

## MEMORANDUM

**TO:** Therese Hanna, Executive Director  
Center for Mississippi Health Policy

**FROM:** Baker, Donelson, Bearman, Caldwell and Berkowitz

**DATE:** December 3, 2015

**RE:** Analysis of UMMC Governance Alternatives

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### Background

The University of Mississippi Medical Center (“UMMC”) is an academic health center (“AHC”) located in Jackson, Mississippi. Specifically, it is the academic health sciences campus of the University of Mississippi. UMMC was created by law in 1950 by the Mississippi legislature, subsequently opened on July 1, 1955, has grown to a \$1.6 billion enterprise and is Mississippi’s only AHC.

As a part of the University of Mississippi, UMMC is subject to the control of and oversight by Mississippi’s Board of Trustees of the Institutions of Higher Learning (the “IHL” or “IHL Board”). The IHL Board is a constitutionally established body that oversees degree-credit courses, research, public service activities, and programs across Mississippi’s eight public universities, including the University of Mississippi and UMMC. Therefore, UMMC governance is ultimately subject to the policies and procedures of the IHL Board. *Veralon Paper*, p. 5 and App. D; Miss. Const. Art. 318A; Miss. Code Ann. § 37-101-1 et seq.

IHL has a Health Affairs Committee that is tasked with, among other responsibilities, analysis and recommendations regarding UMMC issues. The committee meets for two hours before each IHL Board meeting to discuss matters solely related to UMMC. Although designated as a committee of IHL, the committee is currently made up of all members of the IHL Board.

The legislature appropriates funding directly to UMMC. For Fiscal Year 2016, approximately ten percent of the funds appropriated to UMMC are State General Funds. The remainder of the appropriation is derived from other sources such as patient fees, student fees, grants, contracts and other special source funds.

At the request of the Center for Mississippi Health Policy, Veralon prepared a report entitled “Analysis of Governance Models for Academic Health Centers” to support Mississippi legislators in making highly informed, precedent-and-evidence-based decisions regarding the future of AHC governance in Mississippi. Veralon analyzed the current state of governance at UMMC by interviewing representatives from all relevant stakeholder groups and reviewing UMMC governance structure and polices and provided an overview of the current status in its report. Veralon’s report then provided national context on university and AHC governance, specifically model alternatives and best practices, which were derived from a literature review

and interviews with leaders of other AHCs nationally. Finally, after analyzing current UMMC governance and national best practices and governance models, Veralon identified governance model options for UMMC and key considerations for policy makers.

The Center for Mississippi Health Policy requested that we review Veralon's report and determine how the alternative governance structures could be accomplished based on existing legislation and IHL's bylaws. As discussed below, certain changes would require legislative action, while others could be accomplished through amendments to IHL's bylaws and policies.

## **Overview**

In its report, Veralon proposed four options for UMMC's governance structure. The options are summarized below.

Option 1, Modification within Existing Structure: In this alternative structure, the current Health Affairs Committee of the IHL would include a smaller number of IHL board members and add a small number of selected external members including local or national health care business leaders, physicians with academic medical center experience, and other industry focused members. The IHL board would delegate select, specific authorities related to AHC operations to the revamped Health Affairs Committee and UMMC's senior leadership team. The IHL Board would focus mainly on UMMC's strategic issues. The IHL Board would increase the threshold for IHL approval for contract award approvals to \$750,000 (from the current \$250,000).

Option 2, Distinct UMMC Advisory Board with Limited Delegated Authority: The second alternative proposed that the IHL Board create a new UMMC Advisory Board that would operate separately from the existing Health Affairs Committee (which would continue in basically the same manner). The new UMMC Advisory Board would be comprised of health system leadership, physicians with academic experience, other national healthcare leaders, the Chair of the IHL Health Affairs Committee (or other IHL representative) and University of Mississippi representation. The Advisory Board's focus would be primarily operational while the IHL Board would focus on strategic planning, although the Advisory Board may be granted "review and recommend" responsibilities related to select strategic and financial decision-making. The operational duties of the Advisory Board would include oversight of clinical and operational issues, such as quality management, physician credentialing, and other similar items. This option would allow more operational decision making to occur at the Advisory Board level.

Option 3, Distinct UMMC Board with Significant Delegated Authority: Option 3 takes Option 2 one step further, by dissolving the current Health Affairs Committee and creating a new UMMC Board of Trustees. The new Board of Trustees would be comprised mostly of health system leadership, physicians with academic experience and other health care experts, and possibly IHL and University of Mississippi representation. The Board of Trustees would have authority for daily operational decisions and the majority of strategic and financial decisions for UMMC. While the Board of Trustees would report to and remain under the oversight of the IHL, the oversight would be limited to resolving issues unable to be resolved by the Board of Trustees and approving significant strategic issues, such that the IHL's involvement with UMMC governance would be mostly ratifying decisions recommended by the Board of Trustees.

Option 4, Creation of Bifurcated Model - Hospital Authority Model: Finally, under Option 4, UMMC's clinical and academic/research functions would be separated. A distinct governance structure created as a Hospital Authority Board populated by University of Mississippi and UMMC leadership would govern the clinical enterprise, with no IHL representation or direct governance. UMMC's academic and research functions would remain with the University of Mississippi and therefore under the governance authority of IHL.

## **Review and Analysis**

### **1. General Duties of IHL Board.**

UMMC is part of the University of Mississippi and is therefore under the control of the IHL Board. The IHL Board's authority comes from Mississippi Constitution Section 213A and a variety of legislatively granted powers set forth in Miss. Code Ann. sections 37-101-1 through section 37-146-21.<sup>1</sup> The IHL also acts pursuant to its Bylaws and policies available on its website, [www.mississippi.edu](http://www.mississippi.edu). Mississippi Constitution section 213A mandates that Mississippi's state institutions of higher learning "shall be under the management and control" of the IHL Board. This mandate is duplicated in section 37-101-1 of the Mississippi Code, with further requirements for qualifications of board members, board organization, compensation, and other authority is set forth in the remaining sections of Title 37.

For purposes of this memo, however, the IHL Board's primary duties are authorized at section 37-101-15, and these primary duties are further spelled out in the IHL Board Bylaws and Policies. Section 37-101-15 specifically authorizes the following:<sup>2</sup>

(a) ...authority to have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions...

(b) "[G]eneral supervision" of the affairs of all the institutions of higher learning, including the departments and the schools thereof...[including] the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; *and all other matters incident to the proper functioning of the institutions....* (emphasis added); See IHL Bylaws § 201.0504.

(c) The board shall exercise all the powers and prerogatives conferred upon it under the laws establishing and providing for the operation of the several institutions herein specified. The board shall adopt such bylaws and regulations from time to time as it deems expedient for the proper supervision and control of the several institutions of higher learning, insofar as such bylaws and regulations

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<sup>1</sup> See Addendum 1 at end of this memorandum summarizing all legislative authority.

<sup>2</sup> The language of section 37-101-15 is not set forth in its entirety.

are not repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established....”

(d) [T]he board shall provide a uniform system of recording and of accounting approved by the State Department of Audit [and] shall annually prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding year.... All relationships and negotiations between the State Legislature and its various committees and the institutions ...shall be carried on through the board of trustees....

(e) [T]he board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective institutions....

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term of not exceeding four (4) years....

(g) The board shall keep complete minutes and recordings of all proceedings which shall be open for inspection by any citizen of the state.

(h) The board shall have the power to enter into an energy performance contract, energy services contract, a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as prescribed in Section 31-7-14.

*See also IHL Bylaws.*

Section 102.02 of the Bylaws confirms that the purpose of the IHL Board is to manage and control Mississippi's eight institution of higher learning in accordance with the Constitution and to see that the IHL System mission is accomplished. To do so, the Bylaws state that the IHL Board “will operate a coordinated system of higher education, *establish prudent governance policies*, employ capable chief executives, and require legal, fiscal and programmatic accountability,” annually reporting to the Legislature and the citizenry on the needs and accomplishments of the IHL System. (emphasis added).

(a) Commissioner and IHL Staff. Mississippi Code section 37-101-7 authorizes the IHL Board to appoint a nonmember as Commissioner of Higher Education (the “Commissioner”). The Commissioner maintains an office and is responsible to the IHL Board, in part, to “make constant inquiry into the problems of higher education, to survey and study carefully the organization, management and all other affairs of each institution, ... to report on all findings and recommend such changes as will increase efficiency and economy in the operation of each institution, and to perform such other duties as the board may prescribe.” Further, the IHL Board is authorized to employ other personnel as may be required to carry out the functions of the board. *See IHL Bylaws § 201.02 to 201.0202.*

(b) Committees. Authority for IHL committees comes from IHL's general duties authorized by the legislature. Section 301.03 of the IHL Board Bylaws sets forth the procedure for establishing committees as follows:

A. The Board by formal action and/or the President may establish standing, special, or advisory committees *as deemed appropriate to carry out the duties, obligations and functions of the Board*. (emphasis added). The members and a chair of each are to be appointed by the President and approved by a majority vote of the Board.

B. These committees may be assisted by the Commissioner and his/her staff.

C. The committees may meet at such times and locations as deemed appropriate by the designated chairman of the committee.

D. The respective committees shall report to the Board their recommendations for the consideration of the Board, but committee action or approval is not required prior to approval or action by the board.

While legislation does not specifically state that the IHL Board has authority to form committees, under the IHL Board's general supervision obligations, committees are a usual and customary manner in which to assess certain projects and needs of the eight IHL institutions. However, while 301.03 (A) itself authorizes the IHL Board to establish committees as necessary to carry out IHL Board duties, obligations and functions, under 301.03 (D), the IHL Board itself retains full decision-making authority over the issues assigned to various committees. The Health Affairs Committee is one of these committees, although it is unclear whether the committee was formed as a standing, special or advisory committee.

(c) Budget and other Financial Needs. Mississippi Code Section 37-101-15 authorizes the IHL Board to supervise, have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes for the use, benefit, and support of the institutions of higher learning. The IHL Board is also required to prepare a budget for each IHL institution and provide a uniform system of recording and of accounting approved by the State Department of Audit, and report to the legislature each year the disbursements of all monies appropriated to the IHL institutions. However, in addition to funds requested by IHL, UMMC typically receives direct appropriations from the legislature.

Section 700 of the IHL Board bylaws outline how the finance and business operations of IHL work. Specifically, section 701.02 states that all appropriations for use of IHL institutions are received by the IHL Board as a lump sum. The IHL Board then allocates and distributes such appropriations among the eight institutions as budgeted. Further, under section 701.03, the IHL Board presents an annual budget request to the legislature on behalf of the eight IHL institutions. The budget is established using a formula called the Adequate Funding Model, described in section 701.01 of the bylaws. The budget, based on the Adequate Funding Model, is prepared

and submitted for approval by the IHL Board as an annual request for allocations of funds appropriated by the Legislature.<sup>3</sup>

## **2. Necessary Legislative or Bylaw Amendment/Revision**

As stated above, Mississippi Code Section 37-101-15 authorizes the IHL Board to maintain “general supervision” of the affairs of all of the institutions of higher learning, including “the departments and schools thereof.” “General supervision” is not defined, but section 37-101-15 does further state that such supervision includes but is not limited to facilities, business methods and arrangements of accounts and records, administration, minimum standards of achievement, accounting, budgets, working with the legislature, staffing, and all other matters incident to the proper functioning of the institutions. The IHL Board is further authorized to exercise all powers conferred upon it and to adopt bylaws and regulations as necessary for the proper supervision and control of the eight institutions, so long as such bylaws and regulations “are not repugnant to the Constitutions and laws, and not inconsistent with the object for which these institutions were established.” Miss. Code Ann. § 37-101-15 (a)-(c).

Therefore at first glance, as long as the IHL Board continues to provide “general supervision” of such activities of UMMC, it could possibly implement options 1, 2 or 3 through revisions to the IHL Board's Bylaws and policies without requiring a significant amount of legislative change. Nowhere does the legislature mandate, for example, that the IHL Board maintain decision making authority over operational issues, or strategic planning issues. While the IHL Board may need to retain authority over such issues on some level in order to provide the “general supervision” required above, it should be able to accomplish such requirement, while relinquishing some control as set forth in options 1-3, through Bylaw and policy changes, especially if such authority is delegated to a committee. However, while option 1 most likely does not require legislative amendment, because bylaws, regulations and policies are relatively easy to amend, legislative guidance and amendment may help establish appropriate parameters under which options 2 or 3 may be established. Further, legislative amendment is probably required to allow option 3 to be established, and definitely required to implement option 4. Finally, because the IHL Board can establish but also disband a committee, the committee structure, without more permanent legislative authority, may not have practical viability due to the uncertainty of the structure since the IHL Board could disband the committee at any time.

(a) Option 1. Option 1 envisions retaining the current Health Affairs Committee, shifting the membership of that committee from solely IHL members to a smaller number of IHL board members and a small number of local or national health care business leaders, physicians, and others with academic medical center experience. The Health Affairs Committee would be authorized to make certain specific operational decisions, including contract awards up to \$750,000. However, most decision making authority would remain with the IHL Board. For this reason, the authority should be delegated through an update to the Bylaws and a new specific policy for the Health Affairs Committee that spells out its obligations and authority, including when the IHL Board as a whole should intervene.

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<sup>3</sup> Note that the Legislature has no constitutional obligation to appropriate the funds requested.

(b) Option 2. Under option 2, the IHL would retain the current Health Affairs Committee and also establish a new UMMC Health Advisory Board that would operate separately from the Health Affairs Committee. The Advisory Board's focus would primarily be operational, including oversight of clinical and operational issues. IHL's focus would remain on strategic planning. As under option 1, the Advisory Board could approve contract awards up to \$750,000, and IHL would maintain oversight over clinical and operational issues; however, certain decisions could be made without full Board approval.

Because the Legislature has granted the IHL the authority to maintain general supervision of all IHL institutions, the question is whether the implementation of option 2 by the IHL through bylaw and policy change alone is not “repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established.” This question is probably answered by determining exactly how much autonomy the new Advisory Board is given. Under its Bylaws, the IHL Board can establish standing committees that report their recommendations to the IHL Board; however, the IHL Board maintains decision making authority, not the committee. Therefore, in order for the IHL Board to retain such decision making authority, it would either have to relinquish such authority in limited, specific areas (such as the contract approval to \$750,000), or have final approval (or veto rights) over decisions made by the Advisory Board. Because of time constraints and other issues as sighted in the Veralon Paper, this may not resolve issues needed to be resolved. For this reason, and because it is not clear whether such delegation of authority would fit within the IHL Board's authority, legislative amendment would most likely be required. Further, although authority could be delegated to a committee, as stated above, the committee could be disbanded at any time unless mandated by the legislature.

A starting point for legislative amendment would be section 37-101-15. Specifically, language could be added authorizing the IHL Board to establish a Health Advisory Board and define its purpose, to nominate and confirm individuals for membership on the Health Advisory Board (including term and professional requirements), and specify either the exact authority of such committee, or grant the IHL the authority to establish the Committee's exact authority and duties. Similar adjustments would need to be made to IHL's Bylaws, including the ability of the IHL to hire additional staff persons as deemed necessary to support the Health Advisory Board. The Health Advisory Board may also need to create its own set of bylaws and policies that complement those of the IHL Board. *See* Addendum 1 for a list of applicable statutes and whether or not amendment would be required.

(c) Option 3. Option 3 contemplates removing almost all of the decision making authority over UMMC from the IHL Board and granting it to a new UMMC Board of Trustees, including both operational and most strategic planning issues. UMMC would remain under the general supervision of the IHL, as it would retain final authority and approval over the Board of Trustees, but the IHL Board would mainly be ratifying decisions recommended by the new Board of Trustees. Because the IHL Board's control would be significantly limited, legislative approval and action would be required.

The necessary legislative action would be similar to that discussed above for option 2. Further, as in option 2, the legislature would need to determine all other statutory sections that

need to be amended to assure the new Board of Trustees authority over all issues as appropriate. *See* Addendum 1 for a list of applicable statutes and a starting point for whether or not amendment would be required.

(d) Option 4. Option 4 contemplates removing UMMC's clinical enterprise from IHL and creating a board of distinct governance structure populated by University of Mississippi and UMMC leadership to govern UMMC's clinical operations. UMMC's academic and research components would remain a part of the University of Mississippi and thus under IHL governance. The structure for this option would require significant legislative action to authorize the board, separate UMMC's clinical and academic/research functions, and confirm that UMMC's clinical enterprise would retain its identity as a state facility and its ability to receive state funding. Budget, funding and appropriations would need to be considered, although the direct appropriations historically received by UMMC would provide a vehicle for the necessary funding.



**Addendum 1**

<b>Constitutional or Legislative Section</b>	<b>General Provisions</b>	<b>Possible Amendment to Implement Options 2 or 3</b>	<b>Possible Bylaw Revision</b>	<b>If yes, how or why?</b>	<b>Corresponding IHL Bylaw or Policy</b>
Miss. Const. § 213A Miss. Code Ann. § 37-101-1	Authorizes that the state institutions of higher learning in Mississippi (including U. of MS (Ole Miss)) shall be under the management and control of the Board of Trustees of State Institutions of Higher Learning (IHL)	Probably no - IHL still maintains authority over UMMC	Probably no		Bylaw § 101
Miss. Const. § 213A Miss. Code Ann. § 37-101-3 Miss. Code Ann. § 37-101-5	Appointment and terms of office of members of IHL and meeting attendance	No	Yes	Include meeting terms and requirements for new Health Advisory Board or new Board of Trustees.	Bylaw § 200
Miss. Code Ann. § 37-101-7	Organization of IHL Board and employment of Commissioner and other personnel	Yes	Yes	If option 2, consider if the Health Advisory Board requires staff assistance; If option 3, staff assistance probably would be needed and possible legislative authority should be considered. Such authority should be granted in the Bylaws.	Bylaw § 200
Miss. Code Ann. § 37-101-9	Compensation of IHL Board and meeting	Yes	Yes	To clarify what compensation, if any, is provided to either the Health Advisory Board (option 2) or new Board of Trustees (option 3).	Bylaw § 201.03 and 201.04

Miss. Code Ann. § 37-101-13	Study of role and scope of institutions and all programs of study, degrees and courses offered and authority to make changes if necessary	No	No		Bylaw § 201.05
Miss. Code Ann. § 37-101-15	General powers and duties of IHL Board - gives "general supervision" of the IHL board of the affairs of all the institutions of higher learning "including the departments and schools thereof." Includes but not limited to facilities, business methods and arrangement of accounts and records, administration, minimum standards of achievement, accounting, budgets, working with the legislature, employment of administrators and teaching staff	Yes	Yes	Although the language states "general supervision," to implement options 2 or 3, may need to clarify that certain decisions or practices may be left partially or fully to a distinct UMMC Advisory Board or Board of Trustees and specifically what such authority is.	Bylaw § 201.0502 - 201.0504 and 201.0506; Bylaws §§ 400 - 800
Miss. Code Ann. § 37-101-16	Development of manpower management system for all institutions to monitor all employees and information ranging from position to salary to SS#, etc.	No	No		
Miss. Code Ann. § 37-101-31	Authorizes IHL to establish reserve fund to receive fund for purpose of guaranteeing payment of loans obtained by students from public or private lenders or banks	No	No		Bylaws § 700
Miss. Code Ann. §§ 37-101-41 to 37-101-47	Authorizes IHL to lease land at certain institutions for construction, renovation, furnishing, maintaining and equipping of auxiliary facilities by private financing; lease terms; compliance with certain building code standards; maximum percentage of land to be leased; authority to enter into agreements in connection with operations of auxiliary facilities	No if option 2; possibly yes if option 3	No	If new Board of Trustees under Option 3 is granted decision making authority over strategic issues, possible amendment is needed.	Bylaws § 900

Miss. Code Ann. §§ 37-101-61 to 37-101-71	Authorization and procedure for organization of nonprofit educational building corporations	No if option 2; possibly yes if option 3		If new Board of Trustees under Option 3 is granted decision making authority over strategic issues, possible amendment is needed.	Bylaws § 900
Miss. Code Ann. § 37-101-81	Establishes IHL Repair and Renovation Fund appropriated by the Legislature for repair, renovation and improvement of existing facilities under the control of the IHL.	No if option 2; possibly yes if option 3	Possibly yes	If new Board of Trustees under Option 3 is granted decision making authority over strategic issues, possible amendment is needed.	Bylaws § 900
Miss. Code Ann. §§ 37-101-91 to 37-101-103	Authority of IHL to borrow money for construction, repair, etc. of facilities	No if option 2; possibly yes if option 3		If new Board of Trustees under Option 3 is granted decision making authority over strategic issues, possible amendment is needed.	Bylaws § 900
Miss. Code Ann. §§ 37-101-121 to 37-101-125	Authorization of investments of funds derived or made available for purpose of constructing, etc. dormitories or housing facilities	No	No		Bylaws § 900
Miss. Code Ann. §§ 37-101-141 to 161	Authorization over sale of timber and mineral leases	No	No		Bylaws § 900
Miss. Code Ann. § 37-101-181	Academic leave for faculty members	No (this code section does not apply to Ole Miss or UMMC)			Bylaws § 408
Miss. Code Ann. § 37-101-183	Sabbatical leave for faculty members	Possibly yes		Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3.	Bylaws § 408
Miss. Code Ann. § 37-101-185	Employment of technical and professional assistance for supervision of work relating to physical facilities	Possibly yes		Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3.	

Miss. Code Ann. §§ 37-101-241 to 37-101-243	Authorizes commission on college accreditation	No		Bylaws § 500
Miss. Code Ann. § 37-101-279	Suits against parties defaulting on educational loans or scholarships			Bylaws § 700; 1100
Miss. Code Ann. § 37-101-283	Compliance with federal selective service law as condition to loan and scholarship eligibility			Bylaws § 700
Miss. Code Ann. §§ 37-101-285 to 37-101-293	Authorizes program for paid educational leave for study of certain health care professions and other educational pursuits	Possibly yes	Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3.	Bylaws § 400
Miss. Code Ann. §§ 37-101-301 to 37-101-331	Authorizes issuance of general obligations bonds for various institutions of higher learning	No		Bylaws § 700, 900
Miss. Code Ann. §§ 37-101-351 to 37-101-357	Authority to establish executive institute	No		
Miss. Code Ann. § 37-101-413	Authorizes IHL to establish an equipment leasing and purchase program for the use of state institutions of higher learning and requires all such institutions to purchase, lease or lease-purchase equipment involving expenditures of more than \$5000 to procure such equipment under such program with limited exception	Possibly yes	Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3.	Bylaws § 700, 900
Miss. Code Ann. §§ 37-102-1 to 37-102-17	Authorizes the establishment of off-campus instructional programs	Possibly yes	Possibly if falls under strategic planning authority granted Board of Trustees under Option 3.	Bylaws § 500

Miss. Code Ann. §§ 37-103-1 to 37-103-29	Authorization to determine residency and fees of students attending or applying for admission to educational institutions	No			Bylaws § 600
Miss. Code Ann. §§ 37-104-1 to 37-104-49	Mississippi educational facilities authority act for private, nonprofit institutions of higher learning	No			Bylaws § 1100
Miss. Code Ann. § 37-105-1 to 37-105-9	Authorizes IHL to enact traffic rules and regulations	Possibly yes			Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3. Bylaws § 700
Miss Code Ann §§ 37-106-1 through 37-106-75 , §§ 37-144-1 through 37-144-5, §§ 37-146-1 to 37-146-21	Authorizes IHL to provide post-secondary education financial assistance, including certain forgivable loans in return for students contractual obligation to perform professional services under location, duration, mode of service and institution requirements.	Possibly yes	No		Depends on how this relates to UMMC and if any authority is given to the new Health Advisory Board or Board of Trustees.
Miss Code Ann §§ 37-111-1 to 37-111-13	Authorization over fraternities, sororities and other societies	No			
Miss. Code Ann. §§ 37-115-23 to 37-115-25	Establishes UMMC as a department of the University of Mississippi.	No	No		
Miss. Code Ann. §§ 37-115-27 to 37-115-33	Authorization for the state building commission to develop buildings for nursing school under such rules and regulations promulgated by the IHL	No	No		

Miss. Code Ann. § 37-115- 35	Authorizes IHL to establish the Fielding L. Wright Memorial Health Fund consisting of money appropriated by legislature or funds received by donation, gift, legacy or otherwise the interest of which shall be expended by the staff of UMMC for medical research.	Possibly yes	Possibly if falls under operational authority granted to new Advisory Board under Option 2 or Board of Trustees under Option 3.
Miss. Code Ann. § 37-115- 41	Mandates criminal history record checks and fingerprinting required for new employees providing direct patient care; disciplinary checks with professional licensing agencies; applicants aggrieved by employment decision based on criminal history record check may show mitigating circumstances; immunity for employment decisions made in compliance with this section	No	
Miss. Code Ann. § 37-115- 43	Authority to create Center of Excellence; purpose; programs, services, major research initiatives; Children's Safe Center Fund created	No	
Miss. Code Ann. § 37-115- 45	Mississippi Burn Center; establishment; funding	Possibly yes	Possibly if falls under strategic planning authority granted Board of Trustees under Option 3.
Miss. Code Ann. § 37-115- 47	Authorization to dispose of properly preserved food through charitable donation	No	
Miss. Code Ann. § 37-115- 49	University of Mississippi Medical Center - ACT Center Fund created; purpose	No	

Miss. Code Ann. §§ 37-115-51 et seq and 37-115-101 et seq.	Establishes the UMMC school of nursing and school of dentistry	No	No
Miss. Code Ann. chapter 37, sections 117 to 127, sections 131 to 141	Relating to other institutions of higher learning, student teachers, technical institutes, school for mathematics and science, school for the arts, university research center	No	
Miss. Code Ann. §§ 37-145-1 to 37-145-73	Authorizing establishment of Mississippi Opportunity Loan Program Act	No	
Miss. Code Ann. chapter 37, sections 148 through 181	Includes Miss University Research authority Act, MAEP, college savings plans of Mississippi, student teacher programs, Dyslexia therapy scholarship, literacy-based promotion act, equal opportunity for students with special needs act, among others not related directly to Ole Miss or UMMC	No	