

By: Representatives Moss, Bailey, Clarke,
Hudson, Robinson (63rd)

To: Military Affairs; Public
Health and Human Services

HOUSE BILL NO. 1332

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

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

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

12 35-1-1. (1) (a) There is hereby created a State Veterans
13 Affairs Board, to consist of seven (7) members, to be appointed by
14 the Governor, one (1) from each congressional district as they
15 existed on January 1, 1952, of the State of Mississippi. One (1)
16 shall be appointed for one (1) year, another for two (2) years,
17 another for three (3) years, another for four (4) years, another
18 for five (5) years, another for six (6) years, and another for
19 seven (7) years, thus staggered. At the end of such term for each
20 of said seven (7) members, a successor shall be appointed for a
21 term of seven (7) years, thus providing for seven (7) members, one
22 (1) of whom shall be appointed each year. In the event of death,
23 resignation or removal of a member of the board, such person
24 appointed to fill the vacancy shall be a legal resident of the
25 congressional district in which the vacancy shall occur, and shall
26 serve for the remainder of the term to which such member was
27 appointed. Members of the board shall be veterans of any war or
28 police action in which the Armed Forces of the United States have
29 been, are, or shall be committed for action, who have been
30 honorably discharged or honorably released.

31 (b) From and after May 14, 1992, terms of all members
32 then serving on the State Veterans Affairs Board shall terminate,
33 and the board shall be reconstituted as follows: The board shall
34 consist of seven (7) members. All members shall be appointed by
35 the Governor, with the advice and consent of the Senate. One (1)
36 member shall be appointed from each congressional district as such
37 districts existed on March 1, 1992, and two (2) members shall be
38 appointed from the state at large. Of the initial congressional
39 district appointees to the board, one (1) shall serve for a term
40 of one (1) year, one (1) for a term of two (2) years, one (1) for
41 a term of three (3) years, one (1) for a term of four (4) years
42 and one (1) for a term of five (5) years. Of the initial at-large
43 appointees, one (1) (who shall be that person appointed in January
44 1992 from the First Congressional District under the provisions of
45 paragraph (a) of this subsection) shall serve for a term of three
46 (3) years and one (1) (who shall be that person appointed in
47 January 1992 from the Seventh Congressional District under the
48 provisions of paragraph (a) of this subsection) shall serve for a
49 term of five (5) years. All appointees after the initial
50 appointees shall serve for terms of five (5) years each. In the
51 event of death, resignation or removal of a member of the board,
52 the vacancy shall be filled by appointment of the Governor, with
53 the advice and consent of the Senate, from the congressional
54 district in which the vacancy occurs, for the length of the
55 unexpired term only. Members of the board shall be honorably
56 discharged or released veterans of any war or police action in
57 which the Armed Forces of the United States have been, are, or
58 shall be committed for action. No state/department commander of
59 any federally recognized veterans organization, no national
60 officer of any federally recognized veterans organization and no
61 member of the Mississippi Council of Veterans Organizations shall
62 be eligible for appointment to the board until the expiration of a

63 period of three (3) years after the termination of their service
64 in such disqualifying positions.

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

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

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

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

80 All members provided for in this paragraph shall be appointed
81 by the Governor from the state at large with the advice and
82 consent of the Senate. The initial term of office for the
83 registered nurse shall be for one (1) year, the initial term of
84 office for the licensed nursing home administrator shall be for
85 two (2) years, and the initial term of office of the financial
86 manager shall be for three (3) years. Thereafter, all terms of
87 office for positions created by this paragraph shall be for five
88 (5) years. Such members may hold over until their successors are
89 duly qualified. No members provided for in this paragraph shall
90 be required to be a veteran of any war or police action but shall
91 have their qualifications certified by the State Personnel Board
92 prior to confirmation by the Senate. No state/department
93 commander of any federally recognized veterans' organization, no
94 national officer of any federally recognized veterans'
95 organization, and no member of the Mississippi Council of Veterans

96 Organizations shall be eligible for appointment to the board
97 positions established by this paragraph until the expiration of a
98 period of three (3) years after the termination of their service
99 in such disqualifying positions.

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

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

107 43-11-17. The licensing agency shall make or cause to be
108 made such inspections and investigations as it deems necessary.
109 However, all licensed skilled nursing facilities shall be
110 inspected at least once each calendar year.

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