

By: Representative Holland

To: Public Health and Human Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 929

1 AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO
2 INCREASE VARIOUS FEES CHARGED BY THE STATE DEPARTMENT OF HEALTH
3 FOR HOSPICE LICENSURE AND REGULATION; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 41-85-7, Mississippi Code of 1972, is
6 amended as follows:

7 41-85-7. (1) The administration of this chapter is vested
8 in the Mississippi Department of Health, which shall:

9 (a) Prepare and furnish all forms necessary under the
10 provisions of this chapter in relation to applications for
11 licensure or renewals thereof;

12 (b) Collect in advance at the time of filing an
13 application for a license or at the time of renewal of a license a
14 fee of One Thousand Dollars (\$1,000.00) for each site or location
15 of the licensee;

16 (i) A fee of Eighteen Dollars (\$18.00) per bed
17 shall be levied for the review of inpatient hospice care;

18 (ii) A fee known as a "user fee" shall be levied
19 and paid to the department for the administration of this chapter.
20 The amount of the user fee shall be determined by the department
21 and shall be assessed for the purpose of the required reviewing
22 and inspection of the proposal for any new inpatient hospice or
23 existing inpatient hospice in which there are additions,
24 renovations, modernizations, expansions, alterations, conversions,
25 modifications or replacement of the entire facility involved in
26 the proposal. The fee shall be assessed for the reviewing of
27 architectural plans and field inspection in all steps required.

28 The amount of the fee shall not exceed the actual cost to the
29 department of carrying out the reviewing and inspection of the
30 proposal as described in the subparagraph (ii).

31 (c) Conduct annual licensure inspections of all
32 licensees which may be the same inspection as the annual Medicare
33 certification inspection; and

34 (d) Promulgate applicable rules and standards in
35 furtherance of the purpose of this chapter and may amend such
36 rules as may be necessary. The rules shall include, but not be
37 limited to, the following:

38 (i) The qualifications of professional and
39 ancillary personnel in order to adequately furnish hospice care;

40 (ii) Standards for the organization and quality of
41 patient care;

42 (iii) Procedures for maintaining records; and

43 (iv) Provision for the inpatient component of
44 hospice care and for other professional and ancillary hospice
45 services.

46 (2) All fees collected by the department under this section
47 shall be used by the department exclusively for the purposes of
48 licensure, regulation, inspection, investigations and discipline
49 of hospices under this chapter.

50 (3) This section shall stand repealed on July 1, 2008.

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