memorial Fire
75 Fighters Burn Center Escrow Fund shall be transferred to the
76 Mississippi Burn Care Fund on June 17, 2005. All interest earned
77 by funds in the Mississippi Burn Care Fund shall be credited to
78 the fund and not the General Fund. For fiscal year 2006, and for
79 each fiscal year thereafter, the Legislature may appropriate
80 interest, income or other funds credited to the Mississippi Burn
81 Care Fund, and there shall be no requirement that the monies
82 deposited to the fund be held inviolate in trust. Any
83 appropriation of funds from the Mississippi Burn Care Fund shall
84 be to the Mississippi Department of Health for the purpose of
85 carrying out its responsibilities established in Section 41-59-5;
86 however, after the Mississippi Burn Center established at the
87 University of Mississippi Medical Center under Section 1 of this
88 act is operational, any appropriation of funds from the

89 Mississippi Burn Care Fund shall be to the University of
90 Mississippi Medical Center for the operation of the Mississippi
91 Burn Center. The Mississippi Burn Care Fund shall be authorized
92 to accept gifts, donations, bequests, appropriations or other
93 grants from any source, governmental or private, for deposit into
94 the fund. The Department of Health, or the University of
95 Mississippi Medical Center after the Mississippi Burn Center is
96 operational, shall be the agency responsible for receiving any
97 such gifts, donations, bequests, appropriations or grants and
98 shall deposit such to the Mississippi Burn Care Fund.

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

101 21-19-58. The board of supervisors of any county, and the
102 governing authorities of any municipality in the state, are * * *
103 authorized and empowered, in their discretion, to make
104 contributions to the Mississippi Department of Health, or the
105 University of Mississippi Medical Center after the Mississippi
106 Burn Center is operational, for deposit to the Mississippi Burn
107 Care Fund from the general fund or federal revenue sharing funds
108 of such county or municipality wherein such funds may be
109 available.

110 **SECTION 4.** Section 27-7-88, Mississippi Code of 1972, is
111 amended as follows:

112 27-7-88. (1) Each resident individual taxpayer who files a
113 Mississippi income tax return and who will receive a tax refund
114 from the State Tax Commission may designate that a contribution be
115 made to the Mississippi Burn Care Fund created in Section 7-9-70,
116 by marking the appropriate box printed on the return under this
117 subsection. In the case of a joint return, each spouse may
118 designate that a portion of the refund shall be paid to the fund.

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

122 "MISSISSIPPI BURN CARE FUND

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

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

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

143 "MISSISSIPPI BURN CARE FUND

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

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

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

156 (5) The Chairman of the State Tax Commission shall determine
157 annually the total amount designated * * * to be paid to the fund

158 under subsection (1) of this section, along with all interest
159 earned thereon, and the total amount contributed to the fund under
160 subsection (2) of this section, and shall report the total amounts
161 to the State Treasurer, who shall pay those amounts into the
162 Mississippi Burn Care Fund.

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

165 27-19-44.3. The Mississippi Department of Health, or the
166 University of Mississippi Medical Center after the Mississippi
167 Burn Center is operational, shall file an annual report with the
168 Secretary of the Senate and the Clerk of the House of
169 Representatives not later than January 10 of each year, describing
170 the expenditure of funds appropriated to it from the Mississippi
171 Burn Care Fund received from fees collected from the issuance of
172 distinctive or special license tags under this chapter.

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

175 27-39-331. The board of supervisors of any county is * * *
176 authorized and empowered, in its discretion, to set aside,
177 appropriate and expend monies from the general fund to the
178 Mississippi Department of Health, or the University of Mississippi
179 Medical Center after the Mississippi Burn Center is operational,
180 for deposit to the Mississippi Burn Care Fund.

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

183 27-39-332. The board of supervisors of any county is * * *
184 authorized and empowered, in its discretion, to levy a tax not to
185 exceed one (1) mill per annum upon all taxable property of the
186 county, which shall be provided directly to the Mississippi
187 Department of Health, or the University of Mississippi Medical
188 Center after the Mississippi Burn Center is operational, to
189 support the Mississippi Burn Care Fund.

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

192 41-59-5. (1) The State Board of Health shall establish and
193 maintain a program for the improvement and regulation of emergency
194 medical services (hereinafter EMS) in the State of Mississippi.
195 The responsibility for implementation and conduct of this program
196 shall be vested in the State Health Officer of the State Board of
197 Health along with such other officers and boards as may be
198 specified by law or regulation.

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

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

209 (4) The board is authorized to receive any funds
210 appropriated to the board from the Emergency Medical Services
211 Operating Fund created in Section 41-59-61 and is further
212 authorized, with the Emergency Medical Services Advisory Council
213 acting in an advisory capacity, to administer the disbursement of
214 such funds to the counties, municipalities and organized emergency
215 medical service districts and the utilization of such funds by the
216 same, as provided in Section 41-59-61.

217 (5) The department acting as the lead agency, in
218 consultation with and having solicited advice from the EMS
219 Advisory Council, shall develop a uniform nonfragmented inclusive
220 statewide trauma care system that provides excellent patient care.
221 It is the intent of the Legislature that the purpose of this
222 system is to reduce death and disability resulting from traumatic
223 injury, and in order to accomplish this goal it is necessary to
224 assign additional responsibilities to the department. The
225 department is assigned the responsibility for creating,
226 implementing and managing the statewide trauma care system. The

227 department shall be designated as the lead agency for trauma care
228 systems development. The department shall develop and administer
229 trauma regulations that include, but are not limited to, the
230 Mississippi Trauma Care System Plan, trauma system standards,
231 trauma center designations, field triage, interfacility trauma
232 transfer, EMS aero medical transportation, trauma data collection,
233 trauma care system evaluation and management of state trauma
234 systems funding. The department shall take the necessary steps to
235 develop, adopt and implement the Mississippi Trauma Care System
236 Plan and all associated trauma care system regulations necessary
237 to implement the Mississippi trauma care system. The department
238 shall cause the implementation of both professional and lay trauma
239 education programs. These trauma educational programs shall
240 include both clinical trauma education and injury prevention. As
241 it is recognized that rehabilitation services are essential for
242 traumatized individuals to be returned to active, productive
243 lives, the department shall coordinate the development of the
244 inclusive trauma system with the Mississippi Department of
245 Rehabilitation Services and all other appropriate rehabilitation
246 systems.

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

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

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

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

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

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

272 **SECTION 9.** (1) There is created the Trauma Care Task Force,
273 which shall be composed of thirteen (13) members as follows:

274 (a) One (1) regional trauma registrar designated by the
275 Trauma Care Committee of the Mississippi Hospital Association.

276 (b) One (1) licensed physician appointed by the
277 Governor from a list of nominees from the Mississippi Chapter of
278 the American College of Emergency Physicians;

279 (c) One (1) licensed physician appointed by the
280 Governor from a list of nominees from the Mississippi Chapter of
281 the American College of Surgeons;

282 (d) Two (2) hospital administrators designated by the
283 Trauma Care Committee of Mississippi Hospital Association;

284 (e) Two (2) trauma nurse coordinators named by the
285 Mississippi Association of Trauma Administrators;

286 (f) Two (2) members of the Mississippi House of
287 Representatives appointed by the Speaker of the House;

288 (g) Two (2) members of the Senate appointed by the
289 Lieutenant Governor;

290 (h) One (1) member appointed by the Governor, who shall
291 be a person who has been a recipient of trauma care in Mississippi
292 or who has an immediate family member who has been a recipient of
293 trauma care in Mississippi;

294 (i) One (1) licensed physician or an appropriate
295 administrator involved in the practice and/or delivery of trauma
296 care at University Medical Center appointed by the Governor.

297 (2) All members of the task force shall be designated or
298 appointed in accordance with Section 1 above and shall be so
299 designated or appointed in sufficient time so as to allow for all
300 members of the task force to be identified prior to the first
301 meeting of the task force.

302 (3) The first meeting of the task force shall take place no
303 later than June 1, 2007, on the call of the Governor at a place
304 designated by him. At the first meeting of the task force, the
305 two (2) hospital administrators designated in accordance with
306 Section 1 shall act as temporary chairmen of the task force in
307 order to organize and to elect a chairman and vice chairman from
308 its membership. Following the election of the chairman and vice
309 chairman, the task force shall adopt rules for transacting its
310 business and keeping records. Members of the task force other
311 than the legislative members shall receive reimbursement for
312 travel expenses incurred while engaged in official business of the
313 task force in accordance with Section 25-3-41, and the legislative
314 members of the task force shall receive the compensation
315 authorized for committee meetings when the Legislature is not in
316 session. Payment of such expenses set forth herein shall be from
317 funds made available therefor by the Legislature or from any other
318 public or private source.

319 (4) (a) The duties of the task force shall be to:

320 (i) Conduct a study of the status of trauma care,
321 including burn care, in Mississippi; and

322 (ii) Review and determine the efficacy of the
323 Mississippi Trauma Care Plan; and

324 (iii) Determine adequate funding requirements and
325 research existing and potential funding mechanisms necessary to
326 provide for trauma care in Mississippi; and

327 (iv) Make appropriate findings and recommendations
328 regarding the matters considered in accordance with the trauma

329 care study in subsection (1) and regarding its review of the
330 Mississippi Trauma Care Plan. Such findings and recommendations
331 shall address, at a minimum, the status of the state's trauma care
332 system and any legislative action that may be needed to further
333 enhance the delivery of trauma care in Mississippi.

334 (b) Before December 1, 2007, the task force shall make
335 a report presenting such findings and recommendations to the
336 Governor and to all members of the Legislature for consideration
337 during the 2008 Regular Session.

338 (5) The State Department of Health shall provide appropriate
339 staff support and shall designate an appropriate department
340 employee to act as a point of contact for the provision of staff
341 support to the task force. All other agencies, departments,
342 offices and institutions of the state, including all state
343 universities and community and junior colleges, shall cooperate
344 with the task force and provide such assistance as requested by
345 the task force.

346 (6) Upon presentation of its report, the task force shall be
347 dissolved.

348 **SECTION 10.** This act shall take effect and be in force from
349 and after July 1, 2007, except for Section 9, which shall take
350 effect and be in force from and after the passage of this act.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO PROVIDE THAT THE UNIVERSITY OF MISSISSIPPI MEDICAL
2 CENTER MAY ESTABLISH A SEPARATE UNIT AT THE MEDICAL CENTER FOR THE
3 TREATMENT OF BURN VICTIMS, WHICH SHALL BE KNOWN AS THE MISSISSIPPI
4 BURN CENTER; TO PROVIDE THAT THE ESTABLISHMENT OF THE MISSISSIPPI
5 BURN CENTER AND LEGISLATIVE APPROPRIATIONS THEREFOR SHALL BE
6 CONDITIONED UPON THE PRIVATE SECTOR AND OTHER SOURCES PROVIDING
7 50% OF THE COST OF CONSTRUCTION AND SUPPORT; TO AMEND SECTIONS
8 7-9-70, 21-19-58, 27-19-44.3, 27-39-331 AND 27-39-332, MISSISSIPPI
9 CODE OF 1972, TO PROVIDE THAT APPROPRIATIONS FROM AND
10 CONTRIBUTIONS TO THE MISSISSIPPI BURN CARE FUND SHALL BE MADE TO
11 THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER INSTEAD OF THE STATE
12 DEPARTMENT OF HEALTH AFTER THE MISSISSIPPI BURN CENTER IS
13 OPERATIONAL; TO AMEND SECTION 27-7-88, MISSISSIPPI CODE OF 1972,
14 TO AUTHORIZE INDIVIDUALS WHO FILE A MISSISSIPPI INCOME TAX RETURN
15 TO MAKE A CONTRIBUTION TO THE BURN CARE FUND AT THE TIME OF FILING
16 THEIR TAX RETURN, IN ADDITION TO ANY INCOME TAX LIABILITY THAT
17 THEY PAY WHEN FILING THE TAX RETURN OR IN ADDITION TO THE AMOUNT
18 OF THEIR TAX REFUND THAT THEY DESIGNATE AS A CONTRIBUTION TO THE
19 FUND; TO AMEND SECTION 41-59-5, MISSISSIPPI CODE OF 1972, TO
20 REVISE THE AUTHORITY OF THE STATE BOARD OF HEALTH REGARDING A PLAN

21 FOR THE DELIVERY OF SERVICES TO MISSISSIPPI BURN VICTIMS THROUGH
22 THE EXISTING TRAUMA CARE SYSTEM OF HOSPITALS; TO CREATE THE TRAUMA
23 CARE TASK FORCE TO CONDUCT A STUDY OF THE STATUS OF TRAUMA CARE
24 AND BURN CARE IN MISSISSIPPI AND DEVELOP A REPORT TO THE GOVERNOR
25 AND THE 2008 REGULAR SESSION OF THE LEGISLATURE; AND FOR RELATED
26 PURPOSES.

SS26\HB567A.J

John O. Gilbert
Secretary of the Senate