

*****Adopted*****

AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO

House Bill NO. 403

By Senator(s) Bean, Simmons

1 **AMEND** by inserting the following after line 774 and
2 **renumbering subsequent sections accordingly:**

3 SECTION *. For purposes of this act:

4 (a) "Mississippi qualified health center" means a
5 public or nonprofit entity which provides comprehensive primary
6 care services that:

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

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

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

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

20 (c) "SDOH" means the Mississippi State Department of
21 Health.

22 (d) "Primary care" means the basic entry level of
23 health care provided by health care practitioners or non-physician

24 health care practitioners, which is generally provided in an
25 outpatient setting.

26 (e) "Medically underserved area or population" means an
27 area designated by the Secretary of the United States Department
28 of Health and Human Services as an area with a shortage of
29 professionals, health services or a population group designated by
30 the secretary as having a shortage of such services.

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

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

35 SECTION *. The Mississippi Qualified Health Center Grant
36 Program is hereby established, under the direction and
37 administration of the SDOH, for the purpose of making service
38 grants to Mississippi qualified health centers for their use in
39 providing care to uninsured or medically indigent patients in
40 Mississippi. The Mississippi Qualified Health Center Grant
41 Program shall be established with such state funds as may be
42 appropriated by the Legislature.

43 SECTION *. (1) Any Mississippi qualified health center
44 desiring to participate in the program shall make application for
45 a grant to the SDOH in a form satisfactory to the SDOH. The SDOH
46 shall receive grant proposals from Mississippi qualified health
47 centers. All proposals shall be submitted in accordance with the
48 provisions of grant procedures, criteria and standards developed
49 and made public by the SDOH.

50 (2) The SDOH shall use the funds provided by this act to
51 make grants during the next five (5) years to Mississippi
52 qualified health centers upon proposals made pursuant to
53 subsection (1) of this section. Grants that are awarded to
54 Mississippi qualified health centers shall only be used by such
55 centers to:

56 (a) Increase access to preventative and primary care

57 services by uninsured or medically indigent patients that are
58 served by such centers; and

59 (b) Create new services or augment existing services
60 provided to uninsured or medically indigent patients, including,
61 but not limited to, primary care medical and preventive services,
62 dental services, optometric services, in-house laboratory
63 services, diagnostic services, pharmacy services, nutritional
64 services and social services.

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

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

69 (b) For land or real estate investments;

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

71 (d) Unless the health center specifically complies with
72 a definition of a Mississippi qualified health center contained in
73 Section * of this act.

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

80 (5) The SDOH shall establish a fund for the purpose of
81 providing service grants to Mississippi qualified health centers
82 in accordance with this act and the following terms and
83 conditions:

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

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

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90 (c) Each Mississippi qualified health center receiving
91 a service grant shall provide a yearly report to the SDOH which
92 details the number of additional uninsured and medically indigent
93 patients that are cared for and the types of services that are
94 provided.

95 (6) The SDOH shall establish an advisory council to review
96 and make recommendations to the SDOH on the awarding of any grants
97 to Mississippi qualified health centers. Such recommendations by
98 the advisory council shall not be binding upon the SDOH, but when
99 a recommendation by the advisory council is not followed by the
100 SDOH, the SDOH shall place in its minutes reasons for not
101 accepting the advisory council's recommendation, and provide for
102 an appeals process. All approved grants shall be awarded within
103 thirty (30) days of approval by the SDOH.

104 (7) The composition of the advisory council shall be the
105 following:

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

108 (b) Two (2) executive employees of Mississippi
109 qualified health centers, one (1) of whom must be a chief
110 financial officer;

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

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

116 (8) The SDOH may use a portion of any grant monies received
117 under this act to administer the program and to pay reasonable
118 expenses incurred by the advisory council; provided, however, in
119 no case shall more than one and one-half percent (1-1/2%) or Sixty
120 Thousand Dollars (\$60,000.00) annually, whichever is less, be used
121 to absorb program expenses.

122 (9) No assistance shall be provided to a Mississippi

123 qualified health center under this act unless the Mississippi
124 qualified health center certifies to the SDOH, that it will not
125 discriminate against any employee or against any applicant for
126 employment because of race, religion, color, national origin, sex
127 or age.

128 SECTION *. There is hereby created a special fund in the
129 State Treasury to be known as the Mississippi Qualified Health
130 Center Grant Program out of which grants and expenditures
131 authorized in connection with the program shall be disbursed. All
132 monies received by legislative appropriation to carry out the
133 purposes of this act shall be deposited into the Mississippi
134 Qualified Health Center Grant Program.

135 **FURTHER, amend the title by inserting the following after the**
136 **last semicolon:**

137 TO CREATE THE MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM TO
138 PROVIDE SERVICE GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS; TO
139 PROVIDE THAT SUCH PROGRAM SHALL BE ADMINISTERED BY THE STATE
140 DEPARTMENT OF HEALTH; TO PRESCRIBE THE PROCEDURE TO APPLY FOR
141 SERVICE GRANTS; TO PROVIDE THE PURPOSES FOR WHICH SUCH GRANTS MAY
142 BE USED; TO ESTABLISH AN ADVISORY PANEL TO REVIEW AND MAKE
143 RECOMMENDATIONS ON THE AWARDING OF SERVICE GRANTS; TO CREATE A
144 SPECIAL FUND TO BE KNOWN AS THE MISSISSIPPI QUALIFIED HEALTH
145 CENTER GRANT PROGRAM INTO WHICH ALL MONEY RECEIVED FROM
146 LEGISLATIVE APPROPRIATION PURSUANT TO THIS ACT SHALL BE DEPOSITED;