

By: Senator(s) Dawkins

To: Public Health and Welfare

SENATE BILL NO. 2809

1 AN ACT TO AMEND SECTION 41-9-17, MISSISSIPPI CODE OF 1972, TO  
 2 EMPOWER THE STATE DEPARTMENT OF HEALTH TO REQUIRE LICENSED  
 3 HOSPITALS TO REPORT OUTCOME PERFORMANCE RATINGS FOR PROVIDING  
 4 CERTAIN CORE EMERGENCY MEDICAL TREATMENT PROCEDURES; TO AUTHORIZE  
 5 THE DEPARTMENT TO CONTRACT WITH THE MISSISSIPPI HOSPITAL  
 6 ASSOCIATION TO PROVIDE NECESSARY TRAINING AND ADMINISTRATIVE  
 7 SUPPORT FOR LICENSED HOSPITALS TO COMPLY WITH SUCH OUTCOME CORE  
 8 PERFORMANCE REPORTING STANDARDS; TO AUTHORIZE HOSPITALS TO CHARGE  
 9 A FEE TO DEFRAY THE COST OF MEETING MINIMUM EMERGENCY ROOM  
 10 STANDARDS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 41-9-17, Mississippi Code of 1972, is  
 13 amended as follows:

14 41-9-17. (1) The licensing agency shall adopt, amend,  
 15 promulgate and enforce such rules, regulations and standards with  
 16 respect to all hospitals to be licensed under Section 41-9-11 as  
 17 may be designed to further the accomplishment of the purposes of  
 18 Sections 41-9-1 through 41-9-35 in promoting safe and adequate  
 19 treatment of individuals in hospitals in the interest of public  
 20 health, safety and welfare. Any rule, regulation or standard  
 21 adopted hereunder shall be considered as promulgated and effective  
 22 from and after the time the same is recorded and indexed in a book  
 23 to be maintained by the licensing agency in its main office in the  
 24 State of Mississippi, entitled "Minimum Standard of Operation for  
 25 Mississippi Hospitals." Said book shall be open and available to  
 26 all hospitals and the public generally at all reasonable times.  
 27 Upon the adoption of any such rule, regulation or standard, the  
 28 licensing agency shall mail copies thereof to all hospitals in the  
 29 state which have filed with said agency their names and addresses  
 30 for this purpose, but the failure to mail the same or the failure  
 31 of the hospital to receive the same shall in nowise affect the

32 validity thereof. No such rules, regulations or standards shall  
33 be adopted or enforced which would have the effect of denying a  
34 license to a hospital or other institution required to be  
35 licensed, solely by reason of the school or system of practice  
36 employed or permitted to be employed therein.

37 (2) Beginning July 1, 2006, the State Board of Health shall  
38 promulgate rules and regulations requiring licensed hospitals to  
39 meet minimum standards and publish outcome performance ratings for  
40 equipment, procedures and records which are required on a  
41 voluntary basis by the Joint Commission on Accreditation of  
42 Healthcare Organizations for the following core procedures that  
43 are considered crucial for proper treatment of emergency medical  
44 conditions:

45 (a) Heart attack procedures:

46 (i) Administer aspirin on arrival at hospital and  
47 discharge;

48 (ii) Administer beta blocker drug on arrival and  
49 discharge to stabilize heartbeat; and

50 (iii) Administer ACE inhibitor drug to widen blood  
51 vessels and reduce strain on the heart;

52 (b) Congestive heart failure procedures:

53 (i) Assess the functioning of heart's left  
54 ventricle; and

55 (ii) Administer ACE inhibitor drug; and

56 (c) Pneumonia procedures:

57 (i) Administer first antibiotic dose within four  
58 (4) hours of arrival at hospital;

59 (ii) Vaccinate against pneumococcal bacteria; and

60 (iii) Measure levels of oxygen in blood.

61 The State Board of Health shall contract with the Mississippi  
62 Hospital Association to provide necessary training and  
63 administrative support for each licensed hospital to comply with  
64 said outcome performance standards, and shall publish an annual

65 report to the Legislature rating each licensed hospital on quality  
66 of compliance with said standards.

67 Each licensed hospital is authorized to charge a fee of One  
68 Dollar (\$1.00) per each emergency room visit per patient to defray  
69 the expense of meeting minimum joint commission standards for core  
70 procedures.

71 **SECTION 2.** This act shall take effect and be in force from  
72 and after July 1, 2005.