

By: Senator(s) Bean, Simmons, Posey,
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(24th), Carlton, Woodfield, Jackson, Thames

To: Public Health and
Welfare;
Appropriations

SENATE BILL NO. 2500
(As Passed the Senate)

1 AN ACT TO CREATE THE MISSISSIPPI QUALIFIED HEALTH CENTER
2 GRANT PROGRAM TO PROVIDE SERVICE GRANTS TO MISSISSIPPI QUALIFIED
3 HEALTH CENTERS; TO PROVIDE THAT SUCH PROGRAM SHALL BE ADMINISTERED
4 BY THE STATE DEPARTMENT OF HEALTH; TO PRESCRIBE THE PROCEDURE TO
5 APPLY FOR SERVICE GRANTS; TO PROVIDE THE PURPOSES FOR WHICH SUCH
6 GRANTS MAY BE USED; TO ESTABLISH AN ADVISORY PANEL TO REVIEW AND
7 MAKE RECOMMENDATIONS ON THE AWARDING OF SERVICE GRANTS; TO CREATE
8 A SPECIAL FUND TO BE KNOWN AS THE MISSISSIPPI QUALIFIED HEALTH
9 CENTER GRANT PROGRAM INTO WHICH ALL MONEY RECEIVED FROM
10 LEGISLATIVE APPROPRIATION PURSUANT TO THIS ACT SHALL BE DEPOSITED;
11 AND FOR RELATED PURPOSES.

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

13 SECTION 1. For purposes of this act:

14 (a) "Mississippi qualified health center" means a
15 public or nonprofit entity which provides comprehensive primary
16 care services that:

17 (i) Has a community board of directors, the
18 majority of whom are users of such centers;

19 (ii) Accepts all patients that present themselves
20 despite their ability to pay and uses a sliding-fee-schedule for
21 payments; and

22 (iii) Serves a designated medically underserved
23 area or population, as provided in Section 330 of the Public
24 Health Service Act.

25 (b) "Uninsured or medically indigent patient" means a
26 patient receiving services from a Mississippi qualified health
27 center who is not eligible for Medicaid, Medicare or any other
28 type of governmental reimbursement for health care costs or
29 receiving third-party payments via an employer.

30 (c) "SDOH" means the Mississippi State Department of

31 Health.

32 (d) "Primary care" means the basic entry level of
33 health care provided by health care practitioners or non-physician
34 health care practitioners, which is generally provided in an
35 outpatient setting.

36 (e) "Medically underserved area or population" means an
37 area designated by the Secretary of the United States Department
38 of Health and Human Services as an area with a shortage of
39 professionals, health services or a population group designated by
40 the secretary as having a shortage of such services.

41 (f) "Service grant" means a grant by the SDOH to a
42 Mississippi qualified health center in accordance with this act.

43 (g) "Program" means the Mississippi Qualified Health
44 Center Grant Program established in this act.

45 SECTION 2. The Mississippi Qualified Health Center Grant
46 Program is hereby established, under the direction and
47 administration of the SDOH, for the purpose of making service
48 grants to Mississippi qualified health centers for their use in
49 providing care to uninsured or medically indigent patients in
50 Mississippi. The Mississippi Qualified Health Center Grant
51 Program shall be established with such state funds as may be
52 appropriated by the Legislature.

53 SECTION 3. (1) Any Mississippi qualified health center
54 desiring to participate in the program shall make application for
55 a grant to the SDOH in a form satisfactory to the SDOH. The SDOH
56 shall receive grant proposals from Mississippi qualified health
57 centers. All proposals shall be submitted in accordance with the
58 provisions of grant procedures, criteria and standards developed
59 and made public by the SDOH.

60 (2) The SDOH shall use the funds provided by this act to
61 make grants during the next five (5) years to Mississippi
62 qualified health centers upon proposals made pursuant to
63 subsection (1) of this section. Grants that are awarded to

64 Mississippi qualified health centers shall only be used by such
65 centers to:

66 (a) Increase access to preventative and primary care
67 services by uninsured or medically indigent patients that are
68 served by such centers; and

69 (b) Create new services or augment existing services
70 provided to uninsured or medically indigent patients, including,
71 but not limited to, primary care medical and preventive services,
72 dental services, optometric services, in-house laboratory
73 services, diagnostic services, pharmacy services, nutritional
74 services and social services.

75 (3) Grants received by Mississippi qualified health centers
76 pursuant to this act shall not be used:

77 (a) To supplant federal funds traditionally received by
78 such centers, but shall be used to supplement them;

79 (b) For land or real estate investments;

80 (c) To finance or satisfy any existing debt; or

81 (d) Unless the health center specifically complies with
82 a definition of a Mississippi qualified health center contained in
83 Section 1 of this act.

84 (4) The SDOH shall develop regulations, procedures and
85 application forms to govern how grants will be awarded, shall
86 develop a plan to ensure that grants are equitably distributed
87 among all Mississippi qualified health centers, and shall develop
88 an audit process to assure that grant monies are used to provide
89 and expend care to the uninsured and medially indigent.

90 (5) The SDOH shall establish a fund for the purpose of
91 providing service grants to Mississippi qualified health centers
92 in accordance with this act and the following terms and
93 conditions:

94 (a) The total amount of grants issued pursuant to this
95 act shall be Four Million Dollars (\$4,000,000.00) per state fiscal
96 year.

97 (b) No Mississippi qualified health center shall
98 receive assistance under this program in excess of Two Hundred
99 Thousand Dollars (\$200,000.00) per calendar year.

100 (c) Each Mississippi qualified health center receiving
101 a service grant shall provide a yearly report to the SDOH which
102 details the number of additional uninsured and medically indigent
103 patients that are cared for and the types of services that are
104 provided.

105 (6) The SDOH shall establish an advisory council to review
106 and make recommendations to the SDOH on the awarding of any grants
107 to Mississippi qualified health centers. Such recommendations by
108 the advisory council shall not be binding upon the SDOH, but when
109 a recommendation by the advisory council is not followed by the
110 SDOH, the SDOH shall place in its minutes reasons for not
111 accepting the advisory council's recommendation, and provide for
112 an appeals process. All approved grants shall be awarded within
113 thirty (30) days of approval by the SDOH.

114 (7) The composition of the advisory council shall be the
115 following:

116 (a) Two (2) employees of the SDOH, one (1) of whom must
117 have experience in reviewing and writing grant proposals;

118 (b) Two (2) executive employees of Mississippi
119 qualified health centers, one (1) of whom must be a chief
120 financial officer;

121 (c) Two (2) health care providers who are affiliated
122 with a Mississippi qualified health center; and

123 (d) One (1) health care provider who is not affiliated
124 with a Mississippi qualified health center nor the SDOH but has
125 training and experience in primary care.

126 (8) The SDOH may use a portion of any grant monies received
127 under this act to administer the program and to pay reasonable
128 expenses incurred by the advisory council; provided, however, in
129 no case shall more than one and one-half percent (1-1/2%) or Sixty

130 Thousand Dollars (\$60,000.00) annually, whichever is less, be used
131 to absorb program expenses.

132 (9) No assistance shall be provided to a Mississippi
133 qualified health center under this act unless the Mississippi
134 qualified health center certifies to the SDOH, that it will not
135 discriminate against any employee or against any applicant for
136 employment because of race, religion, color, national origin, sex
137 or age.

138 SECTION 4. There is hereby created a special fund in the
139 State Treasury to be known as the Mississippi Qualified Health
140 Center Grant Program out of which grants and expenditures
141 authorized in connection with the program shall be disbursed. All
142 monies received by legislative appropriation to carry out the
143 purposes of this act shall be deposited into the Mississippi
144 Qualified Health Center Grant Program.

145 SECTION 5. This act shall take effect and be in force from
146 and after July 1, 1999.