

By: Representative Fredericks

To: Public Health and Human Services

HOUSE BILL NO. 376

1 AN ACT TO CODIFY NEW SECTION 43-11-51, MISSISSIPPI CODE OF
 2 1972, TO PROVIDE THAT OPERATORS OF A HOME OR FACILITY IN WHICH
 3 PERSONAL CARE SERVICES ARE PROVIDED TO UP TO THREE NONAMBULATORY
 4 BEDRIDDEN PERSONS WHO ARE NOT RELATED TO THE OPERATOR MUST
 5 REGISTER WITH THE STATE DEPARTMENT OF HEALTH BEFORE PROVIDING THE
 6 PERSONAL CARE SERVICES; TO REQUIRE EACH PERSON WHO ACTUALLY
 7 PROVIDES THE PERSONAL CARE SERVICES IN THE HOME OR FACILITY OF THE
 8 OPERATOR TO HAVE TRAINING IN MINIMUM STANDARDS OF CARE FOR
 9 NONAMBULATORY BEDRIDDEN PERSONS; TO DIRECT THE DEPARTMENT TO
 10 DEVELOP THE MINIMUM STANDARDS OF CARE AND TO ESTABLISH AND PROVIDE
 11 A TRAINING COURSE AT WHICH THE PROVIDERS OF PERSONAL CARE SERVICES
 12 MAY RECEIVE THE REQUIRED TRAINING; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** The following shall be codified as Section
 15 43-11-51, Mississippi Code of 1972:

16 43-11-51. (1) As used in this section:

17 (a) "Department" means the State Department of Health.

18 (b) "Operator" means a person who provides personal
 19 care services for compensation to not more than three (3)
 20 nonambulatory bedridden persons who are not related to the
 21 provider in a home or other facility operated by the provider.

22 (c) "Personal care" has the meaning as defined in
23 Section 43-11-1.

24 (2) Before an operator may provide personal care services in
 25 a home or facility, the operator shall register with the
 26 department on forms provided by the department. However, any
 27 operator who is providing personal care services in a home or
 28 facility on July 1, 2006, shall have until September 1, 2006, to
 29 register with the department.

30 (3) Each person who actually provides the personal care
 31 services in the home or facility of the operator shall have
 32 training in minimum standards of care for nonambulatory bedridden

33 persons. The department shall develop the minimum standards of
34 care and shall establish and provide a training course at which
35 the providers of personal care services may receive the training
36 required by this section.

37 (4) From and after January 1, 2007, an operator shall not
38 provide personal care services in a home or facility unless each
39 person who actually provides the personal care services in the
40 home or facility of the operator has received the training in
41 minimum standards of care for nonambulatory bedridden persons
42 provided by the department.

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