

By: Senator(s) Huggins

To: Public Health and Welfare

SENATE BILL NO. 2656

1 AN ACT TO AMEND SECTION 41-13-10, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE APPOINTING AUTHORITY FOR BOARDS OF TRUSTEES OF
3 COMMUNITY HOSPITALS WHERE THE LESSEE IS ANOTHER COMMUNITY
4 HOSPITAL; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 41-13-10, Mississippi Code of 1972, is
7 amended as follows:

8 41-13-10. For purposes of Sections 41-13-10 through
9 41-13-47, Mississippi Code of 1972, the following words shall have
10 the meanings ascribed herein, unless the context otherwise
11 requires:

12 (a) "Administrator" shall mean the chief administrative
13 official and executive officer of a community hospital selected by
14 the board of trustees of such community hospital.

15 (b) "Board of trustees" shall mean the board appointed
16 pursuant to Section 41-13-29, Mississippi Code of 1972, to operate
17 a community hospital.

18 (c) "Community hospital" shall mean any hospital,
19 nursing home and/or related health facilities or programs,
20 including without limitation, ambulatory surgical facilities,
21 intermediate care facilities, after-hours clinics, home health
22 agencies and rehabilitation facilities, established and acquired
23 by boards of trustees or by one or more owners which is governed,
24 operated and maintained by a board of trustees.

25 (d) "Owner" shall mean any board of supervisors of any
26 county having an ownership interest in any community hospital or
27 leased facility on behalf of the county or on behalf of any
28 supervisors district, judicial district or election district of



29 the county and shall also mean any governing council or board of
30 any municipality having an ownership interest in any community
31 hospital or leased facility.

32 (e) "Leased facility" shall mean a hospital, nursing
33 home or related health facilities which an owner has leased to an
34 individual, partnership, corporation, other owner or board of
35 trustees for a term not in excess of fifty (50) years, conditioned
36 upon the facility continuing to operate on a nonprofit basis. A
37 leased facility shall not be deemed or considered to be a
38 community hospital except for purposes of Sections 41-13-19
39 through 41-13-25, Mississippi Code of 1972, and shall not be
40 subject to the statutory requirements placed on community
41 hospitals except to the extent as may be specifically required by
42 the terms of the applicable lease agreement. However, in
43 situations where another community hospital, acting through its
44 board of trustees, is the lessee of a leased facility, the leased
45 facility shall remain subject to this chapter and other laws
46 applicable to community hospitals, except that the owners of the
47 lessee shall have sole authority to appoint the board of trustees
48 for the leased facility, which shall be the same board of trustees
49 as appointed pursuant to Section 41-13-29, Mississippi Code of
50 1972, for the lessee community hospital.

51 (f) "Service area" means that area as determined by a
52 board of trustees by its patient origin studies.

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

