

By: Representative Woods

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 195

1 AN ACT TO AMEND SECTION 41-7-185, MISSISSIPPI CODE OF 1972,  
2 TO DIRECT THE STATE DEPARTMENT OF HEALTH, IN PREPARING THE PART OF  
3 THE STATE HEALTH PLAN THAT IS APPLICABLE TO GENERAL ACUTE CARE  
4 HOSPITALS, TO INCLUDE CERTAIN COUNTIES TOGETHER IN THE SAME  
5 GENERAL HOSPITAL SERVICE AREA; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-7-185, Mississippi Code of 1972, is  
8 amended as follows:

9 41-7-185. In carrying out its functions under Section  
10 41-7-171 et seq., the State Department of Health is \* \* \*  
11 empowered to:

12 (a) Make applications for and accept funds from the  
13 secretary and other federal and state agencies and to receive and  
14 administer such other funds for the planning or provision of  
15 health facilities or health care as are appropriate to the  
16 accomplishment of the purposes of Section 41-7-171 et seq.; and to  
17 contract with the secretary to accept funds to administer planning  
18 activities on the community, regional or state level;

19 (b) With the approval of the secretary, delegate to or  
20 contract with any mutually agreeable department, division or  
21 agency of the state, the federal government, or any political  
22 subdivision of either, or any private corporation, organization or  
23 association chartered by the Secretary of State of Mississippi,  
24 authority for administering any programs, duties or functions  
25 provided for in Section 41-7-171 et seq.;

26 (c) Prescribe and promulgate such reasonable rules and  
27 regulations as may be necessary to the implementation of the

28 purposes of Section 41-7-171 et seq., complying with Section  
29 25-43-1 et seq.;

30 (d) Require providers of institutional health services  
31 and home health care services provided through a home health  
32 agency and any other provider of health care requiring a  
33 certificate of need to submit or make available statistical  
34 information or such other information requested by the State  
35 Department of Health, but not information that would constitute an  
36 unwarranted invasion of the personal privacy of any individual  
37 person or place the provider in jeopardy of legal action by a  
38 third party;

39 (e) Conduct such other hearing or hearings in addition  
40 to those provided for in Section 41-7-197, and enter such further  
41 order or orders, and with approval of the Governor enter into such  
42 agreement or agreements with the secretary as may be reasonably  
43 necessary to the realization by the people of Mississippi of the  
44 full benefits of Acts of Congress;

45 (f) In its discretion, contract with the secretary, or  
46 terminate any such contract, for the administration of the  
47 provisions, programs, duties and functions of Section 1122 of  
48 Public Law 92-603; but the State Department of Health shall not be  
49 relieved of matters of accountability, obligation or  
50 responsibility that accrued to the department by virtue of prior  
51 contracts and/or statutes;

52 (g) Prepare, review at least triennially, and revise,  
53 as necessary, a State Health Plan, as defined in Section 41-7-173,  
54 which shall be approved by the Governor before it becomes  
55 effective. In preparing the part of the State Health Plan that is  
56 applicable to general acute care hospitals, the State Department  
57 of Health shall include DeSoto, Tunica, Tate and Marshall Counties  
58 together in the same General Hospital Service Area.

59 **SECTION 2.** This act shall take effect and be in force from  
60 and after July 1, 2006.