

By: Representatives Holland, Peranich, Barnett (92nd), Bowles, Frierson, Gibbs, McBride, Mitchell, Moody, Scott (17th), Shows, Stevens

To: Appropriations

HOUSE BILL NO. 1545

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE -  
2 DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL  
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE  
4 EXPENSES OF THE ADMINISTRATION OF SUCH LAW FOR THE FISCAL YEAR  
5 2004.

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

7 **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is hereby appropriated out of any money in the State  
9 General Fund not otherwise appropriated, to the Governor's Office  
10 - Division of Medicaid for the purpose of providing medical  
11 assistance under the Mississippi Medicaid Law and defraying the  
12 expenses of the administration of such law, as provided in Section  
13 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year  
14 beginning July 1, 2003, and ending June 30, 2004.....  
15 ..... \$ 246,826,757.00.

16 **SECTION 2.** The following sum, or so much thereof as may be  
17 necessary, is hereby appropriated out of any money in the State  
18 Treasury to the credit of the Medical Care Fund created by Section  
19 43-13-143, Mississippi Code of 1972, for the purpose of providing  
20 medical assistance under the Mississippi Medicaid Law for the  
21 fiscal year beginning July 1, 2003, and ending June 30, 2004.....  
22 ..... \$ 162,413,092.00.

23 **SECTION 3.** The following sum, or so much thereof as may be  
24 necessary, is hereby appropriated out of any money in any special  
25 fund in the State Treasury to the credit of the Governor's Office  
26 - Division of Medicaid which is comprised of special source funds  
27 collected by or otherwise available to the commission, for the  
28 purpose of providing medical assistance under the Mississippi



29 Medicaid Law and defraying the expenses of the administration of  
30 such law, for the fiscal year beginning July 1, 2003, and ending  
31 June 30, 2004..... \$ 2,125,132,587.00.

32 Prior period recovery of funds may be maintained and expended  
33 by the division when the recovery is received or finalized.

34 **SECTION 4.** The following sum, or so much thereof as may be  
35 necessary, is hereby appropriated out of any money in the State  
36 Treasury to the credit of the Health Care Expendable Fund, for the  
37 purpose of defraying the expenses of the Governor's Office -  
38 Division of Medicaid for the fiscal year beginning July 1, 2003,  
39 and ending June 30, 2004..... \$ 70,000,000.00.

40 The above funds shall be allocated as follows:

41	CHIP Program at 200% level of poverty...\$	7,000,000.00
42	Eyeglasses for adults.....\$	1,700,000.00
43	Home and Community Waiver Program.....\$	4,795,000.00
44	Expand coverage for Poverty Level Aged and	
45	Disabled group.....\$	9,500,000.00
46	Disabled worker buy-in to the Medicaid	
47	program.....\$	1,835,000.00
48	Dental fee increase.....\$	2,200,000.00
49	Miscellaneous.....\$	300,000.00
50	Medical Services Program Matching Funds.\$	42,670,000.00

51 It is the intention of the Legislature that funds may be  
52 shifted among the above allocated line items where needed in the  
53 discretion of the Executive Director of the Division of Medicaid.

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

58 MAJOR OBJECTS OF EXPENDITURE:

59 Personal Services:

60	Salaries, Wages and Fringe Benefits.. \$	24,533,054.00
61	Travel and Subsistence.....	630,508.00



62	Contractual Services.....	80,252,347.00
63	Commodities.....	700,500.00
64	Capital Outlay:	
65	Other Than Equipment.....	0.00
66	Equipment.....	900,000.00
67	Subsidies, Loans and Grants.....	<u>2,497,356,027.00</u>
68	Total.....	\$ 2,604,372,436.00

69 FUNDING:

70	General Funds.....	\$ 246,826,757.00
71	Special Funds.....	<u>2,357,545,679.00</u>
72	Total.....	\$ 2,604,372,436.00

73 AUTHORIZED POSITIONS:

74	Permanent: Full Time.....	615
75	Part Time.....	0
76	Time-Limited: Full Time.....	1
77	Part Time.....	0

78 With the funds herein appropriated, it is the intention of  
79 the Legislature that it shall be the agency's responsibility to  
80 make certain that funds required to be appropriated for "Personal  
81 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
82 funds appropriated for that purpose, unless programs or positions  
83 are added to the agency's Fiscal Year 2005 budget by the  
84 Mississippi Legislature. Based on data provided by the  
85 Legislative Budget Office, the State Personnel Board shall  
86 determine and publish the projected annual cost to fully fund all  
87 appropriated positions in compliance with the provisions of this  
88 act. It shall be the responsibility of the agency head to insure  
89 that no single personnel action increases this projected annual  
90 cost and/or the Fiscal Year 2004 appropriation for "Personal  
91 Services" when annualized. If, at the end of any calendar month,  
92 the State Personnel Board determines that the agency has taken  
93 action(s) which would cause the agency to exceed this projected  
94 annual cost or the Fiscal Year 2004 "Personal Services"



95 appropriated level, when annualized, then only those actions which  
96 reduce the projected annual cost and/or the appropriation  
97 requirement will be processed by the State Personnel Board until  
98 such time as 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 6.** None of the funds appropriated by this act shall  
106 be paid to the fiscal agent of the Division of Medicaid for the  
107 administration of the Medicaid program except for payments that  
108 are made to the fiscal agent in accordance with the contract  
109 executed between the division and the fiscal agent on or about  
110 March 27, 2001; however, the Division may pay the fiscal agent up  
111 to Three Million Dollars (\$3,000,000.00) General Fund dollars to  
112 revise and modernize the present system to meet Health Insurance  
113 Portability and Accountability Act (HIPAA) compliance.

114 **SECTION 7.** It is the intention of the Legislature that the  
115 Executive Director of the Division of Medicaid may authorize  
116 increases in any major objects of expenditures in total amounts  
117 not to exceed twenty-five percent (25%) of the appropriated amount  
118 of each major object of expenditure, provided that other major  
119 objects of expenditure are decreased by a corresponding dollar  
120 amount.

121 **SECTION 8.** Of the funds provided under the provisions of  
122 this act, Six Hundred Ninety-two Thousand One Hundred forty-seven  
123 Dollars (\$692,147.00) may be used to reallocate or reclassify  
124 existing positions of this agency.

125 **SECTION 9.** It is the intention of the Legislature that none  
126 of the funds appropriated by this act shall be expended for  
127 increased charges for State and School Employees' Health Insurance



128 Plan premium rates assessed by the Department of Finance and  
129 Administration in excess of the Fiscal Year 2003 premium rates for  
130 the health insurance plan.

131         **SECTION 10.** The money herein appropriated shall be paid by  
132 the State Treasurer out of any money in the State Treasury to the  
133 credit of the proper fund or funds as set forth in this act, upon  
134 warrants issued by the State Fiscal Officer; and the State Fiscal  
135 Officer shall issue his warrants upon requisitions signed by the  
136 proper person, officer or officers, in the manner provided by law.

137         **SECTION 11.** This act shall take effect and be in force from  
138 and after July 1, 2003.

