

By: Representative Fleming

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 711

1 AN ACT TO ESTABLISH WITHIN THE STATE DEPARTMENT OF HEALTH A
2 HOSPITAL OMBUDSMAN GROUP, WHICH SHALL CONSIST OF FIVE RETIRED
3 HEALTH CARE PROFESSIONALS APPOINTED BY THE STATE HEALTH OFFICER;
4 TO PROVIDE THAT THE OMBUDSMAN GROUP SHALL INVESTIGATE AND REVIEW
5 COMPLAINTS FILED BY OR ON BEHALF OF HOSPITAL RESIDENTS RELATING TO
6 HOSPITAL PROCEDURES CONCERNING THE DIAGNOSIS AND CARE OF
7 RESIDENTS, OR RELATING TO THE HEALTH, SAFETY, WELFARE AND RIGHTS
8 OF RESIDENTS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) There is established within the State
11 Department of Health a hospital ombudsman group, which shall
12 consist of five (5) retired health care professionals appointed by
13 the State Health Officer, with not more than two (2) members being
14 from the same health care profession.

15 (2) As used in this section:

16 (a) "Resident" means any resident, prospective resident,
17 prior resident or deceased resident of any hospital.

18 (b) "Sponsor" means an adult relative, friend or
19 guardian who has a responsibility in the resident's welfare.

20 (3) The duties of the hospital ombudsman group shall be:

21 (a) To investigate and review complaints filed by
22 residents or by sponsors or organizations on behalf of residents
23 relating to hospital procedures concerning the diagnosis and care
24 of residents, or relating to the health, safety, welfare and
25 rights of residents;

26 (b) To seek to resolve any complaints informally; and

27 (c) To submit an annual report to the State Department
28 of Health, which shall (i) include information about the
29 activities of the ombudsman group in investigating and resolving
30 complaints, (ii) identify systemic problems in hospitals that

31 cannot be adequately addressed by state and local agencies, and
32 (iii) include recommendations for legislative or executive action
33 to alleviate any systemic problems.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2004.