

By: Senator(s) Gordon, Thames, Carlton,
Harden, Huggins, Jackson, Kirby, Walden

To: Appropriations

SENATE BILL NO. 2954

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH AND CERTAIN PROGRAMS OF THE DIVISION
3 OF ALCOHOL AND DRUG ABUSE, FOR FISCAL YEAR 2004.

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

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 support and
8 maintenance of the Department of Mental Health for the fiscal year
9 beginning July 1, 2003, and ending June 30, 2004.....
10 \$ 189,022,521.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby authorized for expenditure out of any special
13 source funds which are collected by or otherwise become available
14 for the support and maintenance of the Department of Mental Health
15 for the fiscal year beginning July 1, 2003, and ending
16 June 30, 2004..... \$ 272,596,686.00.

17 **SECTION 3.** The following sum, or so much thereof as may be
18 necessary, is hereby appropriated out of any money in the State
19 Treasury to the credit of the Health Care Expendable Fund, created
20 under House Bill No. 519, 1999 Regular Session, for the support
21 and maintenance of the Department of Mental Health for the fiscal
22 year beginning July 1, 2003, and ending June 30, 2004.....
23 \$ 24,952,551.00.

24 The funds appropriated in this section shall be allocated as
25 follows:

26 \$ 7,500,000.00 Expenses of the Department of Mental
27 Health.



28	\$ 750,000.00	Alzheimer's Disease Services Development
29		and Implementation of Senate Bill
30		No. 2100, 1997 Regular Session.
31	\$ 7,702,551.00	Medicaid Matching Funds.
32	\$ 500,000.00	Psychotropic Drugs or Medicaid Match.
33	\$ 1,000,000.00	Alzheimer's Disease Program, Prepayment
34		to Medicaid, etc.
35	\$ 5,050,000.00	Crisis Centers, Holding Centers, Group
36		Homes, Substance Abuse Programs,
37		Children's Programs, Prepayment of
38		Medicaid, etc.
39	\$ 2,250,000.00	Physician Services at Community Mental
40		Health Centers.
41	\$ 200,000.00	Grant for Epilepsy Foundation of
42	_____	Mississippi or Medicaid Match.
43	\$24,952,551.00	Total

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

49 **CENTRAL OFFICE**

50 MAJOR OBJECTS OF EXPENDITURE:

51	Personal Services:	
52	Salaries, Wages and Fringe Benefits..	\$ 4,639,200.00
53	Travel and Subsistence.....	210,990.00
54	Contractual Services.....	881,893.00
55	Commodities.....	144,750.00
56	Capital Outlay:	
57	Other Than Equipment.....	0.00
58	Equipment.....	25,000.00
59	Subsidies, Loans and Grants.....	<u>9,942,522.00</u>
60	Total.....	\$ 15,844,355.00



61	FUNDING:	
62	General Funds.....	\$ 2,221,495.00
63	Special Funds.....	<u>13,622,860.00</u>
64	Total.....	\$ 15,844,355.00

65 AUTHORIZED POSITIONS:

66	Permanent: Full Time.....	82
67	Part Time.....	0
68	Time-Limited: Full Time.....	24
69	Part Time.....	0

70 **ELLISVILLE STATE SCHOOL AND FARM**

71 MAJOR OBJECTS OF EXPENDITURE:

72	Personal Services:	
73	Salaries, Wages and Fringe Benefits..	\$ 46,508,208.00
74	Travel and Subsistence.....	126,208.00
75	Contractual Services.....	4,474,143.00
76	Commodities.....	5,050,928.00
77	Capital Outlay:	
78	Other Than Equipment.....	470,000.00
79	Equipment.....	775,772.00
80	Subsidies, Loans and Grants.....	<u>15,008,748.00</u>
81	Total.....	\$ 72,414,007.00

82 FUNDING:

83	General Funds.....	\$ 15,401,489.00
84	Special Funds.....	<u>57,012,518.00</u>
85	Total.....	\$ 72,414,007.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	1,596
88	Part Time.....	32
89	Time-Limited: Full Time.....	56
90	Part Time.....	0

91 **EAST MISSISSIPPI STATE HOSPITAL**

92 MAJOR OBJECTS OF EXPENDITURE:

93 Personal Services:



94	Salaries, Wages and Fringe Benefits..	\$	36,245,591.00
95	Travel and Subsistence.....		37,400.00
96	Contractual Services.....		2,639,154.00
97	Commodities.....		4,853,401.00
98	Capital Outlay:		
99	Other Than Equipment.....		60,000.00
100	Equipment.....		152,047.00
101	Subsidies, Loans and Grants.....		<u>2,854,606.00</u>
102	Total.....	\$	46,842,199.00

103 FUNDING:

104	General Funds.....	\$	30,582,014.00
105	Special Funds.....		<u>16,260,185.00</u>
106	Total.....	\$	46,842,199.00

107 AUTHORIZED POSITIONS:

108	Permanent:	Full Time.....	1,343
109		Part Time.....	6
110	Time-Limited:	Full Time.....	121
111		Part Time.....	0

112 **HUDSPETH REGIONAL CENTER**

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits..	\$	28,824,808.00
116	Travel and Subsistence.....		124,630.00
117	Contractual Services.....		2,709,252.00
118	Commodities.....		3,191,209.00
119	Capital Outlay:		
120	Other Than Equipment.....		150,000.00
121	Equipment.....		687,490.00
122	Subsidies, Loans and Grants.....		<u>9,895,827.00</u>
123	Total.....	\$	45,583,216.00

124 FUNDING:

125	General Funds.....	\$	7,690,249.00
126	Special Funds.....		<u>37,892,967.00</u>



127 Total..... \$ 45,583,216.00

128 AUTHORIZED POSITIONS:

129 Permanent: Full Time..... 948

130 Part Time..... 28

131 Time-Limited: Full Time..... 48

132 Part Time..... 0

133 MISSISSIPPI STATE HOSPITAL

134 MAJOR OBJECTS OF EXPENDITURE:

135 Personal Services:

136 Salaries, Wages and Fringe Benefits.. \$ 86,176,049.00

137 Travel and Subsistence..... 70,000.00

138 Contractual Services..... 9,421,333.00

139 Commodities..... 9,613,299.00

140 Capital Outlay:

141 Other Than Equipment..... 246,635.00

142 Equipment..... 472,373.00

143 Subsidies, Loans and Grants..... 7,568,152.00

144 Total..... \$ 113,567,841.00

145 FUNDING:

146 General Funds..... \$ 72,468,674.00

147 Special Funds..... 41,099,167.00

148 Total..... \$ 113,567,841.00

149 AUTHORIZED POSITIONS:

150 Permanent: Full Time..... 2,831

151 Part Time..... 11

152 Time-Limited: Full Time..... 221

153 Part Time..... 0

154 NORTH MISSISSIPPI REGIONAL CENTER

155 MAJOR OBJECTS OF EXPENDITURE:

156 Personal Services:

157 Salaries, Wages and Fringe Benefits.. \$ 29,407,576.00

158 Travel and Subsistence..... 112,000.00

159 Contractual Services..... 4,162,620.00



160	Commodities.....	4,825,906.00
161	Capital Outlay:	
162	Other Than Equipment.....	71,500.00
163	Equipment.....	999,129.00
164	Subsidies, Loans and Grants.....	<u>13,337,175.00</u>
165	Total..... \$	52,915,906.00

166 FUNDING:

167	General Funds..... \$	9,752,834.00
168	Special Funds.....	<u>43,163,072.00</u>
169	Total..... \$	52,915,906.00

170 AUTHORIZED POSITIONS:

171	Permanent: Full Time.....	927
172	Part Time.....	12
173	Time-Limited: Full Time.....	130
174	Part Time.....	13

175 **SOUTH MISSISSIPPI REGIONAL CENTER**

176 MAJOR OBJECTS OF EXPENDITURE:

177	Personal Services:	
178	Salaries, Wages and Fringe Benefits.. \$	20,856,063.00
179	Travel and Subsistence.....	79,000.00
180	Contractual Services.....	3,311,421.00
181	Commodities.....	2,361,505.00
182	Capital Outlay:	
183	Other Than Equipment.....	100,000.00
184	Equipment.....	400,809.00
185	Subsidies, Loans and Grants.....	<u>6,358,104.00</u>
186	Total..... \$	33,466,902.00

187 FUNDING:

188	General Funds..... \$	7,409,570.00
189	Special Funds.....	<u>26,057,332.00</u>
190	Total..... \$	33,466,902.00

191 AUTHORIZED POSITIONS:

192	Permanent: Full Time.....	602
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193	Part Time.....	8
194	Time-Limited: Full Time.....	101
195	Part Time.....	4

BOSWELL REGIONAL CENTER

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

199	Salaries, Wages and Fringe Benefits.. \$	17,194,663.00
200	Travel and Subsistence.....	59,058.00
201	Contractual Services.....	2,521,807.00
202	Commodities.....	1,948,170.00
203	Capital Outlay:	
204	Other Than Equipment.....	257,350.00
205	Equipment.....	576,176.00
206	Subsidies, Loans and Grants.....	<u>4,292,904.00</u>
207	Total..... \$	26,850,128.00

FUNDING:

209	General Funds..... \$	8,736,059.00
210	Special Funds.....	<u>18,114,069.00</u>
211	Total..... \$	26,850,128.00

AUTHORIZED POSITIONS:

213	Permanent: Full Time.....	507
214	Part Time.....	3
215	Time-Limited: Full Time.....	91
216	Part Time.....	2

NORTH MISSISSIPPI STATE HOSPITAL

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

220	Salaries, Wages and Fringe Benefits.. \$	5,660,741.00
221	Travel and Subsistence.....	20,000.00
222	Contractual Services.....	855,908.00
223	Commodities.....	989,285.00
224	Capital Outlay:	
225	Other Than Equipment.....	0.00



226	Equipment.....	100,000.00
227	Subsidies, Loans and Grants.....	<u>0.00</u>
228	Total.....	\$ 7,625,934.00

229 FUNDING:

230	General Funds.....	\$ 7,075,934.00
231	Special Funds.....	<u>550,000.00</u>
232	Total.....	\$ 7,625,934.00

233 AUTHORIZED POSITIONS:

234	Permanent: Full Time.....	185
235	Part Time.....	0
236	Time-Limited: Full Time.....	4
237	Part Time.....	0

238 **SOUTH MISSISSIPPI STATE HOSPITAL**

239 MAJOR OBJECTS OF EXPENDITURE:

240 Personal Services:

241	Salaries, Wages and Fringe Benefits..	\$ 4,502,503.00
242	Travel and Subsistence.....	10,000.00
243	Contractual Services.....	787,615.00
244	Commodities.....	680,839.00
245	Capital Outlay:	
246	Other Than Equipment.....	20,000.00
247	Equipment.....	99,111.00
248	Subsidies, Loans and Grants.....	<u>10,000.00</u>
249	Total.....	\$ 6,110,068.00

250 FUNDING:

251	General Funds.....	\$ 5,249,504.00
252	Special Funds.....	<u>860,564.00</u>
253	Total.....	\$ 6,110,068.00

254 AUTHORIZED POSITIONS:

255	Permanent: Full Time.....	156
256	Part Time.....	0
257	Time-Limited: Full Time.....	1
258	Part Time.....	0



259	CENTRAL MISSISSIPPI RESIDENTIAL CENTER		
260	MAJOR OBJECTS OF EXPENDITURE:		
261	Personal Services:		
262	Salaries, Wages and Fringe Benefits..	\$	1,516,923.00
263	Travel and Subsistence.....		15,961.00
264	Contractual Services.....		517,884.00
265	Commodities.....		687,469.00
266	Capital Outlay:		
267	Other Than Equipment.....		535,572.00
268	Equipment.....		1,200,000.00
269	Subsidies, Loans and Grants.....		<u>251,548.00</u>
270	Total.....	\$	4,725,357.00
271	FUNDING:		
272	General Funds.....	\$	4,028,052.00
273	Special Funds.....		<u>697,305.00</u>
274	Total.....	\$	4,725,357.00
275	AUTHORIZED POSITIONS:		
276	Permanent: Full Time.....		132
277	Part Time.....		0
278	Time-Limited: Full Time.....		14
279	Part Time.....		0
280	BROOKHAVEN JUVENILE REHABILITATION FACILITY		
281	MAJOR OBJECTS OF EXPENDITURE:		
282	Personal Services:		
283	Salaries, Wages and Fringe Benefits..	\$	3,610,127.00
284	Travel and Subsistence.....		8,600.00
285	Contractual Services.....		541,998.00
286	Commodities.....		385,981.00
287	Capital Outlay:		
288	Other Than Equipment.....		10,000.00
289	Equipment.....		65,519.00
290	Subsidies, Loans and Grants.....		<u>6,000.00</u>
291	Total.....	\$	4,628,225.00



292	FUNDING:		
293	General Funds.....	\$	4,628,225.00
294	Special Funds.....		<u>0.00</u>
295	Total.....	\$	4,628,225.00

296 AUTHORIZED POSITIONS:

297	Permanent: Full Time.....	118
298	Part Time.....	0
299	Time-Limited: Full Time.....	10
300	Part Time.....	0

301 **SPECIALIZED TREATMENT FACILITY**

302 MAJOR OBJECTS OF EXPENDITURE:

303 Personal Services:

304	Salaries, Wages and Fringe Benefits..	\$	427,285.00
305	Travel and Subsistence.....		10,238.00
306	Contractual Services.....		175,000.00
307	Commodities.....		58,633.00
308	Capital Outlay:		
309	Other Than Equipment.....		25,000.00
310	Equipment.....		25,000.00
311	Subsidies, Loans and Grants.....		<u>500.00</u>
312	Total.....	\$	721,656.00

313 FUNDING:

314	General Funds.....	\$	721,656.00
315	Special Funds.....		<u>0.00</u>
316	Total.....	\$	721,656.00

317 AUTHORIZED POSITIONS:

318	Permanent: Full Time.....	85
319	Part Time.....	0
320	Time-Limited: Full Time.....	0
321	Part Time.....	0

322 **SERVICE BUDGET**

323 MAJOR OBJECTS OF EXPENDITURE:

324 Personal Services:



325	Salaries, Wages and Fringe Benefits..	\$	0.00
326	Travel and Subsistence.....		0.00
327	Contractual Services.....		1,203,343.00
328	Commodities.....		0.00
329	Capital Outlay:		
330	Other Than Equipment.....		0.00
331	Equipment.....		0.00
332	Subsidies, Loans and Grants.....		<u>50,066,925.00</u>
333	Total.....	\$	51,270,268.00

334 FUNDING:

335	General Funds.....	\$	13,056,766.00
336	Special Funds.....		<u>38,213,502.00</u>
337	Total.....	\$	51,270,268.00

338 AUTHORIZED POSITIONS:

339	Permanent: Full Time.....	0
340	Part Time.....	0
341	Time-Limited: Full Time.....	0
342	Part Time.....	0

343 **DIVISION OF ALCOHOL AND DRUG ABUSE**

344 MAJOR OBJECTS OF EXPENDITURE:

345 Personal Services:

346	Salaries, Wages and Fringe Benefits..	\$	318,030.00
347	Travel and Subsistence.....		23,100.00
348	Contractual Services.....		45,600.00
349	Commodities.....		8,700.00
350	Capital Outlay:		
351	Other Than Equipment.....		0.00
352	Equipment.....		21,000.00
353	Subsidies, Loans and Grants.....		<u>3,589,266.00</u>
354	Total.....	\$	4,005,696.00

355 FUNDING:

356	General Funds.....	\$	0.00
357	Special Funds.....		<u>4,005,696.00</u>



358 Total..... \$ 4,005,696.00

359 AUTHORIZED POSITIONS:

360	Permanent:	Full Time.....	7
361		Part Time.....	0
362	Time-Limited:	Full Time.....	0
363		Part Time.....	0

364 With the funds herein appropriated, it is the intention of
365 the Legislature that it shall be the agency's responsibility to
366 make certain that funds required to be appropriated for "Personal
367 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
368 funds appropriated for that purpose, unless programs or positions
369 are added to the agency's Fiscal Year 2005 budget by the
370 Mississippi Legislature. Based on data provided by the
371 Legislative Budget Office, the State Personnel Board shall
372 determine and publish the projected annual cost to fully fund all
373 appropriated positions in compliance with the provisions of this
374 act. It shall be the responsibility of the agency head to insure
375 that no single personnel action increases this projected annual
376 cost and/or the Fiscal Year 2004 appropriation for "Personal
377 Services" when annualized. If, at the end of any calendar month,
378 the State Personnel Board determines that the agency has taken
379 action(s) which would cause the agency to exceed this projected
380 annual cost or the Fiscal Year 2004 "Personal Services"
381 appropriated level, when annualized, then only those actions which
382 reduce the projected annual cost and/or the appropriation
383 requirement will be processed by the State Personnel Board until
384 such time as the requirements of this provision are met.

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

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



391 Of the general funds appropriated to the "Service Budget" in
392 the category "Subsidies, Loans and Grants," the sum of
393 Seventy-five Thousand Dollars (\$75,000.00) may be used for Special
394 Olympics and choir and tumbling team consisting of students from
395 the institutions included in this act.

396 **SECTION 5.** Of the funds appropriated under the provisions of
397 Sections 1 and 3, authorized for expenditure in Section 2, and
398 allocated in Section 4 to the "Central Office," funds are included
399 for an Alzheimer's education and training program.

400 **SECTION 6.** Of the funds appropriated under the provisions of
401 Section 1, authorized for expenditure in Section 2, and allocated
402 in Section 4 to the "Central Office," funds are included to
403 compensate part-time members of the Sexual Predator Review Board
404 at an hourly rate not to exceed the hourly rate for similarly
405 qualified and titled full-time state employees, plus fringe
406 benefits allowable for such part-time employees.

407 **SECTION 7.** Of the funds appropriated under the provisions of
408 Section 1, authorized for expenditure under the provisions of
409 Section 2, and allocated under the provisions of Section 4, funds
410 in the amount of Two Hundred Thousand Dollars (\$200,000.00) may be
411 expended for the support of a pilot project to provide authority
412 for East Mississippi State Hospital and Mississippi State Hospital
413 to contract with local hospitals located in counties with a
414 population of less than fifty thousand (50,000) to provide
415 emergency inpatient care to individuals committed by the Chancery
416 Court to East Mississippi State Hospital or Mississippi State
417 Hospital for treatment of mental illness if, at the time that such
418 commitment is made, a bed is not available for admission to East
419 Mississippi State Hospital or Mississippi State Hospital. East
420 Mississippi State Hospital and Mississippi State Hospital shall
421 have the authority to contract with local hospitals located in
422 counties with a population of less than fifty thousand (50,000)
423 for inpatient emergency care for a period not to exceed seven (7)



424 days at a rate not to exceed One Hundred and Fifty Dollars
425 (\$150.00) per day with East Mississippi State Hospital or
426 Mississippi State Hospital providing One Hundred Dollars (\$100.00)
427 and the local government providing Fifty Dollars (\$50.00) per day
428 for such care. Payment for such physician fees shall be made at
429 the Medicaid rate of reimbursement and paid by East Mississippi
430 State Hospital or Mississippi State Hospital. Funds provided for
431 the initiation of this pilot project shall not be expended for
432 inpatient hospital care unless there is participation in the
433 reimbursement for such care by the local government as required by
434 the provisions of this section.

435 **SECTION 8.** It is the intention of the Legislature that the
436 Executive Director of the Department of Mental Health shall have
437 authority to transfer cash from one special fund treasury fund to
438 another special fund treasury fund under the control of the
439 Department of Mental Health. The purpose of this authority is to
440 more efficiently use available cash reserves. It is further the
441 intention of the Legislature that the Executive Director of the
442 Department of Mental Health shall submit written justification for
443 the transfer to the Legislative Budget Office and the Department
444 of Finance and Administration on or before the fifteenth (15th) of
445 the month prior to the effective date of the transfer.

446 **SECTION 9.** The Executive Director of the Department of
447 Mental Health and the directors of each separate facility operated
448 by the Department of Mental Health are hereby authorized to
449 transfer spending authority from any major objects to any other
450 major objects in any amounts deemed necessary for the efficient
451 management and operation of their budgets, provided that the total
452 spending authority remains unchanged after such transfers and the
453 total of such transfers into any major object do not exceed
454 twenty-five percent (25%) of the original appropriated amount for
455 that major object plus any escalations of spending authority that
456 have occurred during any given fiscal year.



457 **SECTION 10.** The Department of Mental Health is hereby
458 authorized to accept and expend in any major objects deemed
459 necessary by the Department of Mental Health any nonfederal funds
460 from any source for the purposes of defraying the operational
461 costs of any of the separate budget entities operated by the
462 Department of Mental Health. Such nonfederal funds shall include
463 patient revenues, including Medicaid income, and grants,
464 contributions and donations from any individual, public, or
465 private organization, received in excess of amounts originally
466 anticipated when spending authority was appropriated, and shall
467 also include cash balances in excess of the estimated beginning
468 cash balances used in establishing the original appropriation.
469 Such nonfederal funds shall be received and expended under the
470 rules and regulations of the Department of Finance and
471 Administration in a manner consistent with the escalation of
472 federal funds.

473 **SECTION 11.** The Department of Mental Health and its
474 facilities shall have the authority, within funding and spending
475 authority appropriated under the provisions of Sections 1 and 3,
476 authorized for expenditure in Section 2, and allocated under the
477 provisions of Section 4 of this act, to transfer funds to the
478 Division of Medicaid in payment of Medicaid match and designate
479 that the funds thus transferred shall be applied to Medicaid match
480 obligations arising in the subsequent fiscal year.

481 **SECTION 12.** Any person within the Department of Mental
482 Health who must work on a statutory holiday or any holiday
483 proclaimed by the Governor, may at the discretion of the Director
484 of the Institution and the Executive Director of the Department of
485 Mental Health and within available personnel funds, be paid "call
486 back pay" in lieu of "compensatory time credit."

487 **SECTION 13.** Of the funds appropriated to the "Service
488 Budget" in the category "Subsidies, Loans and Grants," funds are



489 included for the support of community mental health services for
490 Fiscal Year 2004.

491 Provided, however, that none of the funds appropriated for
492 the support of community mental health services shall be made
493 available to any Regional Mental Health/Retardation Center which
494 does not receive from each of its participating counties a dollar
495 amount equivalent to what the proceeds of a three-fourths (3/4)
496 mill tax on all taxable property in the county in Fiscal Year 1982
497 would have been or the amount of funds contributed to the center
498 by the county in Fiscal Year 1984, whichever shall be greater. By
499 means of performance contracts, the Department of Mental Health
500 shall disburse the funds appropriated in this section for services
501 for the mentally ill, mentally retarded and alcohol/drug abusers.
502 The State Board of Mental Health and the Department of Mental
503 Health shall be responsible for selecting the types of services
504 which shall be provided with the funds appropriated in this
505 section, for developing and monitoring performance contracts and
506 for holding contractors accountable for utilization of funds.

507 **SECTION 14.** Funds presently included or any funds received
508 in the future for timber funds at Ellisville State School and East
509 Mississippi State Hospital are hereby authorized for transfer to
510 the regular operating budgets of the respective facilities. Each
511 facility shall receive such funds as "Special" funds, and such
512 funds shall be available for use in payment of any and all
513 expenses of each facility, paid by the State Treasurer upon
514 warrants issued by the State Fiscal Officer; and the State Fiscal
515 Officer shall issue his warrants upon requisitions signed by the
516 proper person, officer or officers in the manner provided by law.

517 **SECTION 15.** The Department of Mental Health and its
518 facilities shall have the express legal authority, within funding
519 and spending authority appropriated under the provisions of
520 Section 1, authorized for expenditure under the provisions of
521 Section 2, and allocated under the provisions of Section 4 of this



522 act, to purchase land for use by residential facilities operated
523 by the Department, either directly or by means of transferring
524 funds to the Bureau of Building, Grounds and Real Property
525 Management, and to transfer such funds to Bureau of Building,
526 Grounds, and Real Property Management for the purposes of
527 constructing and equipping group homes for persons with mental
528 illness, mental retardation, and/or substance abuse; constructing
529 and equipping such other buildings as may be required for
530 treatment of persons with mental illness, mental retardation,
531 and/or substance abuse; repair and renovate existing buildings;
532 and to construct, repair and/or renovate employee housing. Any
533 intermediate care facilities for the mentally retarded (ICF/MR)
534 constructed with funds authorized in this section shall be
535 authorized to participate in Medicaid funding available for such
536 services.

537 **SECTION 16.** Of the General Funds appropriated to the
538 "Service Budget" in the category of "Subsidies, Loans and Grants,"
539 the sum required may be expended to fund the Home and Community
540 Based Waiver Option for community mental retardation services as
541 authorized under Section 43-13-117 (29) of the Mississippi Code of
542 1972 (Annotated).

543 **SECTION 17.** With the funds herein appropriated, the
544 Department of Mental Health is authorized to provide home and
545 community based treatment and institutional treatment to not more
546 than ten (10) persons at any given time who, on or after reaching
547 their twenty-first birthday (age 21), suffered a severe brain
548 injury and whose condition as a result of that brain injury would
549 have resulted in their classification as developmentally disabled
550 if such injury had occurred prior to their twenty-first birthday.

551 **SECTION 18.** The following sum, or so much thereof as may be
552 necessary, is hereby reappropriated out of any money in the
553 special fund in the State Treasury to the credit of the Department
554 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,



555 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year
556 beginning July 1, 2003, and ending June 30, 2004.....
557 \$ 10,000,000.00

558 Notwithstanding the amount reappropriated under the
559 provisions of this section, in no event shall the amount expended
560 exceed the unexpended balance as of June 30, 2003, or change the
561 purpose for which the funds were originally authorized.

562 **SECTION 19.** None of the funds appropriated herein may be
563 used to pay for alternative residential placement or
564 hospitalization for mental health, mental retardation, or
565 substance treatment of a person committed to the Department of
566 Mental Health under Sections 41-21-61, et seq., 41-21-107,
567 41-31-1, et seq., 43-21-315, and 43-21-611, Mississippi Code of
568 1972.

569 **SECTION 20.** Of the funds appropriated under the provisions
570 of Section 1, authorized for expenditure in Section 2, and
571 allocated in Section 4 to Mississippi State Hospital, funds not to
572 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) may be
573 expended for preplanning costs associated with a project or
574 projects to renovate buildings on the campus of Mississippi State
575 Hospital to meet standards of the Joint Commission on
576 Accreditation of Healthcare Organizations.

577 **SECTION 21.** None of the funds appropriated for the support
578 of community mental health, mental retardation, or substance abuse
579 services shall be made available to any service provider which,
580 upon determination of the Executive Director of the Department of
581 Mental Health, has an outstanding monetary obligation owed to the
582 Department of Mental Health or to the Division of Medicaid,
583 pursuant to an audit or programmatic review performed by the
584 Department of Mental Health, that has not been resolved, including
585 those audits or programmatic reviews that occurred prior to
586 July 1, 2003.



587 **SECTION 22.** From the funds provided herein, the Department
588 shall have the authority to adjust salaries of academic teachers
589 to be commensurate to the teacher's salary scale as provided in
590 the Mississippi Teacher Opportunity Program for the 2003-2004
591 school year, as outlined in Section 37-19-7, Mississippi Code of
592 1972, effective July 1, 2003.

593 **SECTION 23.** It is the intention of the Legislature that none
594 of the funds appropriated by this act shall be expended for
595 increased charges for State and School Employees' Health Insurance
596 Plan premium rates assessed by the Department of Finance and
597 Administration in excess of the Fiscal Year 2003 premium rates for
598 the health insurance plan.

599 **SECTION 24.** No recipient of funding from the Department of
600 Mental Health shall pay any employee a salary in excess of that
601 salary approved by the State Personnel Board for similar positions
602 within the Department of Mental Health. Similarity of positions
603 shall be determined jointly by the Department of Mental Health and
604 the State Personnel Board. Recipients of Department of Mental
605 Health funds which do not comply with this section shall receive
606 no funds from the Department of Mental Health until they bring
607 their salaries into compliance.

608 **SECTION 25.** Of the funds provided under the provisions of
609 this act, Twenty-eight Thousand Dollars (\$28,000.00) may be used
610 to reallocate or reclassify PIN 3702 and PIN 3724 at the
611 Ellisville State School.

612 **SECTION 26.** The money herein appropriated shall be paid by
613 the State Treasurer out of any money in the State Treasury to the
614 credit of the proper fund or funds as set forth in this act, upon
615 warrants issued by the State Fiscal Officer; and the State Fiscal
616 Officer shall issue his warrants upon requisitions signed by the
617 proper person, officer or officers in the manner provided by law.

618 **SECTION 27.** This act shall take effect and be in force from
619 and after July 1, 2003.

