

By: Representative Warren

To: Public Health and Human Services

HOUSE BILL NO. 154

1 AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE OF THE REPEALER ON THE ADMINISTRATIVE DUTIES OF
3 THE DEPARTMENT OF HEALTH RELATING TO THE HOSPICE LAW; AND FOR
4 RELATED PURPOSES.

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

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

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

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

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

17 (c) Levy a fee of Eighteen Dollars (\$18.00) per bed for
18 the review of inpatient hospice care;

19 (d) Conduct annual licensure inspections of all
20 licensees which may be the same inspection as the annual Medicare
21 certification inspection; and

22 (e) Promulgate applicable rules and standards in
23 furtherance of the purpose of this chapter and may amend such
24 rules as may be necessary. The rules shall include, but not be
25 limited to, the following:

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



28 (ii) Standards for the organization and quality of
29 patient care;

30 (iii) Procedures for maintaining records; and

31 (iv) Provision for the inpatient component of
32 hospice care and for other professional and ancillary hospice
33 services.

34 (2) All fees collected by the department under this section
35 shall be used by the department exclusively for the purposes of
36 licensure, regulation, inspection, investigations and discipline
37 of hospices under this chapter.

38 (3) The State Department of Health shall not process any new
39 applications for hospice licensure after January 2007 until the
40 department can substantiate that all current licenses and their
41 branches have been surveyed in conjunction with rules and
42 regulations set forth by the department to survey such licenses
43 and branches.

44 (4) This section shall stand repealed on July 1, 2011.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2008.

