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

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

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

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

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

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

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

(d) "Owner" shall mean any board of supervisors of any
county having an ownership interest in any community hospital or
leased facility on behalf of the county or on behalf of any
supervisors district, judicial district or election district of
the county and shall also mean any governing council or board of
any municipality having an ownership interest in any community
hospital or leased facility.

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

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

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