

By: Representative Ford

To: Military Affairs

HOUSE BILL NO. 432

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO
 2 EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT
 3 PROVIDES THAT THE STATE VETERANS AFFAIRS BOARD SHALL BE SOLELY
 4 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE STATE
 5 VETERANS HOME LOCATED IN COLLINS, MISSISSIPPI, AND SHALL NOT
 6 CONTRACT FOR MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY
 7 OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FOR THE
 8 OPERATION OF THE HOME; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 35-1-21, Mississippi Code of 1972, is
 11 amended as follows:

12 35-1-21. (1) Upon the establishment of the Mississippi
 13 State Veterans Home, and any additional homes as may be
 14 established, the Mississippi State Veterans Affairs Board is
 15 hereby designated as the governing authority of any such
 16 facilities. The operation and maintenance of all veterans homes
 17 shall meet the standards of the United States Department of
 18 Veterans Affairs with regard to the operation of state veterans
 19 homes.

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



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

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

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



64 Mississippi, home or to contract with a nongovernmental entity to
65 operate the home. This subsection shall stand repealed from and
66 after July 1, 2003.

67 (5) The State Department of Health shall perform an initial
68 certification survey of the State Veterans Home in Collins,
69 Mississippi, on or about July 1, 2000. The purpose of this
70 initial survey is to provide a baseline for measuring the quality
71 of care during the period for which this section applies. In
72 addition to the initial certification survey, the State Department
73 of Health shall, as appropriate and in its discretion, conduct
74 periodic follow-up certification surveys, during the period for
75 which this section applies, of the State Veterans Home in Collins,
76 Mississippi.

77 **SECTION 2.** This act shall take effect and be in force from
78 and after July 1, 2002.

