

By: Representatives Zuber, Ford (54th),
Hobgood-Wilkes, Arnold

To: Insurance

HOUSE BILL NO. 821

1 AN ACT TO CREATE THE NONTRANSPORT EMERGENCY MEDICAL SERVICES
2 ACT; TO ESTABLISH DEFINITIONS OF NONTRANSPORT EMERGENCY MEDICAL
3 SERVICES AND PERSONNEL UNDER THIS ACT; TO ALLOW THE INSURANCE
4 DEPARTMENT TO AUTHORIZE FIRST RESPONDERS UNDER THIS ACT; TO
5 ESTABLISH DUTIES OF THE COMMISSIONER OF INSURANCE UNDER THIS ACT;
6 TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE
7 NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION
8 41-59-35, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED
9 PURPOSES.

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

11 **SECTION 1.** (1) "Nontransport emergency medical services"
12 (NTEMS) means the provision of initial assessment and medical
13 intervention with sick, wounded, or otherwise incapacitated
14 persons, performed by a medically trained person or team of
15 persons, prior to the availability of and intervention by an
16 ambulance service. NTEMS are typically rendered at the location
17 of first contact with a patient, and does not include
18 transportation and care during transit to a medical facility,
19 except in special transport circumstances where ambulance
20 transport is not readily available. NTEMS shall be under the



21 jurisdiction of the Commissioner of Insurance pursuant to Chapter
22 11 Title 45, Mississippi Code of 1972.

23 (2) "Department" means the Mississippi Insurance Department.

24 (3) "Commissioner" means the Mississippi Commissioner of
25 Insurance, or his or her designated representative.

26 (4) "First responder" means a person who uses a limited
27 amount of equipment to perform the initial assessment of and
28 intervention with sick, wounded or otherwise incapacitated
29 persons.

30 (5) "Medical first responder" means a person who uses a
31 limited amount of equipment to perform the initial assessment of
32 and intervention with sick, wounded or otherwise incapacitated
33 persons who (a) is trained to assist other EMS personnel by
34 successfully completing, and remaining current in refresher
35 training in accordance with, an approved "First Responder:
36 National Standard Curriculum" training program, as developed and
37 promulgated by the United States Department of Transportation; (b)
38 is nationally registered as a first responder by the National
39 Registry of Emergency Medical Technicians; and (c) is certified as
40 a medical first responder by the department.

41 (6) "Emergency response agency" means a fire department,
42 state, county, municipal or other political subdivision of the
43 State of Mississippi, which includes as part of its designated
44 responsibility the making of emergency medical calls and emergency
45 responses. An emergency response agency as defined herein shall



46 include volunteer fire departments, and persons volunteering for
47 such department shall be considered employees of the volunteer
48 fire department in relation to the provisions of this act. An
49 emergency response agency as defined herein shall not include any
50 entity, or any persons employed thereby, which provides transport
51 emergency medical services and is licensed under the Emergency
52 Medical Services Act of 1974, Section 41-59-1 et seq.

53 (7) "Emergency medical condition" means a medical condition
54 manifesting itself by acute symptoms of sufficient severity,
55 including severe pain, psychiatric disturbances and/or symptoms of
56 substance abuse, such that a prudent layperson who possesses an
57 average knowledge of health and medicine could reasonably expect
58 the absence of immediate medical attention to result in placing
59 the health of the individual (or, with respect to a pregnant
60 woman, the health of the woman or her unborn child) in serious
61 jeopardy, serious impairment to bodily functions, or serious
62 dysfunction of any bodily organ or part.

63 (8) "Emergency medical call" means a situation that is
64 presumptively classified at the time of dispatch to have a high
65 index of probability that an emergency medical condition or other
66 situation exists that requires medical intervention as soon as
67 possible to reduce the seriousness of the situation, or when the
68 exact circumstances are unknown, but the nature of the request is
69 suggestive of a true emergency where a patient may be at risk.



70 (9) "Emergency response" means responding immediately at the
71 basic life support or advanced life support level of service to an
72 emergency medical call. An immediate response is one in which the
73 emergency response agency begins as quickly as possible to take
74 the steps necessary to respond to the call.

75 (10) "Emergency mode" means an EMS vehicle operating with
76 emergency lights and warning siren (or warning siren and air horn)
77 while engaged in an emergency medical call.

78 (11) "Basic life support" (BLS) service means a nontransport
79 EMS service that provides at a minimum an Emergency Medical
80 Technician - Basic (EMT) as a component of the normal and
81 customary response to emergency aid request. A BLS vehicle means
82 a vehicle is equipped with the approved and required emergency
83 medical supplies and equipment to support a BLS level of care as
84 defined by the department. Standards of equipment and training
85 are to be developed and monitored by the department in
86 collaboration with the state EMS Medical Director at the
87 Mississippi Department of Health-Bureau of EMS and nationally
88 recognized standards.

89 (12) "Advanced life support (ALS) service" means a
90 nontransport EMS service that provides at a minimum an Emergency
91 Medical Technician-Advanced, approved nurse/medical provider that
92 has completed the transition course set forth in this chapter or a
93 paramedic as a component of the normal and customary response to
94 an emergency aid request. An ALS vehicle means a vehicle is



95 equipped with approved and required emergency medical supplies and
96 equipment to support an ALS level of care as defined by the
97 department. Standards of equipment and minimum standards are to
98 be developed and monitored by the department in collaboration with
99 the State EMS Medical Director at the Mississippi Department of
100 Health-Bureau of EMS and nationally recognized standards.

101 (13) "Nontransport EMS vehicle" means a land, marine or
102 airborne (manned and unmanned) vehicle that provides delivery of
103 emergency medical personnel or equipment that is not designed to
104 provide regulated transport of patients on marked modes of land
105 travel but are allowed in the event of special transport
106 circumstances.

107 (14) "First responder service" means a nontransport EMS
108 service that provides at a minimum a trained first responder as a
109 component of the normal and customary response to an emergency aid
110 request. A first responder vehicle means a vehicle that is
111 equipped with approved and required emergency medical supplies and
112 equipment to support a first responder level of care as
113 implemented by the department. Standards of equipment and minimum
114 standards are to be developed and monitored by the department in
115 collaboration with the State EMS Medical Director at the
116 Mississippi Department of Health-Bureau of EMS and nationally
117 recognized standards.

118 (15) "Medical director" means a physician licensed in this
119 state with EMS experience or board certification who is



120 accountable for the care delivered by first responders. The
121 medical director will develop an online medical control program,
122 develop nontransport EMS medical protocols, implement a statewide
123 data collection and charting system, and provide oversight for a
124 quality management system.

125 (16) "Special transport circumstances" means off-road,
126 austere, marine, air and disaster transport of an injured or ill
127 patient to a waiting licensed ambulance or helicopter. This
128 includes special event venue transport and other related mass
129 gathering events.

130 (17) "Special operations service" means a nontransport EMS
131 service that provides at a minimum a paramedic as a component of
132 the normal and customary response to an emergency aid request. A
133 special operations vehicle means a vehicle that is equipped with
134 approved and required emergency medical supplies and equipment to
135 support a critical care level of service as implemented by the
136 department. Standards of equipment and minimum standards are to
137 be developed and monitored by the department in collaboration with
138 the State EMS Medical Director at the Mississippi Department of
139 Health-Bureau of EMS and nationally recognized standards. Special
140 operations providers shall meet the qualifications of critical
141 care paramedic as defined by the Mississippi State Department of
142 Health. These providers will provide specialized medical care
143 during rescues or responses based on their training.



144 **SECTION 2.** Any person employed by an emergency response
145 agency may be authorized by the department to perform as an
146 emergency medical technician for the provision of care in a
147 nontransport EMS setting pursuant to the procedures and protocols
148 as established by the Commissioner. Nontransport emergency
149 medical personnel are included within the coverage, authority and
150 provisions of the Emergency Medical Services Personnel Licensure
151 Interstate Compact as prescribed in Section 41-59-101.

152 **SECTION 3.** (1) The commissioner shall develop a standard
153 medical control system, development and adoption of nontransport
154 EMS medical protocols, and other related nontransport EMS
155 activities. Coordination between the department, the Mississippi
156 State Department of Health and the Bureau of Emergency Medical
157 Services shall be accomplished through the respective medical
158 directors of each entity.

159 (2) The commissioner is authorized to promulgate and enforce
160 such rules, regulations and minimum standards as needed to carry
161 out the provisions of this chapter.

162 (3) The department, acting as the lead agency, will develop
163 a coordinated statewide system of nontransport EMS services for
164 emergency response agencies that includes a quality management
165 system, charting platform and data reporting system.

166 (4) The department may contract with a third-party vendor in
167 order to serve as medical director, develop a standard medical
168 control system, and establish and implement the protocols and



169 quality management system as referenced in subsection (1) of this
170 section.

171 **SECTION 4.** Section 41-59-3, Mississippi Code of 1972, is
172 amended as follows:

173 41-59-3. As used in this chapter, unless the context
174 otherwise requires, the term:

175 (a) "Ambulance" means any privately or publicly owned
176 land or air vehicle that is especially designed, constructed,
177 modified or equipped to be used, maintained and operated upon the
178 streets, highways or airways of this state to assist persons who
179 are sick, injured, wounded, or otherwise incapacitated or
180 helpless;

181 (b) "Permit" means an authorization issued for an
182 ambulance vehicle and/or a special use EMS vehicle as meeting the
183 standards adopted under this chapter;

184 (c) "License" means an authorization to any person,
185 firm, corporation, or governmental division or agency to provide
186 ambulance services in the State of Mississippi;

187 (d) "Emergency medical technician" means an individual
188 who possesses a valid emergency medical technician's certificate
189 issued under the provisions of this chapter or who has a privilege
190 to practice under the Emergency Medical Services Personnel
191 Licensure Interstate Compact;

192 (e) "Certificate" means official acknowledgment that an
193 individual has successfully completed (i) the recommended basic



194 emergency medical technician training course referred to in this
195 chapter which entitles that individual to perform the functions
196 and duties of an emergency medical technician, or (ii) the
197 recommended medical first responder training course referred to in
198 this chapter which entitles that individual to perform the
199 functions and duties of a medical first responder;

200 (f) "Board" means the State Board of Health;

201 (g) "Department" means the State Department of Health,
202 Division of Emergency Medical Services;

203 (h) "Executive officer" means the Executive Officer of
204 the State Board of Health, or his designated representative;

205 (i) "First responder" means a person who uses a limited
206 amount of equipment to perform the initial assessment of and
207 intervention with sick, wounded or otherwise incapacitated
208 persons;

209 (j) "Medical first responder" means a person who uses a
210 limited amount of equipment to perform the initial assessment of
211 and intervention with sick, wounded or otherwise incapacitated
212 persons who (i) is trained to assist other EMS personnel by
213 successfully completing, and remaining current in refresher
214 training in accordance with, an approved "First Responder:
215 National Standard Curriculum" training program, as developed and
216 promulgated by the United States Department of Transportation;

217 (ii) is nationally registered as a first responder by the National
218 Registry of Emergency Medical Technicians; and (iii) is certified



219 as a medical first responder by the State Department of Health,
220 Division of Emergency Medical Services;

221 (k) "Invalid vehicle" means any privately or publicly
222 owned land or air vehicle that is maintained, operated and used
223 only to transport persons routinely who are convalescent or
224 otherwise nonambulatory and do not require the service of an
225 emergency medical technician while in transit;

226 (l) "Special use EMS vehicle" means any privately or
227 publicly owned land, water or air emergency vehicle used to
228 support the provision of emergency medical services. These
229 vehicles shall not be used routinely to transport patients;

230 (m) "Trauma care system" or "trauma system" means a
231 formally organized arrangement of health care resources that has
232 been designated by the department by which major trauma victims
233 are triaged, transported to and treated at trauma care facilities;

234 (n) "Trauma care facility" or "trauma center" means a
235 hospital located in the State of Mississippi or a Level I trauma
236 care facility or center located in a state contiguous to the State
237 of Mississippi that has been designated by the department to
238 perform specified trauma care services within a trauma care system
239 pursuant to standards adopted by the department;

240 (o) "Trauma registry" means a collection of data on
241 patients who receive hospital care for certain types of injuries.
242 Such data are primarily designed to ensure quality trauma care and
243 outcomes in individual institutions and trauma systems, but have



244 the secondary purpose of providing useful data for the
245 surveillance of injury morbidity and mortality;

246 (p) "Emergency medical condition" means a medical
247 condition manifesting itself by acute symptoms of sufficient
248 severity, including severe pain, psychiatric disturbances and/or
249 symptoms of substance abuse, such that a prudent layperson who
250 possesses an average knowledge of health and medicine could
251 reasonably expect the absence of immediate medical attention to
252 result in placing the health of the individual (or, with respect
253 to a pregnant woman, the health of the woman or her unborn child)
254 in serious jeopardy, serious impairment to bodily functions, or
255 serious dysfunction of any bodily organ or part;

256 (q) "Emergency medical call" means a situation that is
257 presumptively classified at time of dispatch to have a high index
258 of probability that an emergency medical condition or other
259 situation exists that requires medical intervention as soon as
260 possible to reduce the seriousness of the situation, or when the
261 exact circumstances are unknown, but the nature of the request is
262 suggestive of a true emergency where a patient may be at risk;

263 (r) "Emergency response" means responding immediately
264 at the basic life support or advanced life support level of
265 service to an emergency medical call. An immediate response is
266 one in which the ambulance supplier begins as quickly as possible
267 to take the steps necessary to respond to the call;



268 (s) "Emergency mode" means an ambulance or special use
269 EMS vehicle operating with emergency lights and warning siren (or
270 warning siren and air horn) while engaged in an emergency medical
271 call.

272 (t) "Nontransport emergency medical services" (NTEMS)
273 means the provision of initial assessment and medical intervention
274 with sick, wounded or otherwise incapacitated persons, performed
275 by a medically trained person or team of persons, prior to the
276 availability of and intervention by an ambulance service. NTEMS
277 are typically rendered at the location of first contact with a
278 patient, and do not include transportation and care during transit
279 to a medical facility, except in special circumstances where
280 ambulance transport is not readily available. NTEMS shall be
281 under the jurisdiction of the Commissioner of Insurance in
282 accordance with Chapter 11 Title 45, Mississippi Code of 1972.

283 **SECTION 5.** Section 41-59-35, Mississippi Code of 1972, is
284 amended as follows:

285 41-59-35. (1) An emergency medical technician certificate
286 so issued shall be valid for a period not exceeding two (2) years
287 from the date of issuance and may be renewed upon payment of a
288 renewal fee to be fixed by the board, which shall be paid to the
289 board, provided that the holder meets the qualifications set forth
290 in this Chapter 59 and Chapter 60 and rules and regulations
291 promulgated by the board. Any increase in the fee charged by the



292 board under this subsection shall be in accordance with the
293 provisions of Section 41-3-65.

294 (2) The board is authorized to suspend or revoke a
295 certificate so issued at any time it is determined that the holder
296 no longer meets the prescribed qualifications.

297 (3) It shall be unlawful for any person, corporation or
298 association to, in any manner, represent himself, herself or
299 itself as an Emergency Medical Technician-Basic, Emergency Medical
300 Technician-Advanced, Emergency Medical Technician-Paramedic,
301 Emergency Medical Technician-Paramedic Critical Care, or Emergency
302 Medical Services Driver, or use in connection with his or its name
303 the words or letters of EMT, emt, paramedic, critical care
304 paramedic, or any other letters, words, abbreviations or insignia
305 which would indicate or imply that he, she or it is an Emergency
306 Medical Technician-Basic, Emergency Medical Technician-Advanced,
307 Emergency Medical Technician-Paramedic, Emergency Medical
308 Technician-Paramedic Critical Care, or Emergency Medical Services
309 Driver, unless certified in accordance with Chapters 59 and 60 of
310 this title and in accordance with the rules and regulations
311 promulgated by the board; or a person authorized by the Insurance
312 Department to perform as an emergency medical technician for the
313 provision of care in a NTEMS setting in accordance with rules and
314 regulations promulgated by the Commissioner of Insurance or a
315 person who has a privilege to practice under the Emergency Medical
316 Services Personnel Licensure Interstate Compact. It shall be



317 unlawful to employ an uncertified Emergency Medical
318 Technician-Basic, Emergency Medical Technician-Advanced, Emergency
319 Medical Technician-Paramedic, or Emergency Medical
320 Technician-Paramedic Critical Care to provide basic or advanced
321 life-support services.

322 (4) An EMT, EMT-A, EMR, or Paramedic may transport a police
323 dog injured in the line of duty to a veterinary clinic, hospital
324 emergency department or similar facility if there are no persons
325 requiring medical attention or transport at that time. For the
326 purposes of this subsection, "police dog" means a dog owned or
327 used by a law enforcement department or agency in the course of
328 the department or agency's work, including a search and rescue
329 dog, service dog, accelerant detection canine, or other dog that
330 is in use by a county, municipal, or state law enforcement agency.

331 (5) Any Emergency Medical Technician-Basic, Emergency
332 Medical Technician-Advanced, Emergency Medical
333 Technician-Paramedic, Emergency Medical Technician-Paramedic
334 Critical Care, or Emergency Medical Services Driver who violates
335 or fails to comply with these statutes or the rules and
336 regulations promulgated by the board under these statutes shall be
337 subject, after due notice and hearing, to an administrative fine
338 not to exceed One Thousand Dollars (\$1,000.00).

339 **SECTION 6.** This act shall take effect and be in force from
340 and after July 1, 2022.

