HOUSE BILL NO. 1332

AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO ADD NEW MEMBERS TO THE VETERANS AFFAIRS BOARD WITH EXPERIENCE IN FINANCIAL MANAGEMENT, NURSING HOME ADMINISTRATION AND NURSING; TO PROVIDE FOR THE APPOINTMENT, TERMS, AND CERTIFICATION OF APPOINTEE'S QUALIFICATIONS; TO AMEND SECTION 43-11-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE STATE DEPARTMENT OF HEALTH INSPECT ALL SKILLED NURSING FACILITIES LICENSED IN THE STATE AT LEAST ONCE EACH CALENDAR YEAR; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 35-1-1, Mississippi Code of 1972, is amended as follows:

35-1-1. (1) (a) There is hereby created a State Veterans Affairs Board, to consist of seven (7) members, to be appointed by the Governor, one (1) from each congressional district as they existed on January 1, 1952, of the State of Mississippi. One (1) shall be appointed for one (1) year, another for two (2) years, another for three (3) years, another for four (4) years, another for five (5) years, another for six (6) years, and another for seven (7) years, thus staggered. At the end of such term for each of said seven (7) members, a successor shall be appointed for a term of seven (7) years, thus providing for seven (7) members, one (1) of whom shall be appointed each year. In the event of death, resignation or removal of a member of the board, such person appointed to fill the vacancy shall be a legal resident of the congressional district in which the vacancy shall occur, and shall serve for the remainder of the term to which such member was appointed. Members of the board shall be veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action, who have been honorably discharged or honorably released.
(b) From and after May 14, 1992, terms of all members then serving on the State Veterans Affairs Board shall terminate, and the board shall be reconstituted as follows: The board shall consist of seven (7) members. All members shall be appointed by the Governor, with the advice and consent of the Senate. One (1) member shall be appointed from each congressional district as such districts existed on March 1, 1992, and two (2) members shall be appointed from the state at large. Of the initial congressional district appointees to the board, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years and one (1) for a term of five (5) years. Of the initial at-large appointees, one (1) (who shall be that person appointed in January 1992 from the First Congressional District under the provisions of paragraph (a) of this subsection) shall serve for a term of three (3) years and one (1) (who shall be that person appointed in January 1992 from the Seventh Congressional District under the provisions of paragraph (a) of this subsection) shall serve for a term of five (5) years. All appointees after the initial appointees shall serve for terms of five (5) years each. In the event of death, resignation or removal of a member of the board, the vacancy shall be filled by appointment of the Governor, with the advice and consent of the Senate, from the congressional district in which the vacancy occurs, for the length of the unexpired term only. Members of the board shall be honorably discharged or released veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action. No state/department commander of any federally recognized veterans organization, no national officer of any federally recognized veterans organization and no member of the Mississippi Council of Veterans Organizations shall be eligible for appointment to the board until the expiration of a
period of three (3) years after the termination of their service
in such disqualifying positions.

(c) From and after July 1, 2007, in addition to the
members provided for in paragraph (b) of this subsection, there
shall be three (3) additional members of the board. Each member
provided for in this paragraph shall have the following
qualifications:

(i) One (1) member shall be a financial manager
with a license or certification as a certified public accountant,
a certified managerial accountant, or a certified financial
analyst with five (5) years of experience directly related to
finance and/or management;

(ii) One (1) member shall be a licensed nursing
home administrator with seven (7) years of experience in
management of nursing homes; and

(iii) One (1) member shall be a registered nurse
with ten (10) years of experience in nursing.

All members provided for in this paragraph shall be appointed
by the Governor from the state at large with the advice and
consent of the Senate. The initial term of office for the
registered nurse shall be for one (1) year, the initial term of
office for the licensed nursing home administrator shall be for
two (2) years, and the initial term of office of the financial
manager shall be for three (3) years. Thereafter, all terms of
office for positions created by this paragraph shall be for five
(5) years. Such members may hold over until their successors are
duly qualified. No members provided for in this paragraph shall
be required to be a veteran of any war or police action but shall
have their qualifications certified by the State Personnel Board
prior to confirmation by the Senate. No state/department
commander of any federally recognized veterans' organization, no
national officer of any federally recognized veterans' organization, and no member of the Mississippi Council of Veterans
Organizations shall be eligible for appointment to the board positions established by this paragraph until the expiration of a period of three (3) years after the termination of their service in such disqualifying positions.

(2) Members of the board shall annually elect as chairman one of their number and another member as vice chairman. Members of the board shall hold regular monthly meetings and such other meetings as may be called by the chairman or the vice chairman in his absence.

SECTION 2. Section 43-11-17, Mississippi Code of 1972, is amended as follows:

43-11-17. The licensing agency shall make or cause to be made such inspections and investigations as it deems necessary. However, all licensed skilled nursing facilities shall be inspected at least once each calendar year.

SECTION 3. This act shall take effect and be in force from and after July 1, 2007.