

112 PARTICIPATION, OPTIONS

112.01 §41-59-47. Options of counties and municipalities as to participation.

- 1. The provisions of this chapter shall apply to all counties and incorporated municipalities except those counties and incorporated municipalities electing not to comply as expressed to the board in a written resolution by the governing body of such county or incorporated municipality. The election of any county to be included or excluded shall in no way affect the election of any incorporated municipality to be included or excluded. If any county or municipality elects to be excluded from this chapter, they may later elect to be included by resolution.
- 2. All financial grants administered by the state for emergency medical services pertaining to this chapter shall be made available to those counties and incorporated municipalities which are governed by the provisions of this chapter.

SOURCES: Laws, 1974, ch. 507, § 13, eff from and after passage (approved April 3, 1974).

113 APPEAL PROCESS

113.01 § 41-59-49. Appeal from decision of board.

Any person, firm, corporation, association, county, municipality or metropolitan government or agency whose application for a permit or license has been rejected or whose permit or license is suspended or revoked by the board shall have the right to appeal such decision, within thirty (30) days after receipt of the board's written decision, to the chancery court of the county where the applicant or licensee is domiciled. The appeal before the chancery court shall be de novo and the decision of the chancery court may be appealed to the supreme court in the manner provided by law.

SOURCES: Laws, 1974, ch. 507, § 14, eff from and after passage (approved April 3, 1974).

Other Information

- 1. The State Board of Health and the Bureau of EMS shall provide an opportunity for a fair hearing for every licensee of ambulance service who is dissatisfied with administrative decisions made in the denial and/or suspension/revocation of a license.

2. BEMS shall notify the licensee by registered mail, the particular reason for denial or revocation/suspension of the license. Upon written request of the licensee within ten days of the notification, BEMS shall fix a date not less than thirty days from the date of such service at which time the licensee shall be given an opportunity for a prompt and fair hearing before officials of the Mississippi State Department of Health.
3. On the basis of such hearing or upon the fault of the applicant or licensee, the Mississippi State Department of Health shall make a determination specifying the findings of fact in conclusion of the law. A copy of such determination shall be sent by registered mail to the last known address of the licensee or served personally upon the licensee.
4. The decision to suspend, revoke or deny a license shall become final thirty days after it is mailed or served unless the applicant or licensee within such thirty days, appeals the decision to the Chancery Court of the county where the applicant or licensee is domiciled.

114 SUBSCRIPTION SERVICES

114.01 §41-59-63. Membership subscription programs for prepaid ambulance service not to constitute insurance.

The solicitation of membership subscriptions, the acceptance of membership applications, the charging of membership fees, and the furnishing of prepaid or discounted ambulance service to subscription members and designated members of their households by either a public or private ambulance service licensed and regulated by the State Board of Health pursuant to Section 41-59-1 et seq. shall not constitute the writing of insurance and the agreement under and pursuant to which such prepaid or discounted ambulance service is provided to the subscription members and to designated members of their households shall not constitute a contract of insurance.

SOURCES: Laws, 1988, ch; 541, § 1; reenacted, 1991, ch. 348, § 1; reenacted, 1992, ch. 327, § 1, eff from and after July 1, 1992.

114.02 §41-59-65. Application for permit to conduct membership subscription program; fees; renewals.

1. Either a public or private ambulance service licensed and regulated by the State Board of Health desiring to offer such a membership subscription program shall make application for permit to conduct and implement such program to the State Board of Health. The application shall be made upon forms in accordance with procedures established by the board and shall contain the following: