

By: Representative Rogers

To: Military Affairs

HOUSE BILL NO. 777

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL BE SOLELY
 3 RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE STATE
 4 VETERANS HOMES LOCATED IN JACKSON, KOSCIUSKO AND OXFORD; TO
 5 PROHIBIT THE BOARD FROM CONTRACTING FOR MANAGEMENT PURPOSES WITH
 6 ANY NONGOVERNMENTAL ENTITY OR THE UNITED STATES DEPARTMENT OF
 7 VETERANS AFFAIRS TO OPERATE ANY OF THE STATE VETERANS HOMES; TO
 8 DIRECT THE BOARD TO FILE WITH CERTAIN LEGISLATIVE COMMITTEES, ON
 9 OR BEFORE JANUARY 1, 2004, A REPORT ON ITS RECOMMENDATIONS ON
 10 WHETHER TO CONTINUE MANAGING THE JACKSON, KOSCIUSKO AND OXFORD
 11 HOMES OR TO CONTRACT WITH A NONGOVERNMENTAL ENTITY TO OPERATE ANY
 12 OR ALL OF THE HOMES; TO PROVIDE THAT THE STATE DEPARTMENT OF
 13 HEALTH SHALL PERFORM AN INITIAL CERTIFICATION SURVEY OF THE STATE
 14 VETERANS HOMES IN JACKSON, KOSCIUSKO AND OXFORD TO PROVIDE A
 15 BASELINE FOR MEASURING THE QUALITY OF CARE; TO PROVIDE THAT THE
 16 DEPARTMENT SHALL CONDUCT PERIODIC FOLLOW-UP CERTIFICATION SURVEYS
 17 OF THE STATE VETERANS HOMES; AND FOR RELATED PURPOSES.

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

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

21 35-1-21. (1) Upon the establishment of the Mississippi
 22 State Veterans Home, and any additional homes as may be
 23 established, the Mississippi State Veterans Affairs Board is * * *
 24 designated as the governing authority of any of those facilities.
 25 The operation and maintenance of all veterans homes shall meet the
 26 standards of the United States Department of Veterans Affairs with
 27 regard to the operation of state veterans homes.

28 (2) The * * * board may contract with nongovernmental
 29 entities or the United States Department of Veterans Affairs to
 30 operate state veterans homes. The board may contract with the
 31 vendor whose proposal is most advantageous to the state and
 32 veterans, taking into consideration cost factors, program
 33 suitability factors, management plan, delivery of care and service
 34 to residents, excellence of program design, key personnel,



35 corporate or company resources, financial condition of the vendor,
36 corporate experience and past performance, and any other
37 requirements deemed necessary by the board and expressed in its
38 solicitation for proposals. Contract(s) awarded under this
39 subsection may be for periods exceeding one (1) year. The board
40 is not required to select the vendor offering the lowest cost
41 proposal but shall select the vendor who, in the board's
42 discretion, offers the proposal most advantageous to the State of
43 Mississippi and veterans. When any contract is awarded, the
44 reason(s) for the awarding of the contract shall be entered on the
45 minutes of the board. The provisions of this paragraph shall
46 supersede any rule or regulation of the State Personnel Board to
47 the contrary.

48 (3) The * * * board may, as permitted by federal laws or
49 regulations, purchase from the United States Department of
50 Veterans Affairs, from contracts established by the United States
51 Department of Veterans Affairs, or through other sharing
52 agreements between the board and the United States Department of
53 Veterans Affairs, services, commodities, supplies and equipment
54 for use in operation of, and provision of care to residents of,
55 the state veterans homes when those purchases or agreements are
56 advantageous to the veterans and the state.

57 (4) Beginning July 1, 2000, the * * * board shall be solely
58 responsible for the operation and maintenance of the State
59 Veterans Home located in Collins, Mississippi. Beginning July 1,
60 2002, the board shall be solely responsible for the operation and
61 maintenance of the state veterans homes located in Jackson,
62 Kosciusko and Oxford, Mississippi. The board shall not contract
63 for management purposes with any nongovernmental entity or the
64 United States Department of Veterans Affairs to operate any of the
65 state veterans homes. The * * * board shall hire the
66 administrators and all other personnel for the state veterans
67 homes. The mission of the * * * board in managing the Collins,



68 Jackson, Kosciusko and Oxford, Mississippi, facilities shall be to
69 provide domiciliary care and other related services for eligible
70 veterans in the most cost efficient manner. On or before January
71 1, 2002, the * * * board shall file a report with the Chairman of
72 the Senate Veterans and Military Affairs Committee and the
73 Chairman of the House Military Affairs Committee specifying its
74 recommendations on whether to continue to manage the Collins,
75 Mississippi, home or to contract with a nongovernmental entity to
76 operate the home. On or before January 1, 2004, the board shall
77 file a report with the Chairman of the Senate Veterans and
78 Military Affairs Committee and the Chairman of the House Military
79 Affairs Committee specifying its recommendations on whether to
80 continue managing the Jackson, Kosciusko and Oxford, Mississippi,
81 homes or to contract with a nongovernmental entity to operate any
82 or all of the homes. This subsection shall stand repealed from
83 and after July 1, 2004.

84 (5) The State Department of Health shall perform an initial
85 certification survey of the State Veterans Home in Collins,
86 Mississippi, on or about July 1, 2000. The State Department of
87 Health shall perform an initial certification survey of the state
88 veterans homes in Jackson, Kosciusko and Oxford, Mississippi, on
89 or about July 1, 2002. The purpose of these initial surveys is to
90 provide a baseline for measuring the quality of care during the
91 period for which this section applies. In addition to the initial
92 certification surveys, the State Department of Health shall, as
93 appropriate and in its discretion, conduct periodic follow-up
94 certification surveys, during the period for which this section
95 applies, of the state veterans homes in Collins, Jackson,
96 Kosciusko and Oxford, Mississippi.

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

