

By: Gadd

To: Public Health and
Welfare;
Appropriations

HOUSE BILL NO. 232

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
2 ADD THE DEFINITION OF "FIRST RESPONDER" TO THE EMERGENCY MEDICAL
3 SERVICES ACT; TO AMEND SECTION 41-59-5, MISSISSIPPI CODE OF 1972,
4 TO DIRECT THE STATE BOARD OF HEALTH TO PRESCRIBE TRAINING
5 REQUIREMENTS FOR FIRST RESPONDERS IN ORDER FOR THEM TO BE ELIGIBLE
6 TO RECEIVE FUNDS FROM THE EMERGENCY MEDICAL SERVICES OPERATING
7 FUND; TO AMEND SECTION 41-59-61, MISSISSIPPI CODE OF 1972, TO
8 PROVIDE THAT IN ANY COUNTY THAT DOES NOT HAVE AN AMBULANCE SERVICE
9 IN OPERATION, THE COUNTY MAY USE FUNDS RECEIVED FROM THE EMERGENCY
10 MEDICAL SERVICES OPERATING FUND TO PAY FOR EQUIPMENT AND SUPPLIES
11 USED BY TRAINED FIRST RESPONDERS; AND FOR RELATED PURPOSES.

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

13 SECTION 1. Section 41-59-3, Mississippi Code of 1972, is
14 amended as follows:[JU1]

15 41-59-3. As used in this chapter, unless the context
16 otherwise requires, the term:

17 (a) "Ambulance" shall mean any privately or publicly
18 owned land or air vehicle that is especially designed,
19 constructed, modified or equipped to be used, maintained and
20 operated upon the streets, highways or airways of this state to
21 assist persons who are sick, injured, wounded, or otherwise
22 incapacitated or helpless;

23 (b) "Permit" shall mean an authorization issued for an
24 ambulance vehicle and/or a special use EMS vehicle as meeting the
25 standards adopted pursuant to this chapter;

26 (c) "License" shall mean an authorization to any
27 person, firm, corporation, or governmental division or agency to
28 provide ambulance services in the State of Mississippi;

29 (d) "Emergency medical technician" shall mean an
30 individual who possesses a valid emergency medical technician's
31 certificate issued pursuant to the provisions of this chapter;

32 (e) "Certificate" shall mean official acknowledgment
33 that an individual has successfully completed the recommended
34 basic emergency medical technician training course referred to in
35 this chapter which entitles that individual to perform the
36 functions and duties of an emergency medical technician;

37 (f) "Board" shall mean the State Board of Health;

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

40 (h) "Executive officer" shall mean the Executive
41 Officer of the State Board of Health or his designated
42 representative;

43 (i) "Invalid vehicle" shall mean any privately or
44 publicly owned land or air vehicle which is maintained, operated
45 and used only to transport persons routinely who are convalescent
46 or otherwise nonambulatory and do not require the service of an
47 emergency medical technician while in transit;

48 (j) "Special use EMS vehicle" means any privately or
49 publicly owned land, water or air emergency vehicle used to
50 support the provision of emergency medical services. These
51 vehicles shall not be used routinely to transport patients;

52 (k) "Trauma care system" or "trauma system" means a
53 formally organized arrangement of health care resources that has
54 been designated by the department by which major trauma victims
55 are triaged, transported to and treated at trauma care facilities;

56 (l) "Trauma care facility" or "trauma center" means a

57 hospital that has been designated by the department to perform
58 specified trauma care services within a trauma care system
59 pursuant to standards adopted by the department. Participation in
60 this designation by each hospital is voluntary;

61 (m) "Trauma registry" means a collection of data on
62 patients who receive hospital care for certain types of injuries.

63 Such data are primarily designed to ensure quality trauma care
64 and outcomes in individual institutions and trauma systems, but
65 have the secondary purpose of providing useful data for the
66 surveillance of injury morbidity and mortality;

67 (n) "First responder" means a person who provides first
68 responder services to sick, injured, wounded or otherwise
69 incapacitated persons until a higher trained individual arrives at
70 the scene, and who has met the training requirements prescribed by
71 the board.

72 SECTION 2. Section 41-59-5, Mississippi Code of 1972, is
73 amended as follows:

74 41-59-5. (1) The State Board of Health shall establish and
75 maintain a program for the improvement and regulation of emergency
76 medical services (hereinafter EMS) in the State of Mississippi.
77 The responsibility for implementation and conduct of this program
78 shall be vested in the State Health Officer of the State Board of
79 Health along with such other officers and boards as may be
80 specified by law or regulation.

81 (2) The board shall provide for the regulation and licensing
82 of public and private ambulance service, inspection and issuance
83 of permits for ambulance vehicles, training and certification of
84 EMS personnel, including drivers and attendants, the development

85 and maintenance of a statewide EMS records program, development
86 and adoption of EMS regulations, the coordination of an EMS
87 communications system, and other related EMS activities. In
88 addition, the board shall prescribe training requirements for
89 first responders in order for them to be eligible to receive funds
90 from the Emergency Medical Services Operating Fund under Section
91 41-59-61.

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

95 (4) The board is authorized to receive any funds
96 appropriated to the board from the Emergency Medical Services
97 Operating Fund created in Section 41-59-61 and is further
98 authorized, with the Emergency Medical Services Advisory Council
99 acting in an advisory capacity, to administer the disbursement of
100 such funds to the counties, municipalities and organized emergency
101 medical service districts and the utilization of such funds by the
102 same, as provided in Section 41-59-61.

103 (5) The department acting as the lead agency, in
104 consultation with and having solicited advice from the EMS
105 Advisory Council, shall develop a uniform nonfragmented inclusive
106 statewide trauma care system that provides excellent patient care.

107 It is the intent of the Legislature that the purpose of this
108 system is to reduce death and disability resulting from traumatic
109 injury, and in order to accomplish this goal it is necessary to
110 assign additional responsibilities to the department. The
111 department is assigned the responsibility for creating,
112 implementing and managing the statewide trauma care system. The

113 department shall be designated as the lead agency for trauma care
114 systems development. The department shall develop and administer
115 trauma regulations that include, but are not limited to, the
116 Mississippi Trauma Care System Plan, trauma system standards,
117 trauma center designations, field triage, interfacility trauma
118 transfer, EMS aero medical transportation, trauma data collection,
119 trauma care system evaluation and management of state trauma
120 systems funding. The department shall take the necessary steps to
121 develop, adopt and implement the Mississippi Trauma Care System
122 Plan and all associated trauma care system regulations necessary
123 to implement the Mississippi trauma care system. The department
124 shall cause the implementation of both professional and lay trauma
125 education programs. These trauma educational programs shall
126 include both clinical trauma education and injury prevention. As
127 it is recognized that rehabilitation services are essential for
128 traumatized individuals to be returned to active, productive
129 lives, the department shall coordinate the development of the
130 inclusive trauma system with the Mississippi Department of
131 Rehabilitation Services and all other appropriate rehabilitation
132 systems.

133 (6) The State Board of Health is authorized to receive any
134 funds appropriated to the board from the Mississippi Trauma Care
135 System Fund created in Section 41-59-75. It is further
136 authorized, with the Emergency Medical Services Advisory Council
137 and the Mississippi Trauma Advisory Committee acting in advisory
138 capacities, to administer the disbursements of such funds
139 according to adopted trauma care system regulations.

140 SECTION 3. Section 41-59-61, Mississippi Code of 1972, is

141 amended as follows:

142 41-59-61. (1) Such assessments as are collected under
143 subsections (1) and (2) of Section 99-17-33 shall be deposited in
144 a special fund that is created in the State Treasury to be
145 designated the "Emergency Medical Services Operating Fund." The
146 Legislature may make appropriations from the Emergency Medical
147 Services Operating Fund to the State Board of Health for the
148 purpose of defraying costs of administration of the Emergency
149 Medical Services program and for redistribution of such funds to
150 the counties, municipalities and organized medical service
151 districts (hereinafter referred to as "governmental units") for
152 the support of the emergency medical services programs. The State
153 Board of Health, with the Emergency Medical Services Advisory
154 Council acting in an advisory capacity, shall administer the
155 disbursement to such governmental units of any funds appropriated
156 to the board from the Emergency Medical Services Operating Fund
157 and the utilization of such funds by the governmental units.

158 (2) Funds appropriated from the Emergency Medical Services
159 Operating Fund to the State Board of Health shall be made
160 available to all such governmental units to support the emergency
161 medical services programs therein, and such funds shall be
162 distributed to each governmental unit based upon its general
163 population relative to the total population of the state.
164 Disbursement of such funds shall be made on an annual basis at the
165 end of the fiscal year upon the request of each governmental unit.
166 Funds distributed to such governmental units shall be used in
167 addition to existing annual emergency medical services budgets of
168 the governmental units, and no such funds shall be used for the

169 payment of any attorney's fees. The Director of the Emergency
170 Medical Services program or his appointed designee is * * *
171 authorized to require financial reports from the governmental
172 units utilizing these funds in order to provide satisfactory proof
173 of the maintenance of the funding effort by the governmental
174 units.

175 (3) In any county that does not have an ambulance service in
176 operation, the county may use funds received from the Emergency
177 Medical Services Operating Fund to pay for equipment and supplies
178 used by first responders who have met the training requirements
179 prescribed by the State Board of Health.

180 SECTION 4. This act shall take effect and be in force from
181 and after July 1, 2000.