

By: Representative Holland

To: Public Health and Human Services; Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 831

1 AN ACT TO CREATE A JOINT LEGISLATIVE STUDY COMMITTEE TO STUDY
2 THE HEALTH CARE CERTIFICATE OF NEED PROGRAM; TO DIRECT THE JOINT
3 COMMITTEE TO MAKE A WRITTEN REPORT OF ITS FINDINGS AND
4 RECOMMENDATIONS BEFORE DECEMBER 1, 2004; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) There is created a joint legislative study
7 committee to study the health care certificate of need program
8 established under Section 41-7-171 et seq. to determine if the
9 program is still needed and whether it should be continued without
10 change, modified or abolished. The joint legislative study
11 committee shall be composed of the chairman of the House Public
12 Health and Human Services Committee, the chairman of the Senate
13 Public Health and Welfare Committee, five (5) members of the House
14 of Representatives appointed by the Speaker of the House and five
15 (5) members of the Senate appointed by the Lieutenant Governor.
16 The chairman of the House Public Health and Human Services
17 Committee and the chairman of the Senate Public Health and Welfare
18 Committee shall serve as co-chairmen of the joint committee.

19 (2) Within fifteen (15) days after the date of sine die
20 adjournment of the 2004 legislative session, the Speaker of the
21 House and the Lieutenant Governor shall appoint the members of the
22 joint committee. After the members are appointed, the joint
23 committee shall meet on a date designated by the co-chairmen of
24 the joint committee for the purpose of organizing the committee
25 and establishing rules for transacting its business and keeping
26 records. A majority of members of the joint committee from each
27 house shall constitute a quorum at all committee meetings. An
28 affirmative vote of a majority of the members from each house

29 present and voting shall be required in the adoption of rules,
30 resolutions, reports, and in any other actions taken by the joint
31 committee. All members of the joint committee shall be notified
32 in writing of all meetings of the committee, which notices shall
33 be mailed at least five (5) days before the date of the meetings.

34 (3) The joint committee shall make a written report of its
35 findings and recommendations, and shall mail copies of the report
36 to each member of the Legislature no later than December 1, 2004.

37 (4) For attending the meetings of the joint committee, each
38 member shall be paid, from the Contingent Expense Fund of the
39 member's respective house, per diem compensation in the amount
40 authorized by Section 25-3-69, Mississippi Code of 1972, and a
41 mileage allowance and an expense allowance in the amount
42 authorized by Section 5-1-47, Mississippi Code of 1972. However,
43 no per diem compensation, mileage allowance or expense allowance
44 shall be paid for attending meetings of the joint committee while
45 the Legislature is in session, and no per diem compensation,
46 mileage allowance or expense allowance shall be paid without prior
47 approval of the proper committee in the member's respective house.

48 (5) All expenses incurred by and on behalf of the joint
49 committee shall be paid from funds made available by the House
50 Management Committee and the Senate Rules Committee from the
51 Contingent Expense Fund of each respective house, from any funds
52 appropriated for the purpose of this act and from any grants or
53 contributions made to the committee for its purpose.

54 (6) In carrying out the provisions of this act, the joint
55 committee may utilize the services, facilities and personnel of
56 all departments, agencies, offices and institutions of the state.

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