HOUSE BILL NO. 1887

AN ACT TO AMEND SECTION 5 OF HOUSE BILL NO. 1794, 2002
REGULAR SESSION, TO DELETE THE PROVISION THAT PROHIBITS THE
DIVISION OF MEDICAID FROM EXPENDING MORE THAN 25% OF ITS
APPROPRIATED FUNDS DURING ANY QUARTER OF FISCAL YEAR 2003; AND FOR
RELATED PURPOSES.

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

SECTION 1. Section 5 of House Bill No. 1794, 2002 Regular Session, is amended as follows:

Section 5. Of the funds appropriated under the provisions of Sections 1, 2, 3 and 4, not more than the amounts set forth below shall be expended for the respective major objects or purposes of expenditure:

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits.. $ 21,173,577.00
Travel and Subsistence................. 504,406.00
Contractual Services..................... 64,201,878.00
Commodities............................. 560,400.00

Capital Outlay:

Other Than Equipment................... 0.00
Equipment............................... 720,000.00
Subsidies, Loans and Grants............. 2,791,432,447.00

Total................................... $ 2,878,592,708.00

FUNDING:

General Funds.......................... $ 246,826,757.00
Special Funds........................... 2,631,765,951.00

Total................................... $ 2,878,592,708.00

AUTHORIZED POSITIONS:
Permanent: Full Time............ 615
Part Time............ 0
Time-Limited: Full Time............ 1
Part Time............ 0

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In no event shall the Governor's Office - Division of Medicaid make any obligations for medical services which exceed the total level of funds appropriated in this act, and the Executive Director of the Division of Medicaid shall ensure complete compliance with Section 43-13-117, Mississippi Code of 1972, by instituting cost containment measures or by discontinuing authorized Medicaid programs to the extent allowed under federal law.

Funds are provided herein to adjust the Variable Compensation Plan to ensure that all full-time employees receive a pay increase equal to fifty percent (50%) of the realignment component of the Variable Compensation Plan or Six Hundred Dollars ($600.00), whichever is greater, beginning on January 1, 2003.

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 2004 do not exceed Fiscal Year 2003 funds appropriated for that purpose, unless programs, positions or pay increases are added to the agency's budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall, on July 1, 2002, publish separate annual projection reports, based on July 1, 2002, data, for the period of July 1, 2002, through December 31, 2002, and January 1, 2003, through June 30, 2003, that project the 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 ensure that no single personnel action increases this projected cost and/or the Fiscal Year 2003 appropriation for "Personal Services," as annualized on a semiannual basis in

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accordance with the provisions of this act. 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 2003 "Personal
Services" appropriated level, when annualized in compliance with
the provisions of this act, 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.

Any transfers 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.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.