HOUSE BILL NO. 1544
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL

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, for the purpose of
defraying the expenses of the State Department of Health for the
fiscal year beginning July 1, 2003, and ending June 30, 2004......

............................................. $ 29,891,091.00.

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 State Department
of Health which is comprised of special source funds collected by
or otherwise available to the department, for the purpose of
defraying the expenses of the department for the fiscal year
beginning July 1, 2003, and ending June 30, 2004.................

.............................................. $ 201,614,093.00.

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 State Board of Health for
the fiscal year beginning July 1, 2003, and ending June 30, 2004.

.................................................. $ 14,150,000.00.

The above funds shall be allocated as follows:

Maternal and Child Health Care

Program...............................$1,400,000.00
Early Intervention Program........$ 250,000.00
Health Department Programs..........$2,500,000.00
Mississippi Qualified Health Center Grant Program.........$4,000,000.00
Trauma Care System......................$6,000,000.00

It is the intention of the Legislature that none of the Six Million Dollars ($6,000,000.00) authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Further, unless otherwise excepted in this paragraph, no such out-of-state hospital shall be authorized to receive such funds until such time as the amount appropriated for such purpose shall reach an amount of Eight Million Dollars ($8,000,000.00) or more. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center at Memphis, located in Memphis, Tennessee, for their participation in the Trauma Care System.

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, 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.. $ 92,356,061.00
Travel and Subsistence................ 5,134,367.00
Contractual Services.................... 41,947,538.00
Commodities............................ 59,883,424.00

Capital Outlay:
Other Than Equipment.................. 823,000.00
Equipment............................. 5,857,094.00
Subsidies, Loans and Grants............... 39,653,700.00

Total................................ $ 245,655,184.00

FUNDING:
General Funds............................. $ 29,891,091.00
Special Funds.............................. 215,764,093.00
Total................................ $ 245,655,184.00

AUTHORIZED POSITIONS:

Permanent: Full Time............ 2,101
Part Time............  48
Time-Limited: Full Time............ 602
Part Time............  17

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 2005 do not exceed Fiscal Year 2004 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2005 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 2004 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 2004 "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.

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 5. It is the intention of the Legislature that the State Department of Health may escalate any special funds and positions not to exceed Four Million Dollars ($4,000,000.00). Such escalation shall be submitted to and approved by the Department of Finance and Administration in the manner consistent with the escalation of federal funds.

SECTION 6. It is the intention of the Legislature that the Department of Health shall have the authority to expend any special funds collected or otherwise available, notwithstanding any restrictions in the general law or statutes earmarking said funds for a particular use, that are in excess of the amounts needed for the purpose of such fund, for the purpose of providing maternal and child health, family planning and disease control services.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 8. 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 Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2003, and ending June 30, 2004.................

............................................... $ 33,552,000.00.
SECTION 9. It is the intention of the Legislature that in the event that there are insufficient Child Care Development Block Grant Funds, then the Department of Health shall maintain the Child Care Licensure Program at the same level that the program was in Fiscal Year 1993 using any other funds.

SECTION 10. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2003. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 11. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars ($50,000.00) of the funds appropriated in Section 1 and allocated in Section 4 for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 12. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money deposited in the State Treasury from the Mississippi Tobacco Pilot Program as authorized in the case Mike Moore Attorney General ex rel. State of Mississippi v. The American Tobacco Company et al. (Chancery Court of Jackson County, Mississippi, Cause No. 94-1429) to the State Department of Health for the fiscal year beginning July 1, 2003, and ending June 30, 2004 ........... $ 8,000,000.00.
It is the intention of the Legislature that of the funds appropriated in this section, an amount of Two Million Five Hundred Thousand Dollars ($2,500,000.00) is provided to fund the School Tobacco Nurse Program.

SECTION 13. Of the funds appropriated in Section 1, Seven Hundred Fifty Thousand Dollars ($750,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 14. Of the funds appropriated in Section 3, the amounts of One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be allocated to the T. K. Martin Center at Mississippi State University and One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be allocated to the Regional Rehabilitation Center in Tupelo for the Early Intervention Program.

SECTION 15. Of the funds appropriated herein, Fifty Thousand Dollars ($50,000.00) is provided for the Osteoporosis Program.

SECTION 16. In addition to all other funds heretofore appropriated, 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 State Department of Health which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding the Federal Bioterrorism Preparedness Program to the State Department of Health for the fiscal year beginning July 1, 2003, and ending June 30, 2004.............. $ 12,300,000.00.

SECTION 17. Of the funds provided under the provisions of this act, Two Hundred Seventy-seven Thousand Three Hundred Seventy-three Dollars ($277,373.00) may be used to reallocate or reclassify existing positions of this agency.

SECTION 18. In addition to all other sums heretofore appropriated, an amount not to exceed the following sum is appropriated out of any money in the State Treasury to the credit of the State Department of Health, for the purpose of providing...
funds to the Regional Medical Center at Memphis for trauma care
provided to indigent Mississippi patients for the fiscal year
ending June 30, 2003............................ $ 500,000.00.

The amount of funds provided to the Regional Medical Center
at Memphis under this section shall not exceed the actual amount
determined by the State Department of Health's distribution
formula for trauma fund disbursements.

In order to receive the funds provided under this section, the Regional Medical Center at Memphis shall provide to the State Department of Health such data regarding trauma services and payments as required by the department in accordance with the submission schedule established by the department.

SECTION 19. 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 20. This act shall take effect and be in force from
and after July 1, 2003, except for Section 18 which shall take
effect and be in force from and after its passage.