

By: Representative Ford

To: Military Affairs

HOUSE BILL NO. 432

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO  
 2 EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT  
 3 PROVIDES THAT THE STATE VETERANS AFFAIRS BOARD SHALL BE SOLELY  
 4 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE STATE  
 5 VETERANS HOME LOCATED IN COLLINS, MISSISSIPPI, AND SHALL NOT  
 6 CONTRACT FOR MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY  
 7 OR THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FOR THE  
 8 OPERATION OF THE HOME; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 35-1-21, Mississippi Code of 1972, is  
 11 amended as follows:

12 35-1-21. (1) Upon the establishment of the Mississippi  
 13 State Veterans Home, and any additional homes as may be  
 14 established, the Mississippi State Veterans Affairs Board is  
 15 hereby designated as the governing authority of any such  
 16 facilities. The operation and maintenance of all veterans homes  
 17 shall meet the standards of the United States Department of  
 18 Veterans Affairs with regard to the operation of state veterans  
 19 homes.

20 (2) The State Veterans Affairs Board may contract with  
 21 nongovernmental entities or the United States Department of  
 22 Veterans Affairs to operate state veterans homes. The board may  
 23 contract with the vendor whose proposal is most advantageous to  
 24 the state and veterans, taking into consideration cost factors,  
 25 program suitability factors, management plan, delivery of care and  
 26 service to residents, excellence of program design, key personnel,  
 27 corporate or company resources, financial condition of the vendor,  
 28 corporate experience and past performance, and any other  
 29 requirements deemed necessary by the board and expressed in its  
 30 solicitation for proposals. Contract(s) awarded under this



31 section may be for periods exceeding one (1) year. The board is  
32 not required to select the vendor offering the lowest cost  
33 proposal but shall select the vendor who, in the board's  
34 discretion, offers the proposal most advantageous to the State of  
35 Mississippi and veterans. When any contract is awarded, the  
36 reason(s) for the awarding of the contract shall be entered on the  
37 minutes of the board. The provisions of this paragraph shall  
38 supersede any rule or regulation of the State Personnel Board to  
39 the contrary.

40 (3) The State Veterans Affairs Board may, as permitted by  
41 federal laws or regulations, purchase from the United States  
42 Department of Veterans Affairs, from contracts established by the  
43 United States Department of Veterans Affairs, or through other  
44 sharing agreements between the board and the United States  
45 Department of Veterans Affairs, services, commodities, supplies  
46 and equipment for use in operation of, and provision of care to  
47 residents of, the state veterans homes when such purchases or  
48 agreements are advantageous to the veterans and the state.

49 (4) Beginning July 1, 2000, the State Veterans Affairs Board  
50 shall be solely responsible for the operation and maintenance of  
51 the state veterans home located in Collins, Mississippi, and shall  
52 not contract for management purposes with any nongovernmental  
53 entity or the United States Department of Veterans Affairs to  
54 operate the home. The State Veterans Affairs Board shall hire the  
55 administrator and all other personnel for the veterans home. The  
56 mission of the State Veterans Affairs Board in managing the  
57 Collins, Mississippi, facility shall be to provide domiciliary  
58 care and other related services for eligible veterans in the most  
59 cost efficient manner. On or before January 1, 2002, the State  
60 Veterans Affairs Board shall file a report with the Chairman of  
61 the Senate Veterans and Military Affairs Committee and the  
62 Chairman of the House Military Affairs Committee specifying its  
63 recommendations on whether to continue to manage the Collins,



64 Mississippi, home or to contract with a nongovernmental entity to  
65 operate the home. This subsection shall stand repealed from and  
66 after July 1, 2003.

67 (5) The State Department of Health shall perform an initial  
68 certification survey of the State Veterans Home in Collins,  
69 Mississippi, on or about July 1, 2000. The purpose of this  
70 initial survey is to provide a baseline for measuring the quality  
71 of care during the period for which this section applies. In  
72 addition to the initial certification survey, the State Department  
73 of Health shall, as appropriate and in its discretion, conduct  
74 periodic follow-up certification surveys, during the period for  
75 which this section applies, of the State Veterans Home in Collins,  
76 Mississippi.

77 **SECTION 2.** This act shall take effect and be in force from  
78 and after July 1, 2002.

