

By: Senator(s) Carlton

To: Public Health and  
Welfare; Appropriations

SENATE BILL NO. 2460

1 AN ACT TO AMEND SECTION 41-21-79, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THAT COUNTIES BE REIMBURSED FOR TREATMENT AND HOUSING  
3 OF CERTAIN PERSONS PRIOR TO THEIR ADMISSION TO STATE TREATMENT  
4 FACILITIES; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 41-21-79, Mississippi Code of 1972, is  
7 amended as follows:

8 41-21-79. (1) The costs incidental to the court  
9 proceedings, including, but not limited to, court costs,  
10 prehearing hospitalization costs, cost of transportation,  
11 reasonable physician's and psychologist's fees set by the court,  
12 and reasonable attorney's fees set by the court, shall be paid out  
13 of the funds of the county of residence of the respondent in those  
14 instances where the patient is indigent unless funds for such  
15 purposes are made available by the state. Provided, however, if  
16 the respondent is not indigent, said costs shall be taxed against  
17 the respondent or his estate. Further provided that if the  
18 respondent is found by the court to not be in need of mental  
19 treatment then all such costs shall be taxed to the affiant  
20 initiating the hearing.

21 (2) Any cost incurred by a county in association with the  
22 medical treatment, housing, feeding or maintenance of any person  
23 who, after being ordered admitted to a treatment center, is held  
24 in a county facility or private mental hospital or other hospital  
25 pending transportation and admission to a state treatment facility  
26 shall be reimbursed to the county. All reimbursements shall be

27 paid by the Department of Mental Health and such reimbursement  
28 shall be equal to the actual cost incurred by the county.

29 SECTION 2. This act shall take effect and be in force from  
30 and after July 1, 2001.