HOUSE BILL NO. 1625
(As Sent to Governor)

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

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

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

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

.............................................. $ 319,174,762.00.

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

The above funds shall be allocated as follows:

Aging and Adult Services - Home
Delivered Meals...........$ 250,000.00
SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

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

DIVISION OF YOUTH SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits... $ 18,442,859.00
Travel and Subsistence................ 156,053.00
Contractual Services.................... 1,899,886.00
Commodities............................ 1,724,331.00

Capital Outlay:

Other Than Equipment.................... 0.00
Equipment................................ 100,000.00

Subsidies, Loans and Grants............. 1,967,332.00

Total................................ $ 24,290,461.00

FUNDING:

General Funds............................ $ 16,528,151.00
Special Funds............................ 7,762,310.00

Total................................ $ 24,290,461.00

AUTHORIZED POSITIONS:

Permanent: Full Time............. 700
Part Time............ 8

Time-Limited: Full Time............ 13
Part Time............ 0

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

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

DIVISION OF FAMILY AND CHILDREN'S SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $ 25,125,332.00
Travel and Subsistence................... 1,325,000.00
Contractual Services...................... 14,674,948.00
Commodities............................... 575,000.00

Capital Outlay:

Other Than Equipment...................... 0.00
Equipment.................................. 803,071.00

Subsidies, Loans and Grants.............. 11,039,217.00

Total...................................... $ 53,542,568.00

FUNDING:

General Funds............................. $ 11,901,406.00
Special Funds.............................. 41,641,162.00

Total...................................... $ 53,542,568.00
AUTHORIZED POSITIONS:

Permanent: Full Time.......... 622
Part Time.............. 0

Time-Limited: Full Time.......... 85
Part Time.............. 0

DIVISION OF AGING AND ADULT SERVICES

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
- Salaries, Wages and Fringe Benefits... $ 750,513.00
- Travel and Subsistence................. 45,000.00
- Contractual Services................... 135,567.00
- Commodities........................... 40,000.00

Capital Outlay:
- Other Than Equipment................. 0.00
- Equipment.......................... 12,750.00
- Subsidies, Loans and Grants........... 18,530,996.00
  Total................................ $ 19,514,826.00

FUNDING:
- General Funds......................... $ 483,031.00
- Special Funds......................... 19,031,795.00
  Total................................ $ 19,514,826.00

AUTHORIZED POSITIONS:

Permanent: Full Time.............. 9
Part Time.............. 0

Time-Limited: Full Time.............. 8
Part Time.............. 0

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

DIVISION OF ECONOMIC ASSISTANCE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

MAJOR OBJECTS OF EXPENDITURE:

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DIVISION OF CHILD SUPPORT ENFORCEMENT

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<td><strong>DIVISION OF SUPPORT SERVICES</strong></td>
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<td>Salaries, Wages and Fringe Benefits................</td>
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Commodities................................. 287,519.00

Capital Outlay:

Other Than Equipment...................... 0.00
Equipment..................................... 180,116.00
Subsidies, Loans and Grants................. 55,763.00

Total........................................ $ 13,148,810.00

FUNDING:

General Funds............................... $ 3,708,282.00
Special Funds................................ 9,440,528.00

Total........................................ $ 13,148,810.00

AUTHORIZED POSITIONS:

Permanent: Full Time....................... 213
Part Time.............................. 0

Time-Limited: Full Time.................... 37
Part Time.............................. 0

SOCIAL SERVICES BLOCK GRANT PROGRAM

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:
Salaries, Wages and Fringe Benefits.. $ 135,384.00
Travel and Subsistence..................... 5,000.00
Contractual Services....................... 172,375.00
Commodities................................. 4,700.00

Capital Outlay:
Other Than Equipment....................... 0.00
Equipment..................................... 5,000.00
Subsidies, Loans and Grants................. 25,483,891.00

Total........................................ $ 25,806,350.00

FUNDING:
General Funds............................... $ 0.00
Special Funds................................ 25,806,350.00

Total........................................ $ 25,806,350.00

AUTHORIZED POSITIONS:
Permanent: Full Time....................... 1
Of the funds authorized herein to be expended from the Subsidies, Loans and Grants Major Object of Expenditure of the Social Services Block Grant Program, a minimum of Two Million Dollars ($2,000,000.00) shall be allocated to the Office of Youth Services to be used in the Community Services Program.

OFFICE FOR CHILDREN AND YOUTH

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $1,117,764.00
Travel and Subsistence................... 25,000.00
Contractual Services...................... 800,000.00
Commodities............................... 125,000.00

Capital Outlay:

Other Than Equipment................... 0.00
Equipment................................ 500,000.00
Subsidies, Loans and Grants.............. 42,715,058.00

Total........................................ $45,282,822.00

FUNDING:

General Funds............................. $3,264,269.00
Special Funds.............................. 42,018,553.00

Total........................................ $45,282,822.00

AUTHORIZED POSITIONS:

Permanent:  Full Time................. 14
            Part Time................... 0
Time-Limited:  Full Time............ 7
              Part Time................... 0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2003 do not exceed Fiscal Year 2002.
funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2003 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2002 appropriation for "Personal Services" when annualized. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2002 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

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

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

These funds shall be transferred to the Mississippi Department of Education Industrial Training budget and shall be expended in accordance with Sections 37-31-103 through 37-31-111, Mississippi Code of 1972. Training will be conducted in the areas outlined in Section 37-31-103(2) for TANF recipients. The terms and provisions for program operation will be established through a
nonfinancial agreement between the Mississippi Department of Education and the Mississippi Department of Human Services. This nonfinancial agreement will be initiated by the Mississippi Department of Education, Office of Vocational and Technical Education in accordance with current laws, rules and regulations as approved by the Mississippi State Board of Education.

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

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

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

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

SECTION 10. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child
Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2001. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations. SECTION 11. It is the intention of the Legislature that the Department of Human Services contract with the Department of Health to operate the School Nurse Teen Pregnancy Prevention Pilot Program as described in House Bill No. 766 of the 1997 Legislative Session, in compliance with all applicable TANF federal and state regulations.

SECTION 12. It is the intent of the Legislature that the Department of Human Services have authority to escalate the various budgets only in the major objects of Contractual Services and Subsidies and only with the approval of the State Fiscal Officer, from special funds collected or available from the TANF (Temporary Assistance for Needy Families) Grant, in the current or any prior fiscal year, not to exceed Seventy-one Million Dollars ($71,000,000.00). Upon such approval, the Department of Human Services may expend such funds in the manner authorized by law. The Executive Director of the Department of Human Services shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation and an assessment of the impact on the agency's General Fund budget for the three (3) fiscal years following the fiscal year in which the escalation is requested. A copy of this submission shall be sent to the Legislative Budget Office.

SECTION 13. Of the funds appropriated in Section 2, One Million Two Hundred Thousand Dollars ($1,200,000.00) of TANF (Temporary Assistance for Needy Families) federal funds shall be transferred to the Office of the Attorney General for the purpose of subgranting with entities which will develop and implement
programs that serve unmet needs of "at risk" youth in the state.

The Attorney General shall administer the transferred TANF funds.

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

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

- Family Preservation Services (TANF Funds).......... $ 5,000,000.00
  to establish a total of ninety-one (91) new permanent full time
  PINS as follows: Four (4) DHS Program Managers; thirty (30) DHS
  Social Workers; twenty-seven (27) DHS Area Social Work
  Supervisors; and thirty (30) DHS Homemakers;
- Families First Resource Centers, continued funding (TANF Funds)................. $ 8,000,000.00.
- Homemakers and Family Preservation Specialists positions, continued funding
  (TANF Funds).................................. $ 5,000,000.00.
- Care of foster children temporarily placed in the custody of
  MDHS: Emergency shelters (TANF Funds)...... $ 2,000,000.00.
  Residential care (TANF Funds)............ $ 6,000,000.00.

Social Services Block Grant
Continued funding of on-going programs
(SSBG Funds).................................. $ 12,000,000.00.
SECTION 16. Of the funds appropriated under the provisions of Section 2, Three Hundred Thousand Dollars ($300,000.00) shall be derived from the Budget Contingency Fund created in Senate Bill No. 2680, 2001 Regular Session.

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

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