

By: Reynolds

To: Public Health and  
Welfare

## HOUSE BILL NO. 1385

1 AN ACT TO AMEND SECTION 41-7-187, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT COUNTY-OWNED HOSPITALS SHALL HAVE PRIORITY IN  
3 RECEIVING CERTIFICATES OF NEED FOR NURSING HOME BEDS WHENEVER MORE  
4 THAN ONE APPLICATION IS MADE FOR NURSING HOME BEDS IN CERTAIN  
5 COUNTIES AND ONE OF THE APPLICANTS IS A COUNTY-OWNED HOSPITAL; AND  
6 FOR RELATED PURPOSES.

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

8 SECTION 1. Section 41-7-187, Mississippi Code of 1972, is  
9 amended as follows:[RF1]

10 41-7-187. (1) The State Department of Health is hereby  
11 authorized to develop and implement a statewide health certificate  
12 of need program. The State Department of Health is authorized and  
13 empowered to adopt by rule and regulation:

14 (a) Criteria, standards and plans to be used in  
15 evaluating applications for certificates of need;

16 (b) Effective standards to determine when a person,  
17 facility or organization must apply for a certificate of need;

18 (c) Standards to determine when a change of ownership  
19 has occurred or will occur; and

20 (d) Review procedures for conducting reviews of  
21 applications for certificates of need.

22 (2) As part of the criteria, standards and plans to be used  
23 in evaluating applications for certificates of need that are  
24 adopted by the State Department of Health under paragraph (a) of  
25 subsection (1), the department shall include the following  
26 criteria or standard: Whenever more than one (1) application is  
27 made for a certificate of need for nursing home facility beds in  
28 any county having two (2) judicial districts and having a

29 population of less than sixteen thousand (16,000), according to  
30 the most recent federal decennial census, and one (1) of the  
31 applicants is a county-owned hospital located in the county where  
32 nursing home facility beds become available, the department shall  
33 give priority to the county-owned hospital located in the county  
34 where nursing home facility beds become available in granting the  
35 certificate of need.

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