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Chapter No. 444

11/HR40/R621

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## ***HOUSE BILL NO. 340***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 340

AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION THAT ESTABLISHES A MORATORIUM ON PROCESSING NEW APPLICATIONS FOR HOSPICE LICENSURE UNTIL ALL CURRENT LICENSES AND THEIR BRANCHES HAVE BEEN SURVEYED, WITH CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 41-85-7, Mississippi Code of 1972, is amended as follows:

41-85-7. (1) The administration of this chapter is vested in the Mississippi Department of Health, which shall:

(a) Prepare and furnish all forms necessary under the provisions of this chapter in relation to applications for licensure or renewals thereof;

(b) Collect in advance at the time of filing an application for a license or at the time of renewal of a license a fee of One Thousand Dollars (\$1,000.00) for each site or location of the licensee;

(c) Levy a fee of Eighteen Dollars (\$18.00) per bed for the review of inpatient hospice care;

(d) Conduct annual licensure inspections of all licensees which may be the same inspection as the annual Medicare certification inspection; and

(e) Promulgate applicable rules and standards in furtherance of the purpose of this chapter and may amend such rules as may be necessary. The rules shall include, but not be limited to, the following:

(i) The qualifications of professional and ancillary personnel in order to adequately furnish hospice care;

(ii) Standards for the organization and quality of patient care;

(iii) Procedures for maintaining records; and

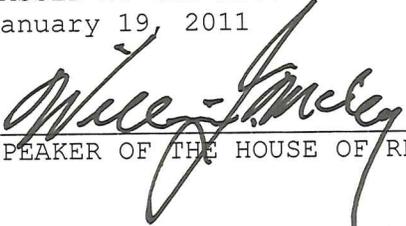
(iv) Provision for the inpatient component of hospice care and for other professional and ancillary hospice services.

(2) All fees collected by the department under this section shall be used by the department exclusively for the purposes of licensure, regulation, inspection, investigations and discipline of hospices under this chapter.

(3) The State Department of Health shall not process any new applications for hospice licensure after January 2007 until the department can substantiate that all current licenses and their branches have been surveyed in conjunction with rules and regulations set forth by the department to survey such licenses and branches. Existing satellite branch offices seeking licensure as required under Section 105.05 of the Minimum Standards of Operation for Hospice are exempt from this subsection. This subsection (3) shall stand repealed on July 1, 2014.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2011.

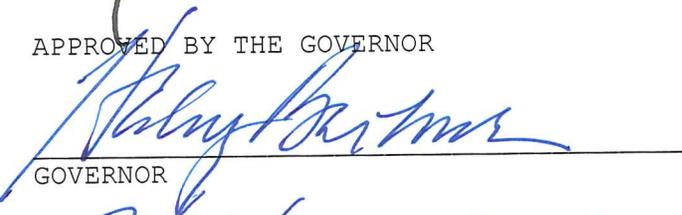
PASSED BY THE HOUSE OF REPRESENTATIVES  
January 19, 2011

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 9, 2011

  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
GOVERNOR

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