

By: Senator(s) DeBar

To: Appropriations

SENATE BILL NO. 2730

1 AN ACT TO AMEND SECTION 41-59-5, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE STATE BOARD OF HEALTH SHALL EQUITABLY DIVIDE  
3 FUNDS APPROPRIATED FROM THE MISSISSIPPI BURN CARE FUND AMONG ALL  
4 CERTIFIED HEALTH CENTERS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 41-59-5, Mississippi Code of 1972, is  
7 amended as follows:

8 41-59-5. (1) The State Board of Health shall establish and  
9 maintain a program for the improvement and regulation of emergency  
10 medical services (hereinafter EMS) in the State of Mississippi.  
11 The responsibility for implementation and conduct of this program  
12 shall be vested in the State Health Officer of the State Board of  
13 Health along with such other officers and boards as may be  
14 specified by law or regulation.

15 (2) The board shall provide for the regulation and licensing  
16 of public and private ambulance service, inspection and issuance  
17 of permits for ambulance vehicles, training and certification of  
18 EMS personnel, including drivers and attendants, the development  
19 and maintenance of a statewide EMS records program, development



20 and adoption of EMS regulations, the coordination of an EMS  
21 communications system, and other related EMS activities.

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

25 (4) The board is authorized to receive any funds  
26 appropriated to the board from the Emergency Medical Services  
27 Operating Fund created in Section 41-59-61 and is further  
28 authorized, with the Emergency Medical Services Advisory Council  
29 acting in an advisory capacity, to administer the disbursement of  
30 such funds to the counties, municipalities and organized emergency  
31 medical service districts and the utilization of such funds by the  
32 same, as provided in Section 41-59-61.

33 (5) The department acting as the lead agency, in  
34 consultation with and having solicited advice from the EMS  
35 Advisory Council, shall develop a uniform nonfragmented inclusive  
36 statewide trauma care system that provides excellent patient care.  
37 It is the intent of the Legislature that the purpose of this  
38 system is to reduce death and disability resulting from traumatic  
39 injury, and in order to accomplish this goal it is necessary to  
40 assign additional responsibilities to the department. The  
41 department is assigned the responsibility for creating,  
42 implementing and managing the statewide trauma care system. The  
43 department shall be designated as the lead agency for trauma care  
44 systems development. The department shall develop and administer



45 trauma regulations that include, but are not limited to, the  
46 Mississippi Trauma Care System Plan, trauma system standards,  
47 trauma center designations, field triage, interfacility trauma  
48 transfer, EMS aero medical transportation, trauma data collection,  
49 trauma care system evaluation and management of state trauma  
50 systems funding. The department shall promulgate regulations  
51 specifying the methods and procedures by which  
52 Mississippi-licensed acute care facilities shall participate in  
53 the statewide trauma system. Those regulations shall include  
54 mechanisms for determining the appropriate level of participation  
55 for each facility or class of facilities. The department shall  
56 also adopt a schedule of fees to be assessed for facilities that  
57 choose not to participate in the statewide trauma care system, or  
58 which participate at a level lower than the level at which they  
59 are capable of participating. The fees paid under this provision  
60 shall be for the exclusive benefit of the statewide trauma care  
61 system and shall not lapse into the State General Fund. The  
62 department shall promulgate rules and regulations necessary to  
63 effectuate this provision by September 1, 2008, with an  
64 implementation date of September 1, 2008. The department shall  
65 take the necessary steps to develop, adopt and implement the  
66 Mississippi Trauma Care System Plan and all associated trauma care  
67 system regulations necessary to implement the Mississippi Trauma  
68 Care System. The department shall cause the implementation of  
69 both professional and lay trauma education programs. These trauma



educational programs shall include both clinical trauma education and injury prevention. As it is recognized that rehabilitation services are essential for traumatized individuals to be returned to active, productive lives, the department shall coordinate the development of the inclusive trauma system with the Mississippi Department of Rehabilitation Services and all other appropriate rehabilitation systems.

(6) The State Board of Health is authorized to receive any funds appropriated to the board from the Mississippi Trauma Care \* \* \* Systems Fund created in Section 41-59-75. It is further authorized, with the Emergency Medical Services Advisory Council and the Mississippi Trauma Advisory Committee acting in advisory capacities, to administer the disbursements of those funds according to adopted trauma care system regulations. Any Level I trauma care facility or center located in a state contiguous to the State of Mississippi that participates in the Mississippi Trauma Care System and has been designated by the department to perform specified trauma care services within the Trauma Care System under standards adopted by the department shall receive a reasonable amount of reimbursement from the department for the cost of providing trauma care services to Mississippi residents whose treatment is uncompensated.

(7) In addition to the trauma-related duties provided for in this section, the Board of Health shall develop a plan for the delivery of services to Mississippi burn victims through the



existing trauma care system of hospitals. Such plan \* \* \* shall include:

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

(b) \* \* \* Procedures for allocating funds appropriated from the Mississippi Burn Care Fund to hospitals that provide services to Mississippi burn victims; provided, the Board of Health shall equitably divide appropriated funds among all certified health centers; and

(c) Such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodging, if no free lodging is available, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, as established by the State Board of Health through rules and regulations.

\* \* \*

**SECTION 2.** This act shall take effect and be in force from and after its passage.

