

By: Senator(s) DeBar

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
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; TO AMEND SECTION 7-9-70, MISSISSIPPI
5 CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

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

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

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



20 and maintenance of a statewide EMS records program, development
21 and adoption of EMS regulations, the coordination of an EMS
22 communications system, and other related EMS activities.

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

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

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



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



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

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

93 (7) In addition to the trauma-related duties provided for in
94 this section, the Board of Health shall develop a plan for the



95 delivery of services to Mississippi burn victims through the
96 existing trauma care system of hospitals. Such plan * * * shall
97 include:

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

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

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

111 * * *

112 **SECTION 2.** Section 7-9-70, Mississippi Code of 1972, is
113 amended as follows:

114 7-9-70. (1) There is created and established in the State
115 Treasury a special trust fund to be known as the "Mississippi Fire
116 Fighters Memorial Burn Center Fund." There shall be deposited in
117 such fund (a) all such fees as the State Treasurer is directed to
118 deposit therein under subsection (4) of Section 27-19-56.1, under
119 subsection (4) of Section 27-19-56.2 and under subsection (5) (b)



of Section 27-19-56.4; and (b) any gift, donation, bequest, trust, grant, endowment, transfer of money or securities or any other monies from any source whatsoever as may be designated for deposit in the fund.

(2) The principal of the trust fund created under subsection (1) of this section shall remain inviolate and shall be invested as provided by law. Interest and income derived from investment of the principal of the trust fund may be appropriated by the Legislature and expended exclusively for the support and maintenance of the Mississippi Fire Fighters Memorial Burn Center.

(3) From and after June 17, 2005, there shall be created in the State Treasury a fund known as the Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall be the Mississippi Fire Fighters Memorial Burn Center Fund and any reference to the Mississippi Fire Fighters Memorial Burn Center Fund in law shall mean the Mississippi Burn Care Fund. All funds payable to the Mississippi Fire Fighters Memorial Burn Center Fund shall, from and after June 17, 2005, be paid to the Mississippi Burn Care Fund. All balances in the Mississippi Fire Fighters Memorial Burn Center Fund and the Mississippi Fire Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be transferred to the Mississippi Burn Care Fund on June 17, 2005. All interest earned by funds in the Mississippi Burn Care Fund shall be credited to the fund and not the General Fund. For fiscal year 2006, and for each fiscal year thereafter, the Legislature may appropriate



145 interest, income or other funds credited to the Mississippi Burn
146 Care Fund, and there shall be no requirement that the monies
147 deposited to the fund be held inviolate in trust. Any
148 appropriation of funds from the Mississippi Burn Care Fund shall
149 be to the Mississippi Department of Health for the purpose of
150 carrying out its responsibilities established in Section
151 41-59-5 * * *. The Mississippi Burn Care Fund shall be authorized
152 to accept gifts, donations, bequests, appropriations or other
153 grants from any source, governmental or private, for deposit into
154 the fund. The Department of Health * * * shall be the agency
155 responsible for receiving any such gifts, donations, bequests,
156 appropriations or grants and shall deposit such to the Mississippi
157 Burn Care Fund.

158 **SECTION 3.** This act shall take effect and be in force from
159 and after its passage.

