

By: Representative Scott

To: Public Health and Human Services

HOUSE BILL NO. 951

1 AN ACT TO CREATE NEW SECTION 41-9-20, MISSISSIPPI CODE OF  
 2 1972, TO PROVIDE THAT A PATIENT OF A RURAL HOSPITAL SHALL BE  
 3 ADMITTED TO A MAJOR HOSPITAL WHEN A DOCTOR OF SUCH RURAL HOSPITAL  
 4 DEEMS IT IS MEDICALLY NECESSARY TO TRANSFER SUCH PATIENT TO THE  
 5 EMERGENCY ROOM OF A MAJOR HOSPITAL; TO PROVIDE THAT THE STATE  
 6 DEPARTMENT OF HEALTH SHALL PRESCRIBE RULES AND REGULATIONS THAT  
 7 PROVIDE WHAT SITUATIONS SHALL BE CONSIDERED MEDICALLY NECESSARY IN  
 8 COMPLIANCE WITH THIS ACT; TO PROVIDE CERTAIN PROVISIONS THAT THE  
 9 DEPARTMENT MUST CONSIDER IN ADOPTING SUCH RULES; AND FOR RELATED  
 10 PURPOSES.

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

12 **SECTION 1.** The following shall be codified as Section  
 13 41-9-20, Mississippi Code of 1972:

14 41-9-20. (1) For purposes of this section, the following  
 15 terms shall be defined as provided in this subsection:

16 (a) "Rural hospital" means a licensed Mississippi  
 17 hospital that has fifty (50) or fewer licensed general acute,  
 18 nonspecialty beds.

19 (b) "Major hospital" means a licensed Mississippi  
 20 hospital that has fifty (50) or more licensed general acute,  
 21 nonspecialty beds.



22 (2) A patient of a rural hospital shall be admitted to an  
23 emergency room of a major hospital when a doctor of such rural  
24 hospital deems it is medically necessary to transfer such patient  
25 to the major hospital.

26 (3) The State Department of Health shall prescribe rules and  
27 regulations that provide what situations shall be considered  
28 medically necessary in compliance with this section. In adopting  
29 such rules, the department shall consider the following:

30 (a) Disparities between a rural hospital and a major  
31 hospital that could increase the patient's likelihood of having an  
32 adverse health reaction if the patient stayed at the rural  
33 hospital;

34 (b) Chronic conditions that may be better treated in  
35 major hospitals;

36 (c) Emergency conditions that may be better treated in  
37 major hospitals;

38 (d) Procedures for transfer that ensure efficiency and  
39 the best possible health outcome for the patient.

40 **SECTION 2.** This act shall take effect and be in force from  
41 and after July 1, 2024.

