

By: Senator(s) Bryan

To: Public Health and Welfare

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2454

1 AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE REPEALER ON THE ADMINISTRATIVE DUTIES OF THE DEPARTMENT
3 OF HEALTH RELATING TO THE HOSPICE LAW; 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 (c) Levy a fee of Eighteen Dollars (\$18.00) per bed for
17 the review of inpatient hospice care;

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

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

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



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

29 (iii) Procedures for maintaining records; and

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

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

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

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

