

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.

