

By: Representative Montgomery (74th)

To: Public Health and Welfare

HOUSE BILL NO. 513

1 AN ACT TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE ASSESSMENT ON NURSING HOMES SHALL BE LEVIED
3 ONLY ON BEDS THAT ARE CERTIFIED FOR PARTICIPATION IN THE MEDICAID
4 PROGRAM; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-13-145, Mississippi Code of 1972, is
7 amended as follows:

8 43-13-145. (1) Upon each nursing facility licensed by the
9 State of Mississippi and each intermediate care facility for the
10 mentally retarded licensed by the State of Mississippi, there is
11 levied an assessment in an amount set by the division not
12 exceeding Two Dollars (\$2.00) per day, or fraction thereof, for
13 each patient in a licensed bed of the facility that is certified
14 for participation in the Medicaid program. The division may apply
15 for a waiver from the U.S. Secretary of Health and Human Services
16 to exempt nonprofit, public, charitable or religious facilities
17 from the assessment levied under this subsection, and if a waiver
18 is granted, such facilities shall be exempt from any assessment
19 levied under this subsection after the date that the division
20 receives notice that the waiver has been granted.

21 (2) The assessment levied under this section shall be
22 collected by the division each quarter beginning on July 1, 1992,
23 and shall be based on data for the quarter ending three (3) months
24 before the date the assessments are to be collected.

25 (3) All assessments collected under this section shall be
26 deposited in the Medical Care Fund created by Section 43-13-143.

27 (4) The assessment levied under this section shall be in
28 addition to any other assessments, taxes or fees levied by law.



29 (5) The assessment levied under this section shall
30 constitute a debt due the State of Mississippi from the time the
31 assessment is due until it is paid. If any facility liable for
32 payment of such assessment does not pay the assessment when it is
33 due, the division shall give written notice to the facility
34 demanding payment of the assessment within ten (10) days from the
35 date of delivery of the notice. Such notice shall be sent by
36 certified or registered mail or delivered to the facility by an
37 agent of the division. If any facility liable for the assessment
38 fails or refuses to pay it after receiving the notice and demand,
39 the division may withhold the Medicaid reimbursement payments that
40 are otherwise scheduled to be made to the facility from the time
41 the assessment is due until it is paid by the facility.

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

