

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 1017

1 AN ACT TO AMEND SECTIONS 41-59-35, 41-59-45, 41-60-11 AND  
 2 41-60-13, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CERTAIN  
 3 EMERGENCY MEDICAL SERVICE TECHNICIAN TITLES UNLESS THE USER HAS  
 4 BEEN CERTIFIED BY LAW; TO AUTHORIZE THE STATE BOARD OF HEALTH TO  
 5 LEVY FINES AGAINST AMBULANCE SERVICES, EMERGENCY MEDICAL  
 6 TECHNICIANS AND DRIVERS FOR STATUTORY AND REGULATORY VIOLATIONS;  
 7 TO CLARIFY THE NATIONAL STANDARD CURRICULUM PERFORMANCE  
 8 REQUIREMENTS OF TRAINING PROGRAMS FOR ADVANCED LIFE SUPPORT  
 9 TRAINEES AND PERSONNEL; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 41-59-35, Mississippi Code of 1972, is  
 12 amended as follows:

13 41-59-35. (1) An emergency medical technician certificate  
 14 so issued shall be valid for a period not exceeding two (2) years  
 15 from the date of issuance and may be renewed upon payment of a  
 16 renewal fee to be fixed by the board, which shall be paid to the  
 17 board, provided that the holder meets the qualifications set forth  
 18 in this Chapter 59 and Chapter 60 and rules and regulations  
 19 promulgated by the board.

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

23 (3) It shall be unlawful for any person, corporation or  
 24 association to, in any manner, represent himself or itself as an  
 25 Emergency Medical Technician-Basic, Emergency Medical  
 26 Technician-Intermediate, Emergency Medical Technician-Paramedic,  
 27 or Emergency Medical Services Driver, or use in connection with  
 28 his or its name the words or letters of EMT, emt, paramedic, or  
 29 any other letters, words, abbreviations or insignia which would

30 indicate or imply that he or it is an Emergency Medical  
31 Technician-Basic, Emergency Medical Technician-Intermediate,  
32 Emergency Medical Technician-Paramedic, or Emergency Medical  
33 Services Driver. It shall be unlawful to employ an uncertified  
34 Emergency Medical Technician-Basic, Emergency Medical  
35 Technician-Intermediate, or Emergency Medical Technician-Paramedic  
36 to provide basic or advanced life support services.

37 (4) Any Emergency Medical Technician-Basic, Emergency  
38 Medical Technician-Intermediate, Emergency Medical  
39 Technician-Paramedic, or Emergency Medical Services Driver who  
40 violates or fails to comply with these statutes or the rules and  
41 regulations promulgated by the board under these statutes shall be  
42 subject, after due notice and hearing, to an administrative fine  
43 not to exceed One Thousand Dollars (\$1,000.00).

44 SECTION 2. Section 41-59-45, Mississippi Code of 1972, is  
45 amended as follows:

46 41-59-45. (1) It shall be the duty of the licensed owner of  
47 any ambulance service or other employer of emergency medical  
48 technicians for the purpose of providing basic or advanced life  
49 support services to insure compliance with the provisions of this  
50 Chapter 59 and Chapter 60 and all rules and regulations  
51 promulgated by the board.

52 (2) Any person, corporation or association that violates any  
53 rule or regulation promulgated by the board under these statutes  
54 regarding the provision of ambulance services or the provision of  
55 basic or advanced life support services by emergency medical  
56 technicians shall, after due notice and hearing, be subject to an  
57 administrative fine not to exceed One Thousand Dollars (\$1,000.00)  
58 per occurrence.

59 (3) Any person violating or failing to comply with any other  
60 provisions of this Chapter 59 or Chapter 60 shall be deemed guilty  
61 of a misdemeanor, and upon conviction thereof shall be fined an

62 amount not to exceed Fifty Dollars (\$50.00) or be imprisoned for a  
63 period not to exceed thirty (30) days, or both, for each offense.

64 (4) The board may cause to be instituted a civil action in  
65 the chancery court of the county in which any alleged offender of  
66 this Chapter 59 or Chapter 60 may reside or have his principal  
67 place of business for injunctive relief to prevent any violation  
68 of any provision of this Chapter 59 or Chapter 60, or any rules or  
69 regulation adopted by the board pursuant to the provisions of this  
70 Chapter 59 or Chapter 60.

71 (5) Each day that any violation or failure to comply with  
72 any provision of this chapter or any rule or regulation  
73 promulgated by the board thereto is committed or permitted to  
74 continue shall constitute a separate and distinct offense under  
75 this section, except that the court may, in its discretion, stay  
76 the cumulation of penalties.

77 It shall not be considered a violation of this Chapter 59 or  
78 Chapter 60 for a vehicle domiciled in a nonparticipating  
79 jurisdiction to travel in a participating jurisdiction.

80 SECTION 3. Section 41-60-11, Mississippi Code of 1972, is  
81 amended as follows:

82 41-60-11. As used in Sections 41-60-11 and 41-60-13, unless  
83 the context otherwise requires, the term:

84 (a) "Advanced life support" shall mean a sophisticated  
85 level of prehospital and interhospital emergency care which  
86 includes basic life support functions including cardiopulmonary  
87 resuscitation (CPR), plus cardiac monitoring, cardiac  
88 defibrillation, telemetered electrocardiography, administration of  
89 antiarrhythmic agents, intravenous therapy, administration of  
90 specific medications, drugs and solutions, use of adjunctive  
91 ventilation devices, trauma care and other authorized techniques  
92 and procedures.

93 (b) "Advanced life support personnel" shall mean  
94 persons other than physicians engaged in the provision of advanced

95 life support, as defined and regulated by rules and regulations  
96 promulgated by the board.

97 (c) "Emergency medical technician-intermediate" shall  
98 mean a person specially trained in advanced life support modules,  
99 numbers I, II and III as developed for the United States  
100 Department of Transportation under Contract No. DOT-HS-900-089, as  
101 authorized by the Mississippi State Board of Health.

102 (d) "Emergency medical technician-paramedic" shall mean  
103 a person specially trained in an advanced life support training  
104 program authorized by the Mississippi State Board of Health.

105 (e) "Medical control" shall mean directions and advice  
106 provided from a centrally designated medical facility staffed by  
107 appropriate personnel, operating under medical supervision,  
108 supplying professional support through radio or telephonic  
109 communication for on-site and in-transit basic and advanced life  
110 support services given by field and satellite facility personnel.

111 SECTION 4. Section 41-60-13, Mississippi Code of 1972, is  
112 amended as follows:

113 41-60-13. The Mississippi State Board of Health is  
114 authorized to promulgate and enforce rules and regulations to  
115 provide for the best and most effective emergency medical care,  
116 and to comply with national standards for advanced life support.  
117 Notwithstanding any other provision of law, advanced life support  
118 personnel may be authorized to provide advanced life support  
119 services as defined by rules and regulations promulgated by the  
120 State Board of Health. Rules and regulations promulgated pursuant  
121 to this authority shall, as a minimum:

122 (a) Define and authorize appropriate functions and  
123 training programs for advanced life support trainees and  
124 personnel \* \* \*; provided, that all such training programs shall  
125 meet or exceed the performance requirements of the current  
126 training program for the emergency medical technician-paramedic,

127 developed for the United States Department of  
128 Transportation \* \* \*.

129 (b) Specify minimum operational requirements which will  
130 assure medical control over all advanced life support services.

131 (c) Specify minimum testing and certification  
132 requirements and provide for continuing education and periodic  
133 recertification for all advanced life support personnel.

134 SECTION 5. This act shall take effect and be in force from  
135 and after July 1, 2001.