

By: Representatives Capps,
Read, Barnett (92nd)

To: Appropriations

HOUSE BILL NO. 2

1 AN ACT TO AMEND SECTION 5 OF CHAPTER 133, LAWS OF 2002, TO
2 DELETE THE PROVISION THAT PROHIBITS THE DIVISION OF MEDICAID FROM
3 EXPENDING MORE THAN 25% OF ITS APPROPRIATED FUNDS DURING ANY
4 QUARTER OF FISCAL YEAR 2003; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 5 of Chapter 133, Laws of 2002, is
7 amended as follows:

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

12 MAJOR OBJECTS OF EXPENDITURE:

13 Personal Services:

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

18 Capital Outlay:

19	Other Than Equipment.....		0.00
20	Equipment.....		720,000.00
21	Subsidies, Loans and Grants.....		<u>2,791,432,447.00</u>
22	Total.....	\$	2,878,592,708.00

23 FUNDING:

24	General Funds.....	\$	246,826,757.00
25	Special Funds.....		<u>2,631,765,951.00</u>
26	Total.....	\$	2,878,592,708.00

27 AUTHORIZED POSITIONS:

28	Permanent:	Full Time.....	615
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29	Part Time.....	0
30	Time-Limited: Full Time.....	1
31	Part Time.....	0

32 * * * In no event shall the Governor's Office - Division of
33 Medicaid make any obligations for medical services which exceed
34 the total level of funds appropriated in this act, and the
35 Executive Director of the Division of Medicaid shall ensure
36 complete compliance with Section 43-13-117, Mississippi Code of
37 1972, by instituting cost containment measures or by discontinuing
38 authorized Medicaid programs to the extent allowed under federal
39 law.

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

45 With the funds herein appropriated, it is the intention of
46 the Legislature that it shall be the agency's responsibility to
47 make certain that funds required to be appropriated for "Personal
48 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
49 funds appropriated for that purpose, unless programs, positions or
50 pay increases are added to the agency's budget by the Mississippi
51 Legislature. Based on data provided by the Legislative Budget
52 Office, the State Personnel Board shall, on July 1, 2002, publish
53 separate annual projection reports, based on July 1, 2002, data,
54 for the period of July 1, 2002, through December 31, 2002, and
55 January 1, 2003, through June 30, 2003, that project the annual
56 cost to fully fund all appropriated positions in compliance with
57 the provisions of this act. It shall be the responsibility of the
58 agency head to ensure that no single personnel action increases
59 this projected cost and/or the Fiscal Year 2003 appropriation for
60 "Personal Services," as annualized on a semiannual basis in
61 accordance with the provisions of this act. If, at the end of any



62 calendar month, the State Personnel Board determines that the
63 agency has taken action(s) which would cause the agency to exceed
64 this projected annual cost or the Fiscal Year 2003 "Personal
65 Services" appropriated level, when annualized in compliance with
66 the provisions of this act, then only those actions which reduce
67 the projected annual cost and/or the appropriation requirement
68 will be processed by the State Personnel Board until such time as
69 the requirements of this provision are met.

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

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

76 **SECTION 2.** This act shall take effect and be in force from
77 and after its passage.

