HOUSE BILL NO. 153

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

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

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

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

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

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

(c) Prescribe and promulgate such reasonable rules and regulations as may be necessary to the implementation of the
purposes of Section 41-7-171 et seq., complying with Section
25-43-1 et seq.;
(d) Require providers of institutional health services
and home health care services provided through a home health
agency and any other provider of health care requiring a
certificate of need to submit or make available statistical
information or such other information requested by the State
Department of Health, but not information that would constitute an
unwarranted invasion of the personal privacy of any individual
person or place the provider in jeopardy of legal action by a
third party;
(e) Conduct such other hearing or hearings in addition
to those provided for in Section 41-7-197, and enter such further
order or orders, and with approval of the Governor enter into such
agreement or agreements with the secretary as may be reasonably
necessary to the realization by the people of Mississippi of the
full benefits of Acts of Congress;
(f) In its discretion, contract with the secretary, or
terminate any such contract, for the administration of the
provisions, programs, duties and functions of Section 1122 of
Public Law 92-603; but the State Department of Health shall not be
relieved of matters of accountability, obligation or
responsibility that accrued to the department by virtue of prior
contracts and/or statutes;
(g) Prepare, review at least triennially, and revise,
as necessary, a State Health Plan, as defined in Section 41-7-173,
which shall be approved by the Governor before it becomes
effective. In preparing the part of the State Health Plan that is
applicable to general acute care hospitals, the State Department
of Health shall include DeSoto, Tunica, Tate and Marshall Counties
together in the same General Hospital Service Area.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2007.