SENATE BILL NO. 2338
(As Sent to Governor)

AN ACT TO AMEND SECTION 41-3-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NEW APPOINTMENTS TO THE STATE BOARD OF HEALTH SHALL BE FROM THE NEWLY CONSTITUTED CONGRESSIONAL DISTRICTS AND TO CLARIFY QUALIFICATIONS OF BOARD MEMBERS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 41-3-1, Mississippi Code of 1972, is amended as follows:

41-3-1. (1) The present members of the State Board of Health shall continue to serve until their terms expire. As a board member's term expires, the new appointee shall be selected based on the following consideration of an appointee's residence so that by July 1, 2008, the board shall be reconstituted as follows:

There is hereby created the State Board of Health which shall consist of thirteen (13) members, appointed by the Governor with the advice and consent of the Senate, as hereinafter set forth:

(a) twelve (12) of the members of the board shall be selected according to the congressional districts as constituted on January 1, 2003, each congressional district being represented by three (3) members, and (b) one (1) member of the board shall be selected from the state at large. The members so appointed shall either be engaged professionally in rendering health services or shall be consumers of health services who have no financial interest in any provider thereof. All appointees shall be persons knowledgeable in at least one (1) of the matters of jurisdiction of the board. Appointees who are selected because they engage professionally in rendering health services shall be selected to represent a wide range of interests in the area of rendering health services. Nine
(9) members shall be persons engaged professionally in rendering health services, and of those nine (9) members (a) no more than four (4) may be engaged professionally in rendering the same general type of health services or possess the same type of professional license and (b) no two (2) members may be associated or affiliated with, or employed by, the same entity or employer. It is the intent of the Legislature that the membership of the board reflect the population of the State of Mississippi.

(2) • • • A member of the board shall serve for a term of six (6) years from the expiration of the previous term and thereafter until his or her successor is duly appointed. Vacancies in office shall be filled by appointment of the Governor in the same manner as the appointment to the position which becomes vacant, subject to the advice and consent of the Senate at the next regular session of the Legislature. An appointment to fill a vacancy other than by expiration of a term of office shall be for the balance of the unexpired term and thereafter until his or her successor is duly appointed.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.