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SUBSTITUTE NO 1 FOR AMENDMENT NO 1 TO COMMITTEE  
AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1221**

**BY: Senator(s) Chaney**

1           **AMEND by inserting the following after line 841:**

2           (g) Of the total number of beds authorized under this  
3 subsection, the department shall, immediately upon passage of this  
4 House Bill No. 1221, 2006 Regular Session, issue a certificate of  
5 need to River Region Hospital for the construction or expansion of  
6 psychiatric residential treatment facility beds or the conversion  
7 of other beds to psychiatric residential treatment facility beds  
8 in Warren County, not to exceed sixty (60) psychiatric residential  
9 treatment facility beds, provided that the facility agrees in  
10 writing that no more than thirty (30) of the beds at the  
11 psychiatric residential treatment facility will be certified for  
12 participation in the Medicaid program (Section 43-13-101 et seq.)  
13 for the use of any patients other than those who are participating  
14 only in the Medicaid program of another state, and that no claim  
15 will be submitted to the Division of Medicaid for Medicaid  
16 reimbursement for more than thirty (30) patients in the  
17 psychiatric residential treatment facility in any day or for any  
18 patient in the psychiatric residential treatment facility who is  
19 in a bed that is not Medicaid-certified. This written agreement  
20 by the recipient of the certificate of need shall be a condition  
21 of the issuance of the certificate of need under this paragraph,  
22 and the agreement shall be fully binding on any subsequent owner

23 of the psychiatric residential treatment facility if the ownership  
24 of the facility is transferred at any time after the issuance of  
25 the certificate of need. After this written agreement is  
26 executed, the Division of Medicaid and the State Department of  
27 Health shall not certify more than thirty (30) of the beds in the  
28 psychiatric residential treatment facility for participation in  
29 the Medicaid program for the use of any patients other than those  
30 who are participating only in the Medicaid program of another  
31 state. If the psychiatric residential treatment facility violates  
32 the terms of the written agreement by admitting or keeping in the  
33 facility on a regular or continuing basis more than thirty (30)  
34 patients who are participating in the Mississippi Medicaid  
35 program, the State Department of Health shall revoke the license  
36 of the facility, at the time that the department determines, after  
37 a hearing complying with due process, that the facility has  
38 violated the condition upon which the certificate of need was  
39 issued, as provided in this paragraph and in the written  
40 agreement.

41 **FURTHER, AMEND by inserting the following after line 986:**

42 (vii) The department shall, immediately upon  
43 passage of this House Bill No. 1221, 2006 Regular Session, issue a  
44 certificate of need to River Region Hospital for the construction  
45 or expansion of child/adolescent psychiatric beds or the  
46 conversion of other beds to child/adolescent psychiatric beds in  
47 Warren County. For purposes of this subparagraph, the provisions  
48 of Section 41-7-193(1) requiring substantial compliance with the  
49 projection of need as reported in the current State Health Plan  
50 are waived. The total number of beds that may be authorized under  
51 the authority of this subparagraph shall not exceed twenty (20)  
52 beds. There shall be no prohibition or restrictions on  
53 participation in the Medicaid program (Section 43-13-101 et seq.)

54 for the person receiving the certificate of need authorized under  
55 this subparagraph (a)(vii) or for the beds converted pursuant to  
56 the authority of that certificate of need.

57 **FURTHER, AMEND the title to conform.**