

By: Representative Hines

To: Public Health and Human Services

HOUSE BILL NO. 47

1 AN ACT TO REQUIRE RESIDENTS OF CERTAIN LONG-TERM CARE
 2 FACILITIES WHO ARE SIXTY YEARS OF AGE OR OLDER TO OBTAIN A PRENEED
 3 CONTRACT THAT PROVIDES SERVICES, MERCHANDISE OR BOTH IN CONNECTION
 4 WITH THE FINAL DISPOSITION OF THE RESIDENT'S BODY AFTER HIS OR HER
 5 DEATH, WITHIN SIX MONTHS AFTER BEING ADMITTED TO THE FACILITY; TO
 6 REQUIRE RESIDENTS OF THOSE FACILITIES ON JULY 1, 2021, WHO DO NOT
 7 HAVE A PRENEED CONTRACT TO OBTAIN A PRENEED CONTRACT NOT LATER
 8 THAN DECEMBER 31, 2021; TO PROHIBIT FACILITIES FROM REFUSING TO
 9 ADMIT PERSONS OR TAKING ADVERSE ACTIONS AGAINST RESIDENTS BECAUSE
 10 THEY DO NOT HAVE A PRENEED CONTRACT; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) Each resident of a nursing facility,
 13 assisted living facility, personal care home or adult foster care
 14 facility licensed under Section 43-11-1 et seq. who is sixty (60)
 15 years of age or older shall obtain a preneed contract meeting the
 16 requirements of the Preneed Cemetery and Funeral Registration Act
 17 (Sections 75-63-51 through 75-63-81) that provides services,
 18 merchandise or both in connection with the final disposition of
 19 the resident's body after his or her death, within six (6) months
 20 after being admitted to the facility. If a resident does not
 21 obtain a preneed contract within the time required by this
 22 section, the facility shall purchase a preneed contract for the



23 resident and shall add the cost of purchasing the preneed contract
24 to the regular charges to the resident by the facility.

25 (2) Any resident of a facility described in subsection (1)
26 of this section on July 1, 2021, who is sixty (60) years of age or
27 older, who was admitted to the facility before July 1, 2021, and
28 who does not have a preneed contract meeting the requirements of
29 this section shall obtain a preneed contract not later than
30 December 31, 2021, or the facility shall purchase a preneed
31 contract for the resident as provided in this section.

32 (3) A nursing facility, assisted living facility, personal
33 care home or adult foster care facility shall not refuse to admit
34 a person to the facility because the person does not have a
35 preneed contract before becoming a resident of the facility, and
36 shall not take any adverse action against a resident of a facility
37 because the person does not obtain a preneed contract while a
38 resident of the facility. The State Department of Health shall
39 enforce the provisions of this subsection.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2021.

