

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1787: Appropriation; State Department of Health-support.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.

- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the State Department of Health for the
9 fiscal year beginning July 1, 2002, and ending June 30, 2003.....
10 \$ 30,351,556.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in any special
13 fund in the State Treasury to the credit of the State Department
14 of Health which is comprised of special source funds collected by
15 or otherwise available to the department, for the purpose of
16 defraying the expenses of the department for the fiscal year
17 beginning July 1, 2002, and ending June 30, 2003.....
18 \$ 172,676,661.00.

19 **SECTION 3.** The following sum, or so much thereof as may be
20 necessary, is hereby appropriated out of any money in the State
21 Treasury to the credit of the Health Care Expendable Fund, for the
22 purpose of defraying the expenses of the State Board of Health for
23 the fiscal year beginning July 1, 2002, and ending June 30, 2003.
24 \$ 14,150,000.00.

The above funds shall be allocated as follows:

26 Maternal and Child Health Care

27 Program.....\$1,400,000.00
 28 Early Intervention Program.....\$ 250,000.00
 29 Health Department Programs.....\$2,500,000.00
 30 Mississippi Qualified Health
 31 Center Grant Program.....\$4,000,000.00
 32 Trauma Care System.....\$6,000,000.00

33 It is the intention of the Legislature that none of the Six
 34 Million Dollars (\$6,000,000.00) authorized herein for the Trauma
 35 Care System shall be expended to the benefit of any hospital
 36 located outside the boundaries of the State of Mississippi, unless
 37 otherwise excepted in this paragraph. Further, unless otherwise
 38 excepted in this paragraph, no such out-of-state hospital shall be
 39 authorized to receive such funds until such time as the amount
 40 appropriated for such purpose shall reach an amount of Eight
 41 Million Dollars (\$8,000,000.00) or more. Funds may be expended by
 42 the Mississippi Department of Health for distribution to the Elvis
 43 Presley Trauma Center, located in Memphis, Tennessee, as may be
 44 appropriate for participation in the Trauma Care System.

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

49 MAJOR OBJECTS OF EXPENDITURE:

50 Personal Services:

51	Salaries, Wages and Fringe Benefits.. \$	89,302,286.00
52	Travel and Subsistence.....	4,017,933.00
53	Contractual Services.....	33,085,703.00
54	Commodities.....	50,400,744.00

55 Capital Outlay:

56	Other Than Equipment.....	0.00
57	Equipment.....	5,027,359.00
58	Subsidies, Loans and Grants.....	<u>35,344,192.00</u>
59	Total..... \$	217,178,217.00

60 FUNDING:

61	General Funds..... \$	30,351,556.00
62	Special Funds.....	<u>186,826,661.00</u>

63 Total..... \$ 217,178,217.00

64 AUTHORIZED POSITIONS:

65	Permanent:	Full Time	2,101
66		Part Time	48
67	Time-Limited:	Full Time	545
68		Part Time	17

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

74 With the funds herein appropriated, it is the intention of
75 the Legislature that it shall be the agency's responsibility to
76 make certain that funds required to be appropriated for "Personal
77 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
78 funds appropriated for that purpose, unless programs, positions or
79 pay increases are added to the agency's budget by the Mississippi
80 Legislature. Based on data provided by the Legislative Budget
81 Office, the State Personnel Board shall, on July 1, 2002, publish
82 separate annual projection reports, based on July 1, 2002 data,
83 for the period of July 1, 2002 through December 31, 2002, and
84 January 1, 2003 through June 30, 2003, that project the annual
85 cost to fully fund all appropriated positions in compliance with
86 the provisions of this act. It shall be the responsibility of the
87 agency head to ensure that no single personnel action increases
88 this projected cost and/or the Fiscal Year 2003 appropriation for
89 "Personal Services," as annualized on a semi-annual basis in
90 accordance with the provisions of this act. If, at the end of any
91 calendar month, the State Personnel Board determines that the
92 agency has taken action(s) which would cause the agency to exceed
93 this projected annual cost or the Fiscal Year 2003 "Personal
94 Services" appropriated level, when annualized in compliance with
95 the provisions of this act, then only those actions which reduce
96 the projected annual cost and/or the appropriation requirement
97 will be processed by the State Personnel Board until such time as
98 the requirements of this provision are met.

99 Any transfers or escalations shall be made in accordance with
100 the terms, conditions and procedures established by law.

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

105 **SECTION 5.** In compliance with the "Mississippi Performance
106 Budget and Strategic Planning Act of 1994," it is the intent of
107 the Legislature that the funds provided herein shall be utilized
108 in the most efficient and effective manner possible to achieve the
109 intended mission of this agency. Based on the funding authorized,
110 this agency shall make every effort to attain the targeted
111 performance measures provided below:

	FY2003
<u>Performance Measures</u>	<u>Target</u>
Chronic Illness	
Patients Served (Persons)	2,200
Home Health Visits (Visits)	90,000
Hypertension Visits (Visits)	9,500
Diabetes Treatment Visits (Visits)	711
Maternal & Child Health	
Maternity Patients Served (Persons)	9,636
WIC Patients Served per Month (Persons)	10,300
Family Planning Patients Served (Persons)	86,116
Environmental Health	
General Sanitation Inspections (Actions)	35,135
Food Establishments Inspected (Sites)	32,000
Water Supplies Tested (Actions)	1,415
Disease Prevention	
Vaccinations Administered (Persons)	500,000
Patients Receiving STD Treatments (Persons)	24,000
TB Cases & Contacts Investigated (Actions)	1,550
Health Care Planning/licensure	
Declaratory for CON Reviews (Actions)	450
Ambulance Services Licensed (Entities)	591
Nurse's Aides Certified (Persons)	2,675

135 Professional Licenses Issued (Persons) 6,292

136 Support Services

137 Percentage of Total Budget (percent) 6.05

138 A reporting of the degree to which the performance targets
139 set above have been or are being achieved shall be provided in the
140 agency's budget request submitted to the Joint Legislative Budget
141 Committee for Fiscal Year 2004.

142 **SECTION 6.** It is the intention of the Legislature that the
143 State Department of Health may escalate any special funds and
144 positions not to exceed Two Million Dollars (\$2,000,000.00). Such
145 escalation shall be submitted to and approved by the Department of
146 Finance and Administration in the manner consistent with the
147 escalation of federal funds.

148 **SECTION 7.** It is the intention of the Legislature that the
149 Department of Health shall have the authority to expend any
150 special funds collected or otherwise available, notwithstanding
151 any restrictions in the general law or statutes earmarking said
152 funds for a particular use, that are in excess of the amounts
153 needed for the purpose of such fund, for the purpose of providing
154 maternal and child health, family planning and disease control
155 services.

156 **SECTION 8.** It is the intention of the Legislature that with
157 the funds provided herein, the State Department of Health may
158 provide and administer without charge, Hepatitis B vaccinations to
159 Emergency Medical Services (EMS) personnel who are in need of such
160 vaccinations through job related exposure.

161 **SECTION 9.** In addition to all other sums heretofore
162 appropriated, the following sum, or so much thereof as may be
163 necessary, is hereby appropriated out of any money in the State
164 Treasury to the credit of the Local Governments and Rural Water
165 Systems Emergency Loan Fund, and the Local Governments and Rural
166 Water System Improvements Revolving Loan Fund as authorized in
167 Chapter 521, Laws of 1995, to the State Department of Health for
168 the purpose of defraying the expenses of the Local Governments and
169 Rural Water Systems Improvements Board, for the fiscal year
170 beginning July 1, 2002, and ending June 30, 2003.....

171 \$ 33,552,000.00

172 **SECTION 10.** It is the intention of the Legislature that in
173 the event that there are insufficient Child Care Development Block
174 Grant Funds, then the Department of Health shall maintain the
175 Child Care Licensure Program at the same level that the program
176 was in Fiscal Year 1993 using any other funds.

177 **SECTION 11.** Of the funds appropriated in Section 2, One
178 Million Dollars (\$1,000,000.00) shall come from the Department of
179 Human Services, Child Care Development Fund or other appropriate
180 special funds for the purpose of child care licensure. These
181 funds are to be transferred to the State Department of Health no
182 later than July 31, 2002. The State Department of Health shall
183 make a complete accounting of the uses of these funds to the
184 Department of Human Services.

185 **SECTION 12.** It is the intention of the Legislature that the
186 State Department of Health shall expend not more than Fifty
187 Thousand Dollars (\$50,000.00) of the funds appropriated in Section
188 1 and allocated in Section 4 for providing the oil known as
189 "Lorenzo's Oil" for the treatment of the genetic disorder
190 adrenoleukodystrophy (ALD), to children and Mississippi residents
191 over the age of twenty-one (21) who have the genetic disorder
192 adrenoleukodystrophy and for whom Medicaid does not reimburse the
193 cost of providing the oil. The department may also provide needed
194 pathology and biannual MRI exams.

195 **SECTION 13.** In addition to all other funds heretofore
196 appropriated, the following sum, or so much thereof as may be
197 necessary, is hereby appropriated out of any money deposited in
198 the State Treasury from the Mississippi Tobacco Pilot Program as
199 authorized in the case Mike Moore Attorney General ex rel. State
200 of Mississippi v. The American Tobacco Company et al. (Chancery
201 Court of Jackson County, Mississippi, Cause No. 94-1429) to the
202 State Department of Health for the fiscal year beginning
203 July 1, 2002, and ending June 30, 2003..... \$ 8,000,000.00.

204 It is the intention of the Legislature that of the funds
205 appropriated in this section, an amount of Two Million Five
206 Hundred Thousand Dollars (\$2,500,000.00) is provided to fund the

207 School Tobacco Nurse Program.

208 **SECTION 14.** Of the funds appropriated in Section 1, Seven
209 Hundred Fifty Thousand Dollars (\$750,000.00) are provided for the
210 purpose of purchasing AIDS drugs only and not for educational
211 purposes.

212 **SECTION 15.** Of the funds appropriated in Section 3, the
213 amounts of One Hundred Twenty-five Thousand Dollars (\$125,000.00)
214 shall be allocated to the T. K. Martin Center at Mississippi State
215 University and One Hundred Twenty-five Thousand Dollars
216 (\$125,000.00) shall be allocated to the Regional Rehabilitation
217 Center in Tupelo for the Early Intervention Program.

218 **SECTION 16.** Of the funds appropriated herein, Fifty Thousand
219 Dollars (\$50,000.00) is provided for the Osteoporosis Program.

220 **SECTION 17.** In addition to all other funds heretofore
221 appropriated, the following sum, or so much thereof as may be
222 necessary, is hereby appropriated out of any money in any special
223 fund in the State Treasury to the credit of the State Department
224 of Health which is comprised of special source funds collected by
225 or otherwise available to the department, for the purpose of
226 funding the Federal Bioterrorism Preparedness Program to the State
227 Department of Health for the fiscal year beginning July 1, 2002,
228 and ending June 30, 2003..... \$ 12,300,000.00.

229 **SECTION 18.** The money herein appropriated shall be paid by
230 the State Treasurer out of any money in the State Treasury to the
231 credit of the proper fund or funds as set forth in this act, upon
232 warrants issued by the State Fiscal Officer; and the State Fiscal
233 Officer shall issue his warrants upon requisitions signed by the
234 proper person, officer or officers, in the manner provided by law.

235 **SECTION 19.** This act shall take effect and be in force from
236 and after July 1, 2002.

CONFEREES FOR THE HOUSE

X _____

Charlie Capps, Jr.

X _____

Mary Ann Stevens

X _____

Jim C. Barnett

CONFEREES FOR THE SENATE

X _____

Jack Gordon

X _____

Billy Thames

X _____

Dean Kirby