

4/25 3:50p

Chapter No. 553  
13/HR40/R468SG  
gab / cst

***HOUSE BILL NO. 411***

Originated in House  Clerk

HOUSE BILL NO. 411

AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE STATE DEPARTMENT OF HEALTH FROM PROCESSING ANY NEW APPLICATIONS FOR HOSPICE LICENSURE OR ISSUING ANY NEW HOSPICE LICENSES, EXCEPT RENEWALS, UNLESS THE APPLICATION WAS PENDING ON MARCH 1, 2013; TO EXTEND THE DATE OF THE REPEALER ON THIS PROVISION; 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 \* \* \* or issue any new hospice licenses, except renewals, unless the application for a new

hospice license was pending with the department on March 1, 2013.

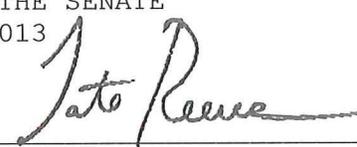
This subsection (3) shall stand repealed on July 1, 2015.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 30, 2013

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 2, 2013

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

4-25-13  
3:50pm