

By: Representatives Moody, Montgomery (15th)

To: Public Health and Welfare

HOUSE BILL NO. 1089
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO
2 DEFINE "AUTO-INJECTOR" AND "FIRST RESPONDER" FOR THE PURPOSE OF
3 THE EMERGENCY MEDICAL SERVICES LAW; TO PROVIDE THAT FIRST
4 RESPONDERS AND ALL LEVELS OF EMERGENCY MEDICAL TECHNICIANS, WHEN
5 AUTHORIZED BY MEDICAL DIRECTION, MAY CARRY AND ADMINISTER
6 EPINEPHRINE FROM AUTO-INJECTORS TO TREAT PERSONS EXPERIENCING
7 ALLERGIC REACTIONS AND ANAPHYLAXIS; TO PROVIDE FOR CERTIFICATION
8 OF FIRST RESPONDERS BY THE STATE BOARD OF HEALTH; TO AUTHORIZE THE
9 STATE BOARD OF HEALTH TO ISSUE REGULATIONS FOR FIRST RESPONDER
10 BASIC LIFE SUPPORT; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 41-59-3, Mississippi Code of 1972, is
13 amended as follows:

14 41-59-3. As used in this chapter, unless the context
15 otherwise requires, the term:

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

22 (b) "Auto-injector" means a spring-loaded needle and
23 syringe with a single dose of medicine that will automatically
24 release and inject the medicine.

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

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



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

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

39 (g) "Board" shall mean the State Board of Health;

40 (h) "Department" means the Mississippi State Department
41 of Health, Division of Emergency Medical Services;

42 (i) "Executive officer" shall mean the Executive
43 Officer of the State Board of Health, or his designated
44 representative;

45 (j) "First Responder" means a person who uses a limited
46 amount of equipment to perform the initial assessment of and
47 intervention with sick, wounded or otherwise incapacitated
48 persons, who (i) is trained to assist other EMS personnel by
49 successfully completing, within the previous two (2) years, an
50 approved "First Responder: National Standard Curriculum" training
51 program, as developed and promulgated by the United States
52 Department of Transportation, (ii) is nationally registered as a
53 First Responder by the National Registry of Emergency Medical
54 Technicians; and (iii) is certified as a First Responder by the
55 Mississippi State Department of Health, Division of Emergency
56 Medical Services;

57 (k) "Invalid vehicle" shall mean any privately or
58 publicly owned land or air vehicle which is maintained, operated
59 and used only to transport persons routinely who are convalescent
60 or otherwise nonambulatory and do not require the service of an
61 emergency medical technician while in transit;

62 (l) "Special use EMS vehicle" means any privately or
63 publicly owned land, water or air emergency vehicle used to



64 support the provision of emergency medical services. These
65 vehicles shall not be used routinely to transport patients;

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

70 (n) "Trauma care facility" or "trauma center" means a
71 hospital located in the State of Mississippi or a Level I trauma
72 care facility or center located in a state contiguous to the State
73 of Mississippi that has been designated by the department to
74 perform specified trauma care services within a trauma care system
75 pursuant to standards adopted by the department. Participation in
76 this designation by each hospital is voluntary;

77 (o) "Trauma registry" means a collection of data on
78 patients who receive hospital care for certain types of injuries.
79 Such data are primarily designed to ensure quality trauma care and
80 outcomes in individual institutions and trauma systems, but have
81 the secondary purpose of providing useful data for the
82 surveillance of injury morbidity and mortality.

83 **SECTION 2.** When authorized by medical direction, a First
84 Responder, an Emergency Medical Technician-Basic, an Emergency
85 Medical Technician-Intermediate or an Emergency Medical
86 Technician-Paramedic may carry and administer, or aid in the
87 administration of, a dose of epinephrine from an auto-injector to
88 treat persons experiencing allergic reactions and anaphylaxis.

89 **SECTION 3.** Any person desiring certification as a First
90 Responder shall apply to the board using forms prescribed by the
91 board. Each application for a first responder certificate shall
92 be accompanied by a certificate fee to be fixed by the board,
93 which shall be paid to the board. Upon the successful completion
94 of the board's approved first responder training program, the
95 board shall make a determination of the applicant's qualifications
96 as a First Responder as set forth in the regulations promulgated



97 by the board, and shall issue a first responder certificate to the
98 applicant.

99 **SECTION 4.** The Mississippi State Board of Health is
100 authorized to promulgate and enforce rules and regulations to
101 provide for the best and most effective emergency medical care,
102 and to comply with national standards for first responder basic
103 life support. Notwithstanding any other provision of law, first
104 responder personnel may be authorized to provide first responder
105 basic life support services as defined by rules and regulations
106 promulgated by the State Board of Health.

107 Rules and regulations promulgated pursuant to this authority
108 shall, as a minimum:

109 (a) Define and authorize functions and training
110 programs for first responder personnel; provided that all such
111 training programs shall meet or exceed the performance
112 requirements of the most current training program "First
113 Responder: National Standard Curriculum" as developed by the
114 United States Department of Transportation, National Highway
115 Traffic Safety Administration.

116 (b) Specify minimum operational requirements which will
117 include, but not be limited to, medical control over the
118 administration of a dose of epinephrine from an auto-injector.

119 (c) Specify minimum testing and certification
120 requirements and provide for continuing education and periodic
121 recertification for all first responder personnel.

122 **SECTION 5.** This act shall take effect and be in force from
123 and after July 1, 2002.

