

By: Senator(s) Farris

To: Public Health and Welfare

SENATE BILL NO. 2635

1 AN ACT TO AMEND SECTION 43-11-13, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR LICENSURE PURPOSES THAT NURSING FACILITIES
3 DESIGNATED AS ALZHEIMER'S/DEMENTIA CARE UNITS SHALL DISCLOSE
4 CERTAIN PROGRAM INFORMATION TO FAMILIES OF RESIDENTS; AND FOR
5 RELATED PURPOSES.

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

7 SECTION 1. Section 43-11-13, Mississippi Code of 1972, is
8 amended as follows:

9 43-11-13. (1) The licensing agency shall adopt, amend,
10 promulgate and enforce such rules, regulations and standards,
11 including classifications, with respect to all institutions for
12 the aged or infirm to be licensed hereunder as may be designed to
13 further the accomplishment of the purpose of this chapter in
14 promoting adequate care of individuals in such institutions in the
15 interest of public health, safety and welfare. Such rules,
16 regulations and standards shall be adopted and promulgated by the
17 licensing agency and shall be recorded and indexed in a book to be
18 maintained by the licensing agency in its main office in the State
19 of Mississippi, entitled "Rules, Regulations and Minimum Standards
20 for Institutions for the Aged or Infirm" and said book shall be
21 open and available to all institutions for the aged or infirm and
22 the public generally at all reasonable times. Upon the adoption
23 of such rules, regulations and standards, the licensing agency
24 shall mail copies thereof to all such institutions in the state
25 which have filed with said agency their names and addresses for
26 this purpose, but the failure to mail the same or the failure of
27 the institutions to receive the same shall in nowise affect the
28 validity thereof. Said rules, regulations and standards may be

29 amended by the licensing agency from time to time as necessary to
30 promote the health, safety and welfare of persons living in said
31 institutions.

32 (2) The licensee shall keep posted in a conspicuous place on
33 the licensed premises all current rules, regulations and minimum
34 standards applicable to fire protection measures as adopted by the
35 licensing agency. The licensee shall furnish to the licensing
36 agency at least once each six (6) months a certificate of approval
37 and inspection by state or local fire authorities. Failure to
38 comply with state laws and/or municipal ordinances and current
39 rules, regulations and minimum standards as adopted by the
40 licensing agency, relative to fire prevention measures, shall be
41 prima facie evidence for revocation of license.

42 (3) The State Board of Health shall promulgate rules and
43 regulations restricting the storage, quantity and classes of drugs
44 allowed in personal care homes. Residents requiring
45 administration of Schedule II Narcotics as defined in the Uniform
46 Controlled Substances Law may be admitted to a personal care home.
47 Schedule drugs may only be allowed in a personal care home if they
48 are administered or stored utilizing proper procedures under the
49 direct supervision of a licensed physician or nurse.

50 (4) The State Board of Health shall promulgate rules and
51 regulations providing for the designation and licensure of
52 alzheimer's/dementia care units which shall include, at a minimum,
53 that the following information shall be disclosed to families of
54 residents at the time of admitting:

55 (a) The philosophy of the care and mission of the
56 alzheimer's/dementia care program;

57 (b) The criteria for placement in, and transfer or
58 discharge of, residents from the program;

59 (c) The process used for assessment and establishment
60 of the plan of care for the resident and its implementation;

61 (d) The procedures for staff training and continuing
62 education;

63 (e) The facility design features that are intended to
64 aid alzheimer's/dementia residents;

65 (f) The frequency and types of resident activities, as
66 well as family involvement; and

67 (g) The cost of care for the residents in such
68 alzheimer's/dementia units.

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