

By: Senator(s) Nunnelee

To: Judiciary, Division A

SENATE BILL NO. 2921

1 AN ACT TO PROVIDE CIVIL IMMUNITY TO CERTAIN EMERGENCY MEDICAL  
2 SERVICE PERSONNEL; TO ENACT DEFINITIONS; AND FOR RELATED PURPOSES.

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

4 **SECTION 1.** (1) Emergency medical control personnel who  
5 provide services consistent with the individual's licensure,  
6 certification or training, with or without compensation, shall not  
7 be liable in a civil action for any act or omission resulting in  
8 injury, death or loss to person or property unless the act or  
9 omission is the result of gross negligence or reckless disregard  
10 that is the proximate cause of the injury, death or loss to person  
11 or property.

12 (2) For the purposes of this section, the following terms  
13 shall have the meanings ascribed to them unless the context  
14 clearly requires otherwise:

15 (a) "ALS" means advanced life support.

16 (b) "Emergency medical control personnel" means  
17 off-line medical directors, on-line medical directors, any  
18 employee of an off-line or on-line medical director or an employee  
19 of a facility that provides medical control.

20 (c) "Medical control" means directions and advice  
21 provided from a centrally designated medical facility staffed by  
22 appropriate personnel, operating under medical supervision, and  
23 supplying professional support through radio or telephonic  
24 communication for on-site and in-transit basic and ALS services  
25 given by field and satellite facility personnel.

26 (d) "Off-line Medical Director" means the  
27 administrative physician who is appointed by the local Emergency

28 Medical Service lead agency to establish standards and monitor and  
29 evaluate the integration of component and system activities.

30 (e) "On-Line Medical Director" means the supervising  
31 physician who provides medical control and area direction on-line  
32 to the pre-hospital system stationed at the designated Base  
33 Station Hospital, and who assumes the supervision and  
34 responsibility for all advanced care rendered in an emergency at  
35 the scene of an accident and en route to the hospital under his  
36 area jurisdiction; the term also includes other emergency  
37 department physicians who provide medical control to pre-hospital  
38 ALS personnel.

39 (f) "Gross negligence" means conduct that demonstrates  
40 a willful or wanton disregard for the safety of others, or  
41 demonstrates such indifference to the consequences of an act under  
42 the surrounding circumstances as to render the conduct tantamount  
43 to willful.

44 (g) "Reckless disregard" means conduct of a person who  
45 knowingly or intentionally did a thing or a wrongful act.

46 **SECTION 2.** This act shall take effect and be in force from  
47 and after July 1, 2007.