

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

To: Insurance

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 821

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
2 DEFINE NONTRANSPORT EMERGENCY MEDICAL SERVICES; TO AMEND SECTION
3 41-59-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE
4 DEPARTMENT OF HEALTH AND MISSISSIPPI INSURANCE DEPARTMENT TO
5 DEVELOP A COORDINATED ENTITY TO PROVIDE A STATEWIDE SYSTEM OF
6 NONTRANSPORT EMERGENCY MEDICAL SERVICES; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 41-59-3, Mississippi Code of 1972, is
9 amended as follows:

10 41-59-3. As used in this chapter, unless the context
11 otherwise requires, the term:

12 (a) "Ambulance" means any privately or publicly owned
13 land or air vehicle that is especially designed, constructed,
14 modified or equipped to be used, maintained and operated upon the
15 streets, highways or airways of this state to assist persons who
16 are sick, injured, wounded, or otherwise incapacitated or
17 helpless;

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



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

24 (d) "Emergency medical technician" means an individual
25 who possesses a valid emergency medical technician's certificate
26 issued under the provisions of this chapter or who has a privilege
27 to practice under the Emergency Medical Services Personnel
28 Licensure Interstate Compact;

29 (e) "Certificate" means official acknowledgment that an
30 individual has successfully completed (i) the recommended basic
31 emergency medical technician training course referred to in this
32 chapter which entitles that individual to perform the functions
33 and duties of an emergency medical technician, or (ii) the
34 recommended medical first responder training course referred to in
35 this chapter which entitles that individual to perform the
36 functions and duties of a medical first responder;

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

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

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

42 (i) "First responder" means a person who uses a limited
43 amount of equipment to perform the initial assessment of and
44 intervention with sick, wounded or otherwise incapacitated
45 persons;



46 (j) "Medical first responder" means a person who uses a
47 limited amount of equipment to perform the initial assessment of
48 and intervention with sick, wounded or otherwise incapacitated
49 persons who (i) is trained to assist other EMS personnel by
50 successfully completing, and remaining current in refresher
51 training in accordance with, an approved "First Responder:
52 National Standard Curriculum" training program, as developed and
53 promulgated by the United States Department of Transportation;
54 (ii) is nationally registered as a first responder by the National
55 Registry of Emergency Medical Technicians; and (iii) is certified
56 as a medical first responder by the State Department of Health,
57 Division of Emergency Medical Services;

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

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

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



71 (n) "Trauma care facility" or "trauma center" means a
72 hospital located in the State of Mississippi or a Level I trauma
73 care facility or center located in a state contiguous to the State
74 of Mississippi that has been designated by the department to
75 perform specified trauma care services within a trauma care system
76 pursuant to standards adopted by the department;

77 (o) "Trauma registry" means a collection of data on
78 patients who receive hospital care for certain types of injuries.
79 Such data are primarily designed to ensure quality trauma care and
80 outcomes in individual institutions and trauma systems, but have
81 the secondary purpose of providing useful data for the
82 surveillance of injury morbidity and mortality;

83 (p) "Emergency medical condition" means a medical
84 condition manifesting itself by acute symptoms of sufficient
85 severity, including severe pain, psychiatric disturbances and/or
86 symptoms of substance abuse, such that a prudent layperson who
87 possesses an average knowledge of health and medicine could
88 reasonably expect the absence of immediate medical attention to
89 result in placing the health of the individual (or, with respect
90 to a pregnant woman, the health of the woman or her unborn child)
91 in serious jeopardy, serious impairment to bodily functions, or
92 serious dysfunction of any bodily organ or part;

93 (q) "Emergency medical call" means a situation that is
94 presumptively classified at time of dispatch to have a high index
95 of probability that an emergency medical condition or other



96 situation exists that requires medical intervention as soon as
97 possible to reduce the seriousness of the situation, or when the
98 exact circumstances are unknown, but the nature of the request is
99 suggestive of a true emergency where a patient may be at risk;

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

105 (s) "Emergency mode" means an ambulance or special use
106 EMS vehicle operating with emergency lights and warning siren (or
107 warning siren and air horn) while engaged in an emergency medical
108 call.

109 (t) "Nontransport emergency medical services" (NTEMS)
110 means the provision of initial assessment and medical intervention
111 with sick, wounded or otherwise incapacitated persons, performed
112 by a medically trained person or team of persons, prior to the
113 availability of and intervention by an ambulance service. NTEMS
114 are typically rendered at the location of first contact with a
115 patient, and do not include transportation and care during transit
116 to a medical facility, NTEMS providers are "EMS personnel" as
117 referenced in the provisions of Chapters 59 and 60, Title 41 upon
118 meeting the training and certification requirements for emergency
119 medical technicians.



120 **SECTION 2.** Section 41-59-35, Mississippi Code of 1972, is
121 amended as follows:

122 41-59-35. (1) An emergency medical technician certificate
123 so issued shall be valid for a period not exceeding two (2) years
124 from the date of issuance and may be renewed upon payment of a
125 renewal fee to be fixed by the board, which shall be paid to the
126 board, provided that the holder meets the qualifications set forth
127 in this Chapter 59 and Chapter 60 and rules and regulations
128 promulgated by the board. Any increase in the fee charged by the
129 board under this subsection shall be in accordance with the
130 provisions of Section 41-3-65.

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

134 (3) It shall be unlawful for any person, corporation or
135 association to, in any manner, represent himself, herself or
136 itself as an Emergency Medical Technician-Basic, Emergency Medical
137 Technician-Advanced, Emergency Medical Technician-Paramedic,
138 Emergency Medical Technician-Paramedic Critical Care, or Emergency
139 Medical Services Driver, or use in connection with his or its name
140 the words or letters of EMT, emt, paramedic, critical care
141 paramedic, or any other letters, words, abbreviations or insignia
142 which would indicate or imply that he, she or it is an Emergency
143 Medical Technician-Basic, Emergency Medical Technician-Advanced,
144 Emergency Medical Technician-Paramedic, Emergency Medical



145 Technician-Paramedic Critical Care, or Emergency Medical Services
146 Driver, unless certified in accordance with Chapters 59 and 60 of
147 this title and in accordance with the rules and regulations
148 promulgated by the board; or a person who has a privilege to
149 practice under the Emergency Medical Services Personnel Licensure
150 Interstate Compact. It shall be unlawful to employ an uncertified
151 Emergency Medical Technician-Basic, Emergency Medical
152 Technician-Advanced, Emergency Medical Technician-Paramedic, or
153 Emergency Medical Technician-Paramedic Critical Care to provide
154 basic or advanced life-support services.

155 (4) The department may develop, in conjunction with the
156 Mississippi Insurance Department, a coordinated entity to provide
157 a statewide system of nontransport emergency medical services for
158 emergency medical personnel governed by the Division of Emergency
159 Medical Services that includes medical control protocols, a
160 quality management system, charting platform and data reporting
161 system.

162 (* * *5) An EMT, EMT-A, EMR, or Paramedic may transport a
163 police dog injured in the line of duty to a veterinary clinic,
164 hospital emergency department or similar facility if there are no
165 persons requiring medical attention or transport at that time.
166 For the purposes of this subsection, "police dog" means a dog
167 owned or used by a law enforcement department or agency in the
168 course of the department or agency's work, including a search and
169 rescue dog, service dog, accelerant detection canine, or other dog



170 that is in use by a county, municipal, or state law enforcement
171 agency.

172 (* * *6) Any Emergency Medical Technician-Basic, Emergency
173 Medical Technician-Advanced, Emergency Medical
174 Technician-Paramedic, Emergency Medical Technician-Paramedic
175 Critical Care, or Emergency Medical Services Driver who violates
176 or fails to comply with these statutes or the rules and
177 regulations promulgated by the board under these statutes shall be
178 subject, after due notice and hearing, to an administrative fine
179 not to exceed One Thousand Dollars (\$1,000.00).

180 **SECTION 3.** This act shall take effect and be in force from
181 and after July 1, 2022, and shall stand repealed from and after
182 June 30, 2022.

