S. B. No. 2425

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

By: Senator(s) Furniss, Gordon

To: Veterans and Military Affairs; Appropriations

SENATE BILL NO. 2425

AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD MAY OPERATE AND MAINTAIN THE STATE VETERANS HOMES WITHOUT CONTRACTING FOR MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO OPERATE THE HOMES; TO AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO HIRE THE ADMINISTRATORS AND ALL OTHER PERSONNEL FOR THE VETERANS HOMES IN SUCH INSTANCES; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

(4) The State Veterans Affairs Board may operate and
maintain the state veterans homes without entering into any
contract for management purposes with any nongovernmental entity
or the United States Department of Veterans Affairs to operate the
homes. In such instances, the State Veterans Affairs Board shall
be solely responsible for the operation and maintenance of the
state veterans homes and shall hire the administrators and all
other personnel for the veterans homes. The mission of the State
Veterans Affairs Board in managing the state veterans homes shall
be to provide domiciliary care and other related services for
eligible veterans in the most cost efficient manner. 

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

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