

By: Senator(s) Flowers

To: Rules

SENATE CONCURRENT RESOLUTION NO. 585

1 A CONCURRENT RESOLUTION TO CREATE A STUDY COMMITTEE TO STUDY
2 THE IMPLEMENTATION OF THE HEALTH CARE FACILITY CERTIFICATE OF NEED
3 LAW AND THE STATE HEALTH PLAN IN DESOTO COUNTY, MISSISSIPPI, AND
4 TO MAKE RECOMMENDATIONS THEREON TO THE LEGISLATURE; AND FOR
5 RELATED PURPOSES.

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
7 MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN,

8 That:

9 (1) There is hereby created a study committee on the
10 implementation of the health care facility certificate of need law
11 and the State Health Plan by the State Department of Health as it
12 specifically applies to DeSoto County, Mississippi. The committee
13 shall make a report of its findings and recommendations to the
14 Legislature during the 2005 Regular Legislative Session, including
15 any recommended legislation.

16 (2) The committee shall be composed of the following
17 members:

18 (a) The President Pro Tempore of the Mississippi
19 Senate;

20 (b) The Speaker Pro Tempore of the Mississippi House of
21 Representatives;

22 (c) The Chairman of the Senate Appropriations
23 Committee;

24 (d) The Chairman of the House Appropriations Committee;

25 (e) The Chairman of the Senate Public Health and
26 Welfare Committee;

27 (f) The Chairman of the House Public Health and Human
28 Services Committee;

29 (g) The President of the State Board of Health; and

30 (h) Two (2) residents of DeSoto County, one (1)

31 appointed by the Lieutenant Governor and one (1) appointed by the
32 Speaker of the House.

33 Appointments shall be made within thirty (30) days after the
34 adoption of this resolution by the Legislature, and, within
35 fifteen (15) days thereafter on a day to be designated jointly by
36 the Lieutenant Governor and the Speaker of the House, the
37 committee shall meet and organize by selecting from its membership
38 a chairman and a vice chairman. The vice chairman shall also
39 serve as secretary and shall be responsible for keeping all
40 records of the committee. A majority of the members of the
41 committee shall constitute a quorum. In the selection of its
42 officers and the adoption of rules, resolutions and reports, an
43 affirmative vote of a majority of the committee shall be required.
44 All members shall be notified in writing of all meetings, such
45 notices to be mailed at least five (5) days prior to the date on
46 which a meeting is to be held.

47 (3) The committee shall study and make recommendations with
48 respect to the implementation of the health care facility
49 certificate of need law in DeSoto County, Mississippi, including
50 procedures used by the State Department of Health in granting
51 and/or denying applications for certificates of need in DeSoto
52 County and the development of the State Health Plan as it relates
53 to DeSoto County.

54 (4) Members of the committee who are not legislators, state
55 officials or state employees shall be compensated at the per diem
56 rate authorized by Section 25-3-69, Mississippi Code of 1972, and
57 shall be reimbursed in accordance with Section 25-3-41,
58 Mississippi Code of 1972, for mileage and actual expenses incurred
59 in the performance of their duties. Legislative members of the
60 committee shall be paid from the contingent expense funds of their
61 respective houses in the same manner as provided for committee

62 meetings when the Legislature is not in session; however, no per
63 diem or expense for attending meetings of the committee will be
64 paid while the Legislature is in session. No committee member may
65 incur per diem, travel or other expenses unless previously
66 authorized by vote, at a meeting of the committee, which action
67 shall be recorded in the official minutes of the meeting.
68 Nonlegislative members shall be paid from any funds made available
69 to the committee for that purpose.

70 (5) The committee shall utilize clerical and legal staff
71 already employed by the Legislature and any other staff assistance
72 made available to it. To effectuate the purpose of this
73 resolution, the State Department of Health and any other agency of
74 the state or of any political subdivision thereof shall, at the
75 request of the chairman of the committee, provide to the committee
76 such facilities, assistance and data as will enable the committee
77 properly to carry out its task.

78 (6) Upon presentation of its report to the 2005 Regular
79 Legislative Session, the committee shall be dissolved.