

By: Representatives Moody, Hamilton, Bowles, Brown, Gibbs, Henderson, Holland, Read, Shows, Stevens, Stringer, Warren To: Appropriations

HOUSE BILL NO. 1625 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN
2 SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2002.

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

4 SECTION 1. The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, to the Department of
7 Human Services for the fiscal year beginning July 1, 2001, and
8 ending June 30, 2002..... \$ 82,549,395.00.

9 SECTION 2. The following sum, or so much thereof as may be
10 necessary, is hereby appropriated out of any money in any special
11 fund in the State Treasury to the credit of the Department of
12 Human Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various divisions of the department, for the
15 purpose of defraying the expenses of the department for the fiscal
16 year beginning July 1, 2001, and ending June 30, 2002.....
17 \$ 319,174,762.00.

18 SECTION 3. The following sum, or so much thereof as may be
19 necessary, is hereby appropriated out of any money in the State
20 Treasury to the credit of the Health Care Expendable Fund, for the
21 purpose of defraying the expenses of the Department of Human
22 Services for the fiscal year beginning July 1, 2001, and ending
23 June 30, 2002..... \$ 250,000.00.

24 The above funds shall be allocated as follows:

25 Aging and Adult Services - Home
26 Delivered Meals.....\$ 250,000.00

27 SECTION 4. None of the funds appropriated by this act shall
 28 be expended for any purpose that is not actually required or
 29 necessary for performing any of the powers or duties of the
 30 Department of Human Services that are authorized by the
 31 Mississippi Constitution of 1890, state or federal law, or rules
 32 or regulations that implement state or federal law.

33 SECTION 5. Of the funds appropriated under the provisions of
 34 Sections 1 and 2, not more than the amounts set forth below shall
 35 be expended for the respective major objects or purposes of
 36 expenditure:

37 DIVISION OF YOUTH SERVICES

38 MAJOR OBJECTS OF EXPENDITURE:

39 Personal Services:

40	Salaries, Wages and Fringe Benefits..	\$	18,442,859.00
41	Travel and Subsistence.....		156,053.00
42	Contractual Services.....		1,899,886.00
43	Commodities.....		1,724,331.00
44	Capital Outlay:		
45	Other Than Equipment.....		0.00
46	Equipment.....		100,000.00
47	Subsidies, Loans and Grants.....		<u>1,967,332.00</u>
48	Total.....	\$	24,290,461.00

49 FUNDING:

50	General Funds.....	\$	16,528,151.00
51	Special Funds.....		<u>7,762,310.00</u>
52	Total.....	\$	24,290,461.00

53 AUTHORIZED POSITIONS:

54	Permanent:	Full Time.....	700
55		Part Time.....	8
56	Time-Limited:	Full Time.....	13
57		Part Time.....	0

58 Any person within the Office of Youth Services classified as
 59 Youth Services Counselor Aide I, Youth Services Counselor Aide II,

60 Youth Services Counselor Aide III, Security Officer I, Security
61 Officer II, Security Officer III, Recreation Supervisor, General
62 Services Employee I, General Services Employee II, Youth Services
63 Counselor I, Youth Services Counselor II, and Youth Services
64 Counselor III, who must work on a statutory holiday or any holiday
65 proclaimed by the Governor, may at the discretion of the
66 superintendents of the institutions and the Executive Director of
67 the Office of Youth Services and within available personnel funds,
68 be paid "call back pay" in lieu of "compensatory time credit."

69 It is the intent of the Legislature that the Office of Youth
70 Services shall have the authority to accept from any source
71 including, but not limited to, proceeds from sale of vehicles,
72 equipment or any other property which becomes obsolete or is no
73 longer needed. It is the intent that such funds will be approved
74 for allocation and expenditure in a manner consistent with the
75 rules and regulations of the Department of Finance and
76 Administration.

77 DIVISION OF FAMILY AND CHILDREN'S SERVICES

78 MAJOR OBJECTS OF EXPENDITURE:

79 Personal Services:

80	Salaries, Wages and Fringe Benefits..	\$	25,125,332.00
81	Travel and Subsistence.....		1,325,000.00
82	Contractual Services.....		14,674,948.00
83	Commodities.....		575,000.00
84	Capital Outlay:		
85	Other Than Equipment.....		0.00
86	Equipment.....		803,071.00
87	Subsidies, Loans and Grants.....		<u>11,039,217.00</u>
88	Total.....	\$	53,542,568.00

89 FUNDING:

90	General Funds.....	\$	11,901,406.00
91	Special Funds.....		<u>41,641,162.00</u>
92	Total.....	\$	53,542,568.00

93 AUTHORIZED POSITIONS:

94	Permanent:	Full Time.....	622
95		Part Time.....	0
96	Time-Limited:	Full Time.....	85
97		Part Time.....	0

98 DIVISION OF AGING AND ADULT SERVICES

99 MAJOR OBJECTS OF EXPENDITURE:

100 Personal Services:

101	Salaries, Wages and Fringe Benefits..	\$	750,513.00
102	Travel and Subsistence.....		45,000.00
103	Contractual Services.....		135,567.00
104	Commodities.....		40,000.00
105	Capital Outlay:		
106	Other Than Equipment.....		0.00
107	Equipment.....		12,750.00
108	Subsidies, Loans and Grants.....		<u>18,530,996.00</u>
109	Total.....	\$	19,514,826.00

110 FUNDING:

111	General Funds.....	\$	483,031.00
112	Special Funds.....		<u>19,031,795.00</u>
113	Total.....	\$	19,514,826.00

114 AUTHORIZED POSITIONS:

115	Permanent:	Full Time.....	9
116		Part Time.....	0
117	Time-Limited:	Full Time.....	8
118		Part Time.....	0

119 Of the funds appropriated herein, Seven Million Six Hundred
120 Fifty Thousand Dollars (\$7,650,000.00) is provided for the Home
121 Delivered Meals Program.

122 DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE

123 FOR NEEDY FAMILIES (TANF)

124 MAJOR OBJECTS OF EXPENDITURE:

125 Personal Services:

126	Salaries, Wages and Fringe Benefits..	\$	51,839,429.00
127	Travel and Subsistence.....		800,000.00
128	Contractual Services.....		33,003,447.00
129	Commodities.....		1,000,000.00
130	Capital Outlay:		
131	Other Than Equipment.....		0.00
132	Equipment.....		4,000,000.00
133	Subsidies, Loans and Grants.....		<u>74,286,324.00</u>
134	Total.....	\$	164,929,200.00

135 FUNDING:

136	General Funds.....	\$	42,105,001.00
137	Special Funds.....		<u>122,824,199.00</u>
138	Total.....	\$	164,929,200.00

139 AUTHORIZED POSITIONS:

140	Permanent:	Full Time.....	1,514
141		Part Time.....	0
142	Time-Limited:	Full Time.....	254
143		Part Time.....	3

144 DIVISION OF CHILD SUPPORT ENFORCEMENT

145 MAJOR OBJECTS OF EXPENDITURE:

146 Personal Services:

147	Salaries, Wages and Fringe Benefits..	\$	19,922,511.00
148	Travel and Subsistence.....		393,585.00
149	Contractual Services.....		7,662,244.00
150	Commodities.....		264,751.00
151	Capital Outlay:		
152	Other Than Equipment.....		0.00
153	Equipment.....		420,217.00
154	Subsidies, Loans and Grants.....		<u>9,518,222.00</u>
155	Total.....	\$	38,181,530.00

156 FUNDING:

157	General Funds.....	\$	4,559,255.00
158	Special Funds.....		<u>33,622,275.00</u>

159 Total..... \$ 38,181,530.00

160 AUTHORIZED POSITIONS:

161 Permanent: Full Time..... 367

162 Part Time..... 0

163 Time-Limited: Full Time..... 268

164 Part Time..... 0

165 DIVISION OF COMMUNITY SERVICES

166 MAJOR OBJECTS OF EXPENDITURE:

167 Personal Services:

168 Salaries, Wages and Fringe Benefits.. \$ 539,924.00

169 Travel and Subsistence..... 27,422.00

170 Contractual Services..... 315,461.00

171 Commodities..... 30,000.00

172 Capital Outlay:

173 Other Than Equipment..... 0.00

174 Equipment..... 7,000.00

175 Subsidies, Loans and Grants..... 16,357,783.00

176 Total..... \$ 17,277,590.00

177 FUNDING:

178 General Funds..... \$ 0.00

179 Special Funds..... 17,277,590.00

180 Total..... \$ 17,277,590.00

181 AUTHORIZED POSITIONS:

182 Permanent: Full Time..... 10

183 Part Time..... 0

184 Time-Limited: Full Time..... 3

185 Part Time..... 0

186 DIVISION OF SUPPORT SERVICES

187 MAJOR OBJECTS OF EXPENDITURE:

188 Personal Services:

189 Salaries, Wages and Fringe Benefits.. \$ 9,919,848.00

190 Travel and Subsistence..... 136,274.00

191 Contractual Services..... 2,569,290.00

192	Commodities.....	287,519.00
193	Capital Outlay:	
194	Other Than Equipment.....	0.00
195	Equipment.....	180,116.00
196	Subsidies, Loans and Grants.....	<u>55,763.00</u>
197	Total.....	\$ 13,148,810.00

198 FUNDING:

199	General Funds.....	\$ 3,708,282.00
200	Special Funds.....	<u>9,440,528.00</u>
201	Total.....	\$ 13,148,810.00

202 AUTHORIZED POSITIONS:

203	Permanent: Full Time.....	213
204	Part Time.....	0
205	Time-Limited: Full Time.....	37
206	Part Time.....	0

207 SOCIAL SERVICES BLOCK GRANT PROGRAM

208 MAJOR OBJECTS OF EXPENDITURE:

209 Personal Services:

210	Salaries, Wages and Fringe Benefits..	\$ 135,384.00
211	Travel and Subsistence.....	5,000.00
212	Contractual Services.....	172,375.00
213	Commodities.....	4,700.00
214	Capital Outlay:	
215	Other Than Equipment.....	0.00
216	Equipment.....	5,000.00
217	Subsidies, Loans and Grants.....	<u>25,483,891.00</u>
218	Total.....	\$ 25,806,350.00

219 FUNDING:

220	General Funds.....	\$ 0.00
221	Special Funds.....	<u>25,806,350.00</u>
222	Total.....	\$ 25,806,350.00

223 AUTHORIZED POSITIONS:

224	Permanent: Full Time.....	1
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225 Part Time..... 0
 226 Time-Limited: Full Time..... 2
 227 Part Time..... 0

228 Of the funds authorized herein to be expended from the
 229 Subsidies, Loans and Grants Major Object of Expenditure of the
 230 Social Services Block Grant Program, a minimum of Two Million
 231 Dollars (\$2,000,000.00) shall be allocated to the Office of Youth
 232 Services to be used in the Community Services Program.

233 OFFICE FOR CHILDREN AND YOUTH

234 MAJOR OBJECTS OF EXPENDITURE:

235 Personal Services:

236	Salaries, Wages and Fringe Benefits..	\$	1,117,764.00
237	Travel and Subsistence.....		25,000.00
238	Contractual Services.....		800,000.00
239	Commodities.....		125,000.00
240	Capital Outlay:		
241	Other Than Equipment.....		0.00
242	Equipment.....		500,000.00
243	Subsidies, Loans and Grants.....		<u>42,715,058.00</u>
244	Total.....	\$	45,282,822.00

245 FUNDING:

246	General Funds.....	\$	3,264,269.00
247	Special Funds.....		<u>42,018,553.00</u>
248	Total.....	\$	45,282,822.00

249 AUTHORIZED POSITIONS:

250 Permanent: Full Time..... 14
 251 Part Time..... 0
 252 Time-Limited: Full Time..... 7
 253 Part Time..... 0

254 With the funds herein appropriated, it is the intention of
 255 the Legislature that it shall be the agency's responsibility to
 256 make certain that funds required to be appropriated for "Personal
 257 Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002

258 funds appropriated for that purpose, unless programs or positions
259 are added to the agency's Fiscal Year 2003 budget by the
260 Mississippi Legislature. Based on data provided by the
261 Legislative Budget Office, the State Personnel Board shall
262 determine and publish the projected annual cost to fully fund all
263 appropriated positions in compliance with the provisions of this
264 act. It shall be the responsibility of the agency head to insure
265 that no single personnel action increases this projected annual
266 cost and/or the Fiscal Year 2002 appropriation for "Personal
267 Services" when annualized. If, at the end of any calendar month,
268 the State Personnel Board determines that the agency has taken
269 action(s) which would cause the agency to exceed this projected
270 annual cost or the Fiscal Year 2002 "Personal Services"
271 appropriated level, when annualized, then only those actions which
272 reduce the projected annual cost and/or the appropriation
273 requirement will be processed by the State Personnel Board until
274 such time as the requirements of this provision are met.

275 It is the intention of the Legislature that the Executive
276 Director of the Department of Human Services may transfer between
277 the various divisions authorized herein both funds and positions
278 not to exceed ten percent (10%) of the receiving division
279 consistent with the provisions of Section 1 of this act.
280 Provided, however, that no county office positions shall be
281 transferred to any regional office or to the state office. The
282 Executive Director of the Department of Human Services shall
283 submit written justification for the transfer to the Legislative
284 Budget Office and the Department of Finance and Administration on
285 or before the fifteenth of the month prior to the effective date
286 of the transfer. It is further the intention of the Legislature
287 that any transfers made under the provisions of this paragraph
288 shall be of an emergency nature and that in no case shall the
289 transfers be made which substantially alter the legislative intent

290 for the various divisions or offices as set forth in the original
291 appropriations made under this act.

292 Any transfers within major object of expenditure within each
293 specific budget or escalations shall be made in accordance with
294 the terms, conditions and procedures established by law.

295 No general funds authorized to be expended herein shall be
296 used to replace federal funds and/or other special funds which are
297 being used for salaries authorized under the provisions of this
298 act and which are withdrawn and no longer available.

299 Unless expressly authorized herein by the Legislature, no
300 funds appropriated to be expended for travel and subsistence shall
301 be expended to pay expenses incurred by more than six (6)
302 employees or other representatives of the agency for attending the
303 same out-of-state conference, seminar or workshop; however, such
304 funds may be expended for expenses incurred by more than six (6)
305 employees or other representatives for attendance at the same
306 conference, seminar or workshop (a) if attendance is required in
307 order to maintain professional certification or licensure, which
308 certification or licensure is required by the employees' job
309 descriptions or by law, or (b) if such expenditure has received
310 the prior written approval of the Department of Finance and
311 Administration.

312 SECTION 6. Of the funds appropriated in Section 2, Two
313 Million Eighty-six Thousand Six Hundred Eighty-three Dollars
314 (\$2,086,683.00) is provided for the support of a contract with the
315 Department of Education, Industrial Training Program for the
316 training of TANF clients.

317 These funds shall be transferred to the Mississippi
318 Department of Education Industrial Training budget and shall be
319 expended in accordance with Sections 37-31-103 through 37-31-111,
320 Mississippi Code of 1972. Training will be conducted in the areas
321 outlined in Section 37-31-103(2) for TANF recipients. The terms
322 and provisions for program operation will be established through a

323 nonfinancial agreement between the Mississippi Department of
324 Education and the Mississippi Department of Human Services. This
325 nonfinancial agreement will be initiated by the Mississippi
326 Department of Education, Office of Vocational and Technical
327 Education in accordance with current laws, rules and regulations
328 as approved by the Mississippi State Board of Education.

329 Identification, eligibility, certification, enrollment,
330 follow-up, performance standards and sanction liabilities of the
331 TANF clients will be the sole responsibility of the Department of
332 Human Services.

333 SECTION 7. It is the intention of the Legislature that the
334 Executive Director of the Department of Human Services shall make
335 a complete report to the Joint Legislative Budget Committee and
336 the Department of Finance and Administration no later than October
337 15, 2001, concerning the distribution of the funds provided in the
338 Social Services Block Grant. This report shall contain data from
339 the two (2) previous fiscal years for comparison purposes. The
340 two (2) previous fiscal years along with new distribution of funds
341 shall be presented side by side with a column showing the
342 differences between the previous fiscal year and the new
343 distribution of funds.

344 SECTION 8. Of the funds appropriated under the provisions of
345 Sections 1 and 2, and authorized for expenditure in Section 5, the
346 amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is
347 provided for the support of the Jackson State University -
348 Continuing Education Learning Center.

349 SECTION 9. None of the funds appropriated under the
350 provisions of Sections 1 and 2 shall be used to pay any contractor
351 that is not a successful bidder for genetic paternity testing
352 services bid by the Department of Human Services.

353 SECTION 10. Of the funds appropriated in Section 2, One
354 Million Dollars (\$1,000,000.00) shall be transferred to the
355 Department of Health, Child Care Licensure Program from the Child

356 Care Development Fund or other appropriate special fund. These
357 funds are to be transferred to the Board of Health no later than
358 July 31, 2001. The Department of Health shall make a complete
359 accounting to the Department of Human Services detailing the uses
360 of these funds in accordance with federal and state regulations.

361 SECTION 11. It is the intention of the Legislature that the
362 Department of Human Services contract with the Department of
363 Health to operate the School Nurse Teen Pregnancy Prevention Pilot
364 Program as described in House Bill No. 766 of the 1997 Legislative
365 Session, in compliance with all applicable TANF federal and state
366 regulations.

367 SECTION 12. It is the intent of the Legislature that the
368 Department of Human Services have authority to escalate the
369 various budgets only in the major objects of Contractual Services
370 and Subsidies and only with the approval of the State Fiscal
371 Officer, from special funds collected or available from the TANF
372 (Temporary Assistance for Needy Families) Grant, in the current or
373 any prior fiscal year, not to exceed Seventy-one Million Dollars
374 (\$71,000,000.00). Upon such approval, the Department of Human
375 Services may expend such funds in the manner authorized by law.

376 The Executive Director of the Department of Human Services
377 shall submit to the Department of Finance and Administration a
378 certified statement providing a detailed explanation for any
379 escalation and an assessment of the impact on the agency's General
380 Fund budget for the three (3) fiscal years following the fiscal
381 year in which the escalation is requested. A copy of this
382 submission shall be sent to the Legislative Budget Office.

383 SECTION 13. Of the funds appropriated in Section 2, One
384 Million Two Hundred Thousand Dollars (\$1,200,000.00) of TANF
385 (Temporary Assistance for Needy Families) federal funds shall be
386 transferred to the Office of the Attorney General for the purpose
387 of subgranting with entities which will develop and implement

388 programs that serve unmet needs of "at risk" youth in the state.
389 The Attorney General shall administer the transferred TANF funds.

390 SECTION 14. Of the funds appropriated in Section 2 and
391 allocated in Section 5, Three Hundred Thousand Dollars
392 (\$300,000.00) shall be used to defray the cost of the Amer-I-Can
393 Program as established in House Bill No. 1109, 2001 Regular
394 Session.

395 SECTION 15. In addition to all other sums heretofore
396 appropriated, the following sum, or so much thereof as may be
397 necessary, is hereby appropriated out of any money in the State
398 Treasury to the credit of the Department of Human Services,
399 Division of Family and Childrens Services, an amount not to exceed
400 Twenty-six Million Dollars (\$26,000,000.00) of TANF (Temporary
401 Assistance for Needy Families) and Twelve Million Dollars
402 (\$12,000,000.00) of SSBG (Social Services Block Grant) funds is
403 appropriated in the following amounts for the following purposes:

404 Family Preservation Services (TANF Funds)....\$ 5,000,000.00
405 to establish a total of ninety-one (91) new permanent full time
406 PINS as follows: Four (4) DHS Program Managers; thirty (30) DHS
407 Social Workers; twenty-seven (27) DHS Area Social Work
408 Supervisors; and thirty (30) DHS Homemakers;
409 Families First Resource Centers, continued
410 funding (TANF Funds)..... \$ 8,000,000.00.
411 Homemakers and Family Preservation
412 Specialists positions, continued funding
413 (TANF Funds)..... \$ 5,000,000.00.
414 Care of foster children temporarily placed in the custody of
415 MDHS:
416 Emergency shelters (TANF Funds)..... \$ 2,000,000.00.
417 Residential care (TANF Funds)..... \$ 6,000,000.00.
418 Social Services Block Grant
419 Continued funding of on-going programs
420 (SSBG Funds)..... \$ 12,000,000.00.

421 SECTION 16. Of the funds appropriated under the provisions
422 of Section 2, Three Hundred Thousand Dollars (\$300,000.00) shall
423 be derived from the Budget Contingency Fund created in Senate Bill
424 No. 2680, 2001 Regular Session.

425 SECTION 17. The money herein appropriated shall be paid by
426 the State Treasurer out of any money in the State Treasury to the
427 credit of the proper fund or funds as set forth in this act, upon
428 warrants issued by the State Fiscal Officer; and the State Fiscal
429 Officer shall issue his warrants upon requisitions signed by the
430 proper person, officer or officers, in the manner provided by law.

431 SECTION 18. This act shall take effect and be in force from
432 and after July 1, 2001.