

By: Representative Woods

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 153

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, 2007.

