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To: Appropriations

SENATE BILL NO. 2067

1 AN ACT TO AMEND SECTION 7-9-70, MISSISSIPPI CODE OF 1972, TO
2 CREATE A MISSISSIPPI BURN CARE FUND, TO PROVIDE THAT THE
3 MISSISSIPPI FIREFIGHTERS MEMORIAL BURN CENTER FUND SHALL BE THE
4 MISSISSIPPI BURN CARE FUND, TO REQUIRE THE BOARD OF HEALTH TO
5 ESTABLISH STANDARDS AND PROCEDURES FOR THE USE OF FUNDS
6 APPROPRIATED FROM THE FUND; TO AMEND SECTIONS 21-19-58, 27-7-88,
7 27-19-44.1, 27-19-44.3, 27-39-331, 27-39-332 AND 41-59-5,
8 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
9 PURPOSES.

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

11 **SECTION 1.** Section 7-9-70, Mississippi Code of 1972, is
12 amended as follows:

13 7-9-70. (1) There is hereby created and established in the
14 State Treasury a special trust fund to be known as the
15 "Mississippi Fire Fighters Memorial Burn Center Fund." There
16 shall be deposited in such fund (a) all such fees as the State
17 Treasurer is directed to deposit therein under subsection (4) of
18 Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and
19 under subsection (5)(b) of Section 27-19-56.4; and (b) any gift,
20 donation, bequest, trust, grant, endowment, transfer of money or
21 securities or any other monies from any source whatsoever as may
22 be designated for deposit in the fund.

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

29 (3) From and after the effective date of this act, there
30 shall be created in the State Treasury a fund known as the

31 Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall
32 be the Mississippi Fire Fighters Memorial Burn Center Fund and any
33 reference to the Mississippi Fire Fighters Memorial Burn Center
34 Fund in law shall mean the Mississippi Burn Care Fund. All funds
35 payable to the Mississippi Fire Fighters Memorial Burn Center Fund
36 shall from the effective date of this act, be paid to the
37 Mississippi Burn Care Fund. All balances in the Mississippi Fire
38 Fighters Memorial Burn Center Fund and the Mississippi Fire
39 Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be
40 transferred to the Mississippi Burn Care Fund on the effective
41 date of this act. All interest earned by funds in the Mississippi
42 Burn Care Fund shall be credited to the fund and not the General
43 Fund. For fiscal year 2006, and for each fiscal year thereafter,
44 the Legislature may appropriate interest, income or other funds
45 credited to the Mississippi Burn Care Fund, and there shall be no
46 requirement that the monies deposited to the fund be held
47 inviolate in trust. Any appropriation of funds from the
48 Mississippi Burn Care Fund shall be to the Mississippi Department
49 of Health for the purpose of carrying out its responsibilities
50 established in Section 8 of this act. The Mississippi Burn Care
51 Fund shall be authorized to accept gifts, donations, bequests,
52 appropriations or other grants from any source, governmental or
53 private, for deposit into the fund. The Department of Health
54 shall be the agency responsible for receiving any such gifts,
55 donations, bequests, appropriations or grants and shall deposit
56 such to the Mississippi Burn Care Fund.

57 **SECTION 2.** Section 21-19-58, Mississippi Code of 1972, is
58 amended as follows:

59 21-19-58. The board of supervisors of any county, and the
60 governing authorities of any municipality in the state, are hereby
61 authorized and empowered, in their discretion, to make
62 contributions to the Mississippi Department of Health for deposit
63 to the Mississippi Burn Care Fund from the general fund or federal

64 revenue sharing funds of such county or municipality wherein such
65 funds may be available.

66 **SECTION 3.** Section 27-7-88, Mississippi Code of 1972, is
67 amended as follows:

68 27-7-88. (1) Each resident individual taxpayer who files a
69 Mississippi income tax return and who will receive a tax refund
70 from the State Tax Commission may designate that a contribution be
71 made to the Mississippi * * * Burn Care Fund created in Section
72 7-9-70, Mississippi Code of 1972, by marking the appropriate box
73 printed on the return pursuant to this subsection. In the case of
74 a joint return, each spouse may designate that a portion of the
75 refund shall be paid to such fund.

76 The State Tax Commission shall print on the Mississippi
77 income tax form for residents a space for designating the
78 contribution in substantially the following form:

79 "MISSISSIPPI * * * BURN CARE FUND

80 I wish to contribute ()\$1 ()\$5 ()\$10 ()Other \$_____ of
81 my TAX REFUND TO THE MISSISSIPPI * * * BURN CARE FUND."

82 (2) The State Tax Commission shall explain in the
83 instructions accompanying the individual income tax form the
84 purposes for which the contributions authorized herein shall be
85 used.

86 (3) This section shall apply to taxable years beginning on
87 or after January 1, 2001.

88 (4) The Chairman of the State Tax Commission shall determine
89 annually the total amount designated by individuals to be paid to
90 the fund, along with all interest earned thereon, and shall report
91 such amount to the State Treasurer who shall pay such amount into
92 the Mississippi * * * Burn Care Fund.

93 **SECTION 4.** Section 27-19-44.1, Mississippi Code of 1972, is
94 amended as follows:

95 27-19-44.1. (1) Notwithstanding any other provision of law
96 to the contrary, One Dollar (\$1.00) of the additional fee for any

97 distinctive or special tag that would otherwise be distributed to
98 a nongovernmental organization or entity, shall be deposited to
99 the credit of the special fund created in Section 27-19-44.2.

100 (2) Subsection (1) of this section shall not apply to funds
101 required to be deposited to the credit of the Mississippi * * *
102 Burn Care Fund created in Section 7-9-70.

103 (3) Subsection (1) of this section shall not apply if a
104 portion of the fee for any distinctive or special tag is required
105 to be deposited to the credit of the fund created in Section
106 27-19-44.2 by the law authorizing the issuance of the distinctive
107 or special tag.

108 **SECTION 5.** Section 27-19-44.3, Mississippi Code of 1972, is
109 amended as follows:

110 27-19-44.3.

111 * * *

112 * * * The Mississippi Department of Health shall file an
113 annual report with the Secretary of the Senate and the Clerk of
114 the House of Representatives not later than January 10 of each
115 year, describing the expenditure of funds appropriated to it from
116 the Mississippi Burn Care Fund received * * * from fees collected
117 from the issuance of distinctive or special license tags under
118 this chapter.

119 **SECTION 6.** Section 27-39-331, Mississippi Code of 1972, is
120 amended as follows:

121 27-39-331. The board of supervisors of any county is hereby
122 authorized and empowered, in its discretion, to set aside,
123 appropriate and expend monies from the general fund to * * * the
124 Mississippi Department of Health for deposit to the Mississippi
125 Burn Care Fund.

126 **SECTION 7.** Section 27-39-332, Mississippi Code of 1972, is
127 amended as follows:

128 27-39-332. The board of supervisors of any county is hereby
129 authorized and empowered, in its discretion, to levy a tax not to

130 exceed one (1) mill per annum upon all taxable property of the
131 county to be provided to * * * the Mississippi Department of
132 Health to support the Mississippi Burn Care Fund.

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

135 41-59-5. (1) The State Board of Health shall establish and
136 maintain a program for the improvement and regulation of emergency
137 medical services (hereinafter EMS) in the State of Mississippi.
138 The responsibility for implementation and conduct of this program
139 shall be vested in the State Health Officer of the State Board of
140 Health along with such other officers and boards as may be
141 specified by law or regulation.

142 (2) The board shall provide for the regulation and licensing
143 of public and private ambulance service, inspection and issuance
144 of permits for ambulance vehicles, training and certification of
145 EMS personnel, including drivers and attendants, the development
146 and maintenance of a statewide EMS records program, development
147 and adoption of EMS regulations, the coordination of an EMS
148 communications system, and other related EMS activities.

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

152 (4) The board is authorized to receive any funds
153 appropriated to the board from the Emergency Medical Services
154 Operating Fund created in Section 41-59-61 and is further
155 authorized, with the Emergency Medical Services Advisory Council
156 acting in an advisory capacity, to administer the disbursement of
157 such funds to the counties, municipalities and organized emergency
158 medical service districts and the utilization of such funds by the
159 same, as provided in Section 41-59-61.

160 (5) The department acting as the lead agency, in
161 consultation with and having solicited advice from the EMS
162 Advisory Council, shall develop a uniform nonfragmented inclusive

163 statewide trauma care system that provides excellent patient care.
164 It is the intent of the Legislature that the purpose of this
165 system is to reduce death and disability resulting from traumatic
166 injury, and in order to accomplish this goal it is necessary to
167 assign additional responsibilities to the department. The
168 department is assigned the responsibility for creating,
169 implementing and managing the statewide trauma care system. The
170 department shall be designated as the lead agency for trauma care
171 systems development. The department shall develop and administer
172 trauma regulations that include, but are not limited to, the
173 Mississippi Trauma Care System Plan, trauma system standards,
174 trauma center designations, field triage, interfacility trauma
175 transfer, EMS aero medical transportation, trauma data collection,
176 trauma care system evaluation and management of state trauma
177 systems funding. The department shall take the necessary steps to
178 develop, adopt and implement the Mississippi Trauma Care System
179 Plan and all associated trauma care system regulations necessary
180 to implement the Mississippi trauma care system. The department
181 shall cause the implementation of both professional and lay trauma
182 education programs. These trauma educational programs shall
183 include both clinical trauma education and injury prevention. As
184 it is recognized that rehabilitation services are essential for
185 traumatized individuals to be returned to active, productive
186 lives, the department shall coordinate the development of the
187 inclusive trauma system with the Mississippi Department of
188 Rehabilitation Services and all other appropriate rehabilitation
189 systems.

190 (6) The State Board of Health is authorized to receive any
191 funds appropriated to the board from the Mississippi Trauma Care
192 System Fund created in Section 41-59-75. It is further
193 authorized, with the Emergency Medical Services Advisory Council
194 and the Mississippi Trauma Advisory Committee acting in advisory

195 capacities, to administer the disbursements of such funds
196 according to adopted trauma care system regulations.

197 (7) In addition to the trauma-related duties provided for in
198 this section, the Board of Health shall develop a plan for the
199 delivery of services to Mississippi burn victims through the
200 existing trauma care system of hospitals. Such plan shall be
201 operational by July 1, 2005, and shall include:

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

204 (b) Procedures for allocating funds appropriated from
205 the Mississippi Burn Care Fund to hospitals that provide services
206 to Mississippi burn victims; and

207 (c) Such other provisions necessary to provide burn
208 care for Mississippi residents.

209 **SECTION 9.** This act shall take effect and be in force from
210 and after its passage.