

By: Senator(s) Michel

To: Insurance

SENATE BILL NO. 2668

1 AN ACT TO ESTABLISH THE NON-TRANSPORT EMERGENCY MEDICAL
 2 SERVICES ACT; TO ESTABLISH DEFINITIONS OF NON-TRANSPORT EMERGENCY
 3 MEDICAL SERVICES AND PERSONNEL UNDER THIS ACT; TO ALLOW THE
 4 DEPARTMENT OF INSURANCE TO AUTHORIZE FIRST RESPONDERS UNDER THIS
 5 ACT; TO ESTABLISH DUTIES OF THE COMMISSIONER OF INSURANCE UNDER
 6 THIS ACT; TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
 7 DEFINE THE TERM "NON-TRANSPORT EMERGENCY MEDICAL SERVICES" UNDER
 8 THE EMERGENCY MEDICAL SERVICES ACT OF 1974; TO AMEND SECTION
 9 41-59-35, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR
 10 RELATED PURPOSES.

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

12 **SECTION 1.** Sections 1 through 4 of this act shall be known
 13 and may be cited as the "Non-Transport Emergency Medical Services
 14 Act."

15 **SECTION 2. Non-Transport Emergency Medical Services;**
 16 **definitions.** As used in this act, unless the context otherwise
 17 requires, the term:

18 (a) "Non-Transport Emergency Medical Services" (NTEMS)
 19 means the provision of initial assessment and medical intervention
 20 with sick, wounded, or otherwise incapacitated persons, performed
 21 by a medically trained person or team of persons, prior to the
 22 availability of and intervention by an ambulance service.



23 Non-Transport Emergency Medical Services are typically rendered at
24 the location of first contact with a patient, and does not include
25 transportation and care during transit to a medical facility,
26 except in special transport circumstances where ambulance
27 transport is not readily available. NTEMS shall be under the
28 jurisdiction of the Commissioner of Insurance pursuant to Title
29 45, Chapter 11, Mississippi Code of 1972.

30 (b) "Department" means the Mississippi Department of
31 Insurance.

32 (c) "Commissioner" means the Mississippi Insurance
33 Commissioner, or his designated representative.

34 (d) "First responder" means a person who uses a limited
35 amount of equipment to perform the initial assessment of and
36 intervention with sick, wounded or otherwise incapacitated
37 persons.

38 (e) "Medical first responder" means a person who uses a
39 limited amount of equipment to perform the initial assessment of
40 and intervention with sick, wounded or otherwise incapacitated
41 persons who (i) is trained to assist other EMS personnel by
42 successfully completing, and remaining current in refresher
43 training in accordance with, an approved "First Responder:
44 National Standard Curriculum" training program, as developed and
45 promulgated by the United States Department of Transportation;
46 (ii) is nationally registered as a first responder by the National



47 Registry of Emergency Medical Technicians; and (iii) is certified
48 as a medical first responder by the Department of Insurance.

49 (f) "Emergency response agency" means a fire
50 department, state, county, municipal or other political
51 subdivision of the State of Mississippi, which includes as part of
52 its designated responsibility the making of emergency medical
53 calls and emergency responses. An emergency response agency as
54 defined herein shall include volunteer fire departments, and
55 persons volunteering for such department shall be considered
56 employees of the volunteer fire department in relation to the
57 provisions of this act. An emergency response agency as defined
58 herein shall not include any entity, or any persons employed
59 thereby, which provide transport emergency medical service and is
60 licensed under the Emergency Medical Services Act of 1974, Section
61 41-59-1 et seq., Mississippi Code of 1972.

62 (g) "Emergency medical condition" means a medical
63 condition manifesting itself by acute symptoms of sufficient
64 severity, including severe pain, psychiatric disturbances and/or
65 symptoms of substance abuse, such that a prudent layperson who
66 possesses an average knowledge of health and medicine could
67 reasonably expect the absence of immediate medical attention to
68 result in placing the health of the individual (or, with respect
69 to a pregnant woman, the health of the woman or her unborn child)
70 in serious jeopardy, serious impairment to bodily functions, or
71 serious dysfunction of any bodily organ or part.



72 (h) "Emergency medical call" means a situation that is
73 presumptively classified at time of dispatch to have a high index
74 of probability that an emergency medical condition or other
75 situation exists that requires medical intervention as soon as
76 possible to reduce the seriousness of the situation, or when the
77 exact circumstances are unknown, but the nature of the request is
78 suggestive of a true emergency where a patient may be at risk.

79 (i) "Emergency response" means responding immediately
80 at the basic life support or advanced life support level of
81 service to an emergency medical call. An immediate response is
82 one in which the emergency response agency begins as quickly as
83 possible to take the steps necessary to respond to the call.

84 (j) "Emergency mode" means an EMS vehicle operating
85 with emergency lights and warning siren (or warning siren and air
86 horn) while engaged in an emergency medical call.

87 (k) "Basic Life Support (BLS) Service" means a
88 Non-Transport EMS service that provides at a minimum an Emergency
89 Medical Technician-Basic (EMT) as a component of the normal and
90 customary response to emergency aid request. A BLS vehicle means
91 a vehicle is equipped with the approved and required emergency
92 medical supplies and equipment to support a BLS level of care as
93 defined by the department. Standards of equipment and training
94 are to be developed and monitored by the Department of Insurance
95 in collaboration with the State EMS Medical Director at the



96 Mississippi Department of Health-Bureau of EMS and nationally
97 recognized standards.

98 (1) "Advanced Life Support (ALS) Service" means a
99 Non-Transport EMS service that provides at a minimum an Emergency
100 Medical Technician-Advanced, approved nurse/medical provider that
101 has completed the transition course set forth in this act or a
102 paramedic as a component of the normal and customary response to
103 an emergency aid request. An ALS vehicle means a vehicle is
104 equipped with approved and required emergency medical supplies and
105 equipment to support an ALS level of care as defined by the
106 department. Standards of equipment and minimum standards are to
107 be developed and monitored by the Department of Insurance in
108 collaboration with the State EMS Medical Director at the
109 Mississippi Department of Health-Bureau of EMS and nationally
110 recognized standards.

111 (m) "Non-Transport EMS vehicle" means a land, marine or
112 airborne (manned and unmanned) vehicle that provides delivery of
113 emergency medical personnel or equipment that is not designed to
114 provide regulated transport of patients on marked modes of land
115 travel but are allowed in the event of special transport
116 circumstances.

117 (n) "First Responder Service" means a Non-Transport EMS
118 service that provides at a minimum a trained first responder as a
119 component of the normal and customary response to an emergency aid
120 request. A first responder vehicle means a vehicle that is



121 equipped with approved and required emergency medical supplies and
122 equipment to support a first responder level of care as
123 implemented by the Department of Insurance. Standards of
124 equipment and minimum standards are to be developed and monitored
125 by the Department of Insurance in collaboration with the State EMS
126 Medical Director at the Mississippi Department of Health-Bureau of
127 EMS and nationally recognized standards.

128 (o) "Medical director" means a physician licensed in
129 this state with EMS experience or board certification who is
130 accountable for the care delivered by first responders. The
131 medical director will develop an online medical control program,
132 develop Non-Transport EMS medical protocols, implement a statewide
133 data collection and charting system, and provide oversight for a
134 quality management system.

135 (p) "Special transport circumstances" means off-road,
136 austere, marine, air and disaster transport of an injured or ill
137 patient to a waiting licensed ambulance or helicopter. This
138 includes special event venue transport and other related mass
139 gathering events.

140 (q) "Special Operations Service" means a Non-Transport
141 EMS service that provides at a minimum a paramedic as a component
142 of the normal and customary response to an emergency aid request.
143 A special operations vehicle means a vehicle that is equipped with
144 approved and required emergency medical supplies and equipment to
145 support a critical care level of service as implemented by the



146 Department of Insurance. Standards of equipment and minimum
147 standards are to be developed and monitored by the Department of
148 Insurance in collaboration with the State EMS Medical Director at
149 the Mississippi Department of Health-Bureau of EMS and nationally
150 recognized standards. Special operations providers shall meet the
151 qualifications of a critical care paramedic as defined by the
152 Mississippi Department of Health. These providers will provide
153 specialized medical care during rescues or responses based on
154 their training.

155 **SECTION 3. Non-Transport EMT; privilege to practice under**
156 **Emergency Medical Services Personnel Licensure Interstate Compact.**

157 Any person employed by an Emergency Response Agency may be
158 authorized by the department to perform as an emergency medical
159 technician for the provision of care in a Non-Transport EMS
160 setting pursuant to the procedures and protocols as established by
161 the commissioner. Non-Transport Emergency Medical Personnel are
162 included within the coverage, authority, and provisions of the
163 Emergency Medical Services Personnel Licensure Interstate Compact
164 as prescribed in Section 41-59-101.

165 **SECTION 4. Duties of the commissioner and the department.**

166 (1) The commissioner shall develop a standard medical control
167 system, development and adoption of Non-Transport EMS medical
168 protocols, and other related Non-Transport EMS activities.
169 Coordination between the Mississippi Insurance Department, the
170 Mississippi State Department of Health and the Bureau of Emergency



171 Medical Services shall be accomplished through the respective
172 medical directors of each entity.

173 (2) The commissioner is authorized to promulgate and enforce
174 such rules, regulations and minimum standards as needed to carry
175 out the provisions of Sections 1 through 4 of this act.

176 (3) The department, acting as the lead agency, shall develop
177 a coordinated statewide system of Non-Transport EMS services for
178 emergency response agencies that includes a quality management
179 system, charting platform and data reporting system.

180 (4) The department may contract with a third-party vendor in
181 order to serve as medical director, develop a standard medical
182 control system, and establish and implement the protocols and
183 quality management system as referenced in subsection (1) of this
184 section.

185 **SECTION 5.** Section 41-59-3, Mississippi Code of 1972, is
186 amended as follows:

187 41-59-3. As used in this chapter, unless the context
188 otherwise requires, the term:

189 (a) "Ambulance" means any privately or publicly owned
190 land or air vehicle that is especially designed, constructed,
191 modified or equipped to be used, maintained and operated upon the
192 streets, highways or airways of this state to assist persons who
193 are sick, injured, wounded, or otherwise incapacitated or
194 helpless;



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

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

201 (d) "Emergency medical technician" means an individual
202 who possesses a valid emergency medical technician's certificate
203 issued under the provisions of this chapter or who has a privilege
204 to practice under the Emergency Medical Services Personnel
205 Licensure Interstate Compact;

206 (e) "Certificate" means official acknowledgment that an
207 individual has successfully completed (i) the recommended basic
208 emergency medical technician training course referred to in this
209 chapter which entitles that individual to perform the functions
210 and duties of an emergency medical technician, or (ii) the
211 recommended medical first responder training course referred to in
212 this chapter which entitles that individual to perform the
213 functions and duties of a medical first responder;

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

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

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



219 (i) "First responder" means a person who uses a limited
220 amount of equipment to perform the initial assessment of and
221 intervention with sick, wounded or otherwise incapacitated
222 persons;

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

231 (ii) is nationally registered as a first responder by the National
232 Registry of Emergency Medical Technicians; and (iii) is certified
233 as a medical first responder by the State Department of Health,
234 Division of Emergency Medical Services;

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

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



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

248 (n) "Trauma care facility" or "trauma center" means a
249 hospital located in the State of Mississippi or a Level I trauma
250 care facility or center located in a state contiguous to the State
251 of Mississippi that has been designated by the department to
252 perform specified trauma care services within a trauma care system
253 pursuant to standards adopted by the department;

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

260 (p) "Emergency medical condition" means a medical
261 condition manifesting itself by acute symptoms of sufficient
262 severity, including severe pain, psychiatric disturbances and/or
263 symptoms of substance abuse, such that a prudent layperson who
264 possesses an average knowledge of health and medicine could
265 reasonably expect the absence of immediate medical attention to
266 result in placing the health of the individual (or, with respect
267 to a pregnant woman, the health of the woman or her unborn child)



268 in serious jeopardy, serious impairment to bodily functions, or
269 serious dysfunction of any bodily organ or part;

270 (q) "Emergency medical call" means a situation that is
271 presumptively classified at time of dispatch to have a high index
272 of probability that an emergency medical condition or other
273 situation exists that requires medical intervention as soon as
274 possible to reduce the seriousness of the situation, or when the
275 exact circumstances are unknown, but the nature of the request is
276 suggestive of a true emergency where a patient may be at risk;

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

282 (s) "Emergency mode" means an ambulance or special use
283 EMS vehicle operating with emergency lights and warning siren (or
284 warning siren and air horn) while engaged in an emergency medical
285 call * * *;

286 (t) "Non-Transport Emergency Medical Services" (NTEMS)
287 means the provision of initial assessment and medical intervention
288 with sick, wounded, or otherwise incapacitated persons, performed
289 by a medically trained person or team of persons, prior to the
290 availability of and intervention by an ambulance service.

291 Non-Transport Emergency Medical Services are typically rendered at
292 the location of first contact with a patient, and does not include



293 transportation and care during transit to a medical facility,
294 except in special circumstances where ambulance transport is not
295 readily available. NTEMS shall be under the jurisdiction of the
296 Commissioner of Insurance pursuant to Title 45, Chapter 11,
297 Mississippi Code of 1972.

298 **SECTION 6.** Section 41-59-35, Mississippi Code of 1972, is
299 amended as follows:

300 41-59-35. (1) An emergency medical technician certificate
301 so issued shall be valid for a period not exceeding two (2) years
302 from the date of issuance and may be renewed upon payment of a
303 renewal fee to be fixed by the board, which shall be paid to the
304 board, provided that the holder meets the qualifications set forth
305 in this Chapter 59 and Chapter 60 and rules and regulations
306 promulgated by the board. Any increase in the fee charged by the
307 board under this subsection shall be in accordance with the
308 provisions of Section 41-3-65.

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

312 (3) It shall be unlawful for any person, corporation or
313 association to, in any manner, represent himself, herself or
314 itself as an Emergency Medical Technician-Basic, Emergency Medical
315 Technician-Advanced, Emergency Medical Technician-Paramedic,
316 Emergency Medical Technician-Paramedic Critical Care, or Emergency
317 Medical Services Driver, or use in connection with his or its name



318 the words or letters of EMT, emt, paramedic, critical care
319 paramedic, or any other letters, words, abbreviations or insignia
320 which would indicate or imply that he, she or it is an Emergency
321 Medical Technician-Basic, Emergency Medical Technician-Advanced,
322 Emergency Medical Technician-Paramedic, Emergency Medical
323 Technician-Paramedic Critical Care, or Emergency Medical Services
324 Driver, unless certified in accordance with Chapters 59 and 60 of
325 this title and in accordance with the rules and regulations
326 promulgated by the board; or a person authorized by the Department
327 of Insurance to perform as an emergency medical technician for the
328 provision of care in a Non-Transport EMS setting pursuant to rules
329 and regulations promulgated by the Commissioner of Insurance; or a
330 person who has a privilege to practice under the Emergency Medical
331 Services Personnel Licensure Interstate Compact. It shall be
332 unlawful to employ an uncertified Emergency Medical
333 Technician-Basic, Emergency Medical Technician-Advanced, Emergency
334 Medical Technician-Paramedic, or Emergency Medical
335 Technician-Paramedic Critical Care to provide basic or advanced
336 life-support services.

337 (4) An EMT, EMT-A, EMR, or Paramedic may transport a police
338 dog injured in the line of duty to a veterinary clinic, hospital
339 emergency department or similar facility if there are no persons
340 requiring medical attention or transport at that time. For the
341 purposes of this subsection, "police dog" means a dog owned or
342 used by a law enforcement department or agency in the course of



343 the department or agency's work, including a search and rescue
344 dog, service dog, accelerant detection canine, or other dog that
345 is in use by a county, municipal, or state law enforcement agency.

346 (5) Any Emergency Medical Technician-Basic, Emergency
347 Medical Technician-Advanced, Emergency Medical
348 Technician-Paramedic, Emergency Medical Technician-Paramedic
349 Critical Care, or Emergency Medical Services Driver who violates
350 or fails to comply with these statutes or the rules and
351 regulations promulgated by the board under these statutes shall be
352 subject, after due notice and hearing, to an administrative fine
353 not to exceed One Thousand Dollars (\$1,000.00).

354 **SECTION 7.** This act shall take effect and be in force from
355 and after July 1, 2022.

