

By: Senator(s) Boyd, Suber

To: Public Health and
Welfare

SENATE BILL NO. 2680

1 AN ACT TO CREATE NEW SECTION 41-20-12, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THAT IF A HEALTH CARE FACILITY RELINQUISHED ITS
3 CERTIFICATE OF NEED OR LICENSE FOR INPATIENT PSYCHIATRIC SERVICES
4 DUE TO CONVERSION FROM AN ACUTE CARE HOSPITAL OR CRITICAL ACCESS
5 HOSPITAL TO A RURAL EMERGENCY HOSPITAL IN ACCORDANCE WITH 42 CFR §
6 485.502, THE DEPARTMENT OF HEALTH MAY LICENSE THE PSYCHIATRIC
7 INPATIENT BEDS TO A SEPARATE ENTITY IF THE NEW APPLICANT IS
8 ASSOCIATED WITH THE RURAL EMERGENCY HOSPITAL; TO REQUIRE THE
9 DEPARTMENT OF HEALTH TO ISSUE A SEPARATE CERTIFICATE OF NEED TO
10 THE NEW ENTITY; TO REQUIRE THE RURAL EMERGENCY HOSPITAL AND THE
11 PSYCHIATRIC FACILITY TO MAINTAIN SEPARATION OF FACILITIES,
12 LICENSURE, OPERATIONS, FINANCES AND GOVERNANCE; AND FOR RELATED
13 PURPOSES.

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

15 **SECTION 1.** The following shall be codified as Section
16 41-20-12, Mississippi Code of 1972:

17 41-20-12. If any health care facility relinquished its
18 certificate of need or license for inpatient psychiatric services,
19 due to the facility converting from an acute care hospital or
20 critical access hospital to a rural emergency hospital in
21 accordance with 42 CFR § 485.502, the Department of Health may
22 license the psychiatric inpatient beds to a separate entity from
23 the rural emergency hospital so long as the new applicant is



24 associated with the rural emergency hospital. The Department of
25 Health shall issue a separate certificate of need to the new
26 entity. The rural emergency hospital and the psychiatric facility
27 must maintain separation of facilities, licensure, operations,
28 finances and governance.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2025.

