

By: Senator(s) Furniss, Gordon

To: Veterans and Military
Affairs; Appropriations

SENATE BILL NO. 2425

1 AN ACT TO AMEND SECTION 35-1-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD MAY OPERATE AND
3 MAINTAIN THE STATE VETERANS HOMES WITHOUT CONTRACTING FOR
4 MANAGEMENT PURPOSES WITH ANY NONGOVERNMENTAL ENTITY OR THE UNITED
5 STATES DEPARTMENT OF VETERANS AFFAIRS TO OPERATE THE HOMES; TO
6 AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO HIRE THE
7 ADMINISTRATORS AND ALL OTHER PERSONNEL FOR THE VETERANS HOMES IN
8 SUCH INSTANCES; 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) The State Veterans Affairs Board may operate and
50 maintain the state veterans homes without entering into any
51 contract for management purposes with any nongovernmental entity
52 or the United States Department of Veterans Affairs to operate the
53 homes. In such instances, the State Veterans Affairs Board shall
54 be solely responsible for the operation and maintenance of the
55 state veterans homes and shall hire the administrators and all
56 other personnel for the veterans homes. The mission of the State
57 Veterans Affairs Board in managing the state veterans homes shall
58 be to provide domiciliary care and other related services for
59 eligible veterans in the most cost efficient manner. * * *

60 (5) The State Department of Health shall perform an initial
61 certification survey of the State Veterans Home in Collins,
62 Mississippi, on or about July 1, 2000. The purpose of this
63 initial survey is to provide a baseline for measuring the quality



64 of care during the period for which this section applies. In
65 addition to the initial certification survey, the State Department
66 of Health shall, as appropriate and in its discretion, conduct
67 periodic follow-up certification surveys, during the period for
68 which this section applies, of the State Veterans Home in Collins,
69 Mississippi.

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

