

By: Warren, Eaton

To: Military Affairs

HOUSE BILL NO. 904
(As Passed the House)

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL BE SOLELY
3 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE STATE
4 VETERANS HOME LOCATED IN COLLINS, MISSISSIPPI, AND SHALL NOT
5 CONTRACT FOR MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY
6 OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO OPERATE THE
7 HOME; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL CONDUCT
8 CERTAIN CERTIFICATION SURVEYS AT THE STATE VETERANS HOME; AND FOR
9 RELATED PURPOSES.

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

11 SECTION 1. Section 35-1-21, Mississippi Code of 1972, is
12 amended as follows:[JMR1]

13 35-1-21. (1) Upon the establishment of the Mississippi
14 State Veterans Home, and any additional homes as may be
15 established, the Mississippi State Veterans Affairs Board is
16 hereby designated as the governing authority of any such
17 facilities. The operation and maintenance of all veterans homes
18 shall meet the standards of the United States Department of
19 Veterans Affairs with regard to the operation of state veterans
20 homes.

21 (2) The State Veterans Affairs Board may contract with
22 nongovernmental entities or the United States Department of
23 Veterans Affairs to operate state veterans homes. The board may
24 contract with the vendor whose proposal is most advantageous to
25 the state and veterans, taking into consideration cost factors,
26 program suitability factors, management plan, delivery of care and
27 service to residents, excellence of program design, key personnel,
28 corporate or company resources, financial condition of the vendor,
29 corporate experience and past performance, and any other

30 requirements deemed necessary by the board and expressed in its
31 solicitation for proposals. Contract(s) awarded under this
32 section may be for periods exceeding one (1) year. The board is
33 not required to select the vendor offering the lowest cost
34 proposal but shall select the vendor who, in the board's
35 discretion, offers the proposal most advantageous to the State of
36 Mississippi and veterans. When any contract is awarded, the
37 reason(s) for the awarding of the contract shall be entered on the
38 minutes of the board. The provisions of this paragraph shall
39 supersede any rule or regulation of the State Personnel Board to
40 the contrary.

41 (3) The State Veterans Affairs Board may, as permitted by
42 federal laws or regulations, purchase from the United States
43 Department of Veterans Affairs, from contracts established by the
44 United States Department of Veterans Affairs, or through other
45 sharing agreements between the board and the United States
46 Department of Veterans Affairs, services, commodities, supplies
47 and equipment for use in operation of, and provision of care to
48 residents of, the state veterans homes when such purchases or
49 agreements are advantageous to the veterans and the state.

50 (4) Beginning July, 1, 2000, the State Veterans Affairs
51 Board shall be solely responsible for the operation and
52 maintenance of the state veterans home located in Collins,
53 Mississippi, and shall not contract for management purposes with
54 any nongovernmental entity or the United States Department of
55 Veterans Affairs to operate the home. The State Veterans Affairs
56 Board shall hire the administrator and all other personnel for the
57 veterans home. The mission of the State Veterans Affairs Board in
58 managing the Collins, Mississippi, facility shall be to provide
59 domiciliary care and other related services for eligible veterans
60 in the most cost efficient manner. On or before January 1, 2002,
61 the State Veterans Affairs Board shall file a report with the
62 Chairman of the Senate Veterans and Military Affairs Committee and
63 the Chairman of the House Military Affairs Committee specifying
64 its recommendations on whether to continue to manage the Collins,
65 Mississippi, home or to contract with a nongovernmental entity to
66 operate the home. This subsection shall stand repealed from and

67 after July 1, 2002.

68 (5) The State Department of Health shall perform an initial
69 certification survey of the State Veterans Home in Collins,
70 Mississippi, on or about July 1, 2000. The purpose of this
71 initial survey is to provide a baseline for measuring the quality
72 of care during the period for which this section applies.

73 In addition to the initial certification survey, the State
74 Department of Health shall, as appropriate and in its discretion,
75 conduct periodic follow-up certification surveys, during the
76 period for which this section applies, of the State Veterans Home
77 in Collins, Mississippi.

78 SECTION 2. This act shall take effect and be in force from
79 and after July 1, 2000.