

By: Representative Robinson

To: Public Health and Human Services

HOUSE BILL NO. 722
(As Sent to Governor)

1 AN ACT TO REQUIRE HOSPITALS AND CERTAIN LICENSED FACILITIES
2 TO NOTIFY THE STATE FIRE MARSHAL OR HIS DESIGNEE WHEN TREATING OR
3 TRANSPORTING AN INDIVIDUAL FOR A BURN INJURY; TO REQUIRE THE
4 DEPARTMENT OF HEALTH TO REPORT TO THE STATE FIRE MARSHAL ANY BURN
5 INJURY-RELATED DEATH; TO PROVIDE THAT ANY INFORMATION OBTAINED BY
6 OR DISCLOSED TO THE STATE FIRE MARSHAL PURSUANT TO THIS ACT SHALL
7 BE CONFIDENTIAL; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) Any hospital, as defined in Section 41-9-3,
10 or any licensed facility, as defined in Section 41-23-39, that is
11 initially responsible for the treatment of an individual for a
12 burn injury, shall notify the State Fire Marshal or his designee
13 within twenty-four (24) hours by phone or facsimile.

14 (2) (a) For the purposes of this act, the term "burn
15 injury" means a burn injury:

16 (i) Which causes second- or third-degree burns to
17 nine percent (9%) or more of the patient's body;

18 (ii) Which causes injury to the upper respiratory
19 tract or laryngeal edema caused by inhaling super-heated air; or

20 (iii) Which causes death.

21 (b) The term "burn injury" shall not include sunburns.

22 (3) Notice under this act shall include:

23 (a) The name and address of the patient;

24 (b) A description of the burn injury;

25 (c) The reported cause of the burn injury;

26 (d) The patient's disposition; and

27 (e) Any other fact concerning the burn injury which
28 might assist in detecting arson.



29 (4) If an investigation is conducted after notification is
30 given under this section, the investigating agency shall report
31 its findings on an incident reporting system report and send it to
32 the State Fire Marshal for retention.

33 (5) The Department of Health shall report to the State Fire
34 Marshal any burn injury-related death.

35 (6) Any information obtained by or disclosed to the State
36 Fire Marshal pursuant to this act shall be held by the State Fire
37 Marshal as confidential and shall not be disclosed without written
38 consent from the burn victim, or in the case of death, or in the
39 case of a minor, without the written consent of his or her parent
40 or legal representative or by court order. Nothing in this
41 subsection shall prohibit the State Fire Marshal from publishing
42 aggregate statistical data from such information without releasing
43 any personally identifiable data.

44 (7) The State Fire Marshal is authorized to promulgate rules
45 and regulations necessary for the implementation of this act.

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2009.

