

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

To: Appropriations

SENATE BILL NO. 2954  
(As Sent to Governor)

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 ..... \$ 189,594,940.00.

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..... \$ 273,034,509.00.

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 ..... \$ 26,452,551.00.

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.





61	FUNDING:	
62	General Funds.....	\$ 2,228,987.00
63	Special Funds.....	<u>13,623,684.00</u>
64	Total.....	\$ 15,852,671.00

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..	\$ 46,674,636.00
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.....	\$ 72,580,435.00

82 FUNDING:

83	General Funds.....	\$ 15,460,766.00
84	Special Funds.....	<u>57,119,669.00</u>
85	Total.....	\$ 72,580,435.00

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..	\$	36,366,659.00
95	Travel and Subsistence.....		37,400.00
96	Contractual Services.....		2,666,654.00
97	Commodities.....		4,853,401.00
98	Capital Outlay:		
99	Other Than Equipment.....		119,000.00
100	Equipment.....		152,047.00
101	Subsidies, Loans and Grants.....		<u>2,854,606.00</u>
102	Total.....	\$	47,049,767.00

103 FUNDING:

104	General Funds.....	\$	30,680,565.00
105	Special Funds.....		<u>16,369,202.00</u>
106	Total.....	\$	47,049,767.00

107 AUTHORIZED POSITIONS:

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

112 Of the funds allocated to the East Mississippi State  
113 Hospital, Fifty-nine Thousand Dollars (\$59,000.00) is provided to  
114 upgrade the electrical transmission system and Twenty-seven  
115 Thousand Five Hundred Dollars (\$27,500.00) is provided for a study  
116 of electrical usage.

117 **HUDSPETH REGIONAL CENTER**

118 MAJOR OBJECTS OF EXPENDITURE:

119 Personal Services:

120	Salaries, Wages and Fringe Benefits..	\$	28,916,824.00
121	Travel and Subsistence.....		124,630.00
122	Contractual Services.....		2,709,252.00
123	Commodities.....		3,191,209.00
124	Capital Outlay:		
125	Other Than Equipment.....		150,000.00
126	Equipment.....		687,490.00



127	Subsidies, Loans and Grants.....		<u>9,895,827.00</u>
128	Total.....	\$	45,675,232.00

129 FUNDING:

130	General Funds.....	\$	7,719,148.00
131	Special Funds.....		<u>37,956,084.00</u>
132	Total.....	\$	45,675,232.00

133 AUTHORIZED POSITIONS:

134	Permanent: Full Time.....	948
135	Part Time.....	28
136	Time-Limited: Full Time.....	48
137	Part Time.....	0

138 **MISSISSIPPI STATE HOSPITAL**

139 MAJOR OBJECTS OF EXPENDITURE:

140 Personal Services:

141	Salaries, Wages and Fringe Benefits..	\$	86,439,137.00
142	Travel and Subsistence.....		70,000.00
143	Contractual Services.....		9,421,333.00
144	Commodities.....		9,613,299.00
145	Capital Outlay:		
146	Other Than Equipment.....		246,635.00
147	Equipment.....		472,373.00
148	Subsidies, Loans and Grants.....		<u>7,568,152.00</u>
149	Total.....	\$	113,830,929.00

150 FUNDING:

151	General Funds.....	\$	72,718,586.00
152	Special Funds.....		<u>41,112,343.00</u>
153	Total.....	\$	113,830,929.00

154 AUTHORIZED POSITIONS:

155	Permanent: Full Time.....	2,831
156	Part Time.....	11
157	Time-Limited: Full Time.....	221
158	Part Time.....	0

159 **NORTH MISSISSIPPI REGIONAL CENTER**



160	MAJOR OBJECTS OF EXPENDITURE:	
161	Personal Services:	
162	Salaries, Wages and Fringe Benefits.. \$	29,509,312.00
163	Travel and Subsistence.....	112,000.00
164	Contractual Services.....	4,162,620.00
165	Commodities.....	4,825,906.00
166	Capital Outlay:	
167	Other Than Equipment.....	71,500.00
168	Equipment.....	999,129.00
169	Subsidies, Loans and Grants.....	<u>13,337,175.00</u>
170	Total..... \$	53,017,642.00

171	FUNDING:	
172	General Funds..... \$	9,782,506.00
173	Special Funds.....	<u>43,235,136.00</u>
174	Total..... \$	53,017,642.00

175	AUTHORIZED POSITIONS:	
176	Permanent: Full Time.....	927
177	Part Time.....	12
178	Time-Limited: Full Time.....	130
179	Part Time.....	13

**SOUTH MISSISSIPPI REGIONAL CENTER**

181	MAJOR OBJECTS OF EXPENDITURE:	
182	Personal Services:	
183	Salaries, Wages and Fringe Benefits.. \$	20,923,797.00
184	Travel and Subsistence.....	79,000.00
185	Contractual Services.....	3,311,421.00
186	Commodities.....	2,361,505.00
187	Capital Outlay:	
188	Other Than Equipment.....	100,000.00
189	Equipment.....	400,809.00
190	Subsidies, Loans and Grants.....	<u>6,358,104.00</u>
191	Total..... \$	33,534,636.00

192 FUNDING:



193	General Funds.....	\$	7,423,428.00
194	Special Funds.....		<u>26,111,208.00</u>
195	Total.....	\$	33,534,636.00

196 AUTHORIZED POSITIONS:

197	Permanent: Full Time.....	602
198	Part Time.....	8
199	Time-Limited: Full Time.....	101
200	Part Time.....	4

201 **BOSWELL REGIONAL CENTER**

202 MAJOR OBJECTS OF EXPENDITURE:

203 Personal Services:

204	Salaries, Wages and Fringe Benefits..	\$	17,254,279.00
205	Travel and Subsistence.....		59,058.00
206	Contractual Services.....		2,521,807.00
207	Commodities.....		1,948,170.00
208	Capital Outlay:		
209	Other Than Equipment.....		257,350.00
210	Equipment.....		576,176.00
211	Subsidies, Loans and Grants.....		<u>4,292,904.00</u>
212	Total.....	\$	26,909,744.00

213 FUNDING:

214	General Funds.....	\$	8,777,725.00
215	Special Funds.....		<u>18,132,019.00</u>
216	Total.....	\$	26,909,744.00

217 AUTHORIZED POSITIONS:

218	Permanent: Full Time.....	507
219	Part Time.....	3
220	Time-Limited: Full Time.....	91
221	Part Time.....	2

222 **NORTH MISSISSIPPI STATE HOSPITAL**

223 MAJOR OBJECTS OF EXPENDITURE:

224 Personal Services:

225	Salaries, Wages and Fringe Benefits..	\$	5,675,321.00
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226	Travel and Subsistence.....		20,000.00
227	Contractual Services.....		855,908.00
228	Commodities.....		989,285.00
229	Capital Outlay:		
230	Other Than Equipment.....		0.00
231	Equipment.....		100,000.00
232	Subsidies, Loans and Grants.....		<u>0.00</u>
233	Total.....	\$	7,640,514.00
234	FUNDING:		
235	General Funds.....	\$	7,090,514.00
236	Special Funds.....		<u>550,000.00</u>
237	Total.....	\$	7,640,514.00
238	AUTHORIZED POSITIONS:		
239	Permanent: Full Time.....	185	
240	Part Time.....	0	
241	Time-Limited: Full Time.....	4	
242	Part Time.....	0	
243	<b>SOUTH MISSISSIPPI STATE HOSPITAL</b>		
244	MAJOR OBJECTS OF EXPENDITURE:		
245	Personal Services:		
246	Salaries, Wages and Fringe Benefits..	\$	4,514,491.00
247	Travel and Subsistence.....		10,000.00
248	Contractual Services.....		787,615.00
249	Commodities.....		680,839.00
250	Capital Outlay:		
251	Other Than Equipment.....		20,000.00
252	Equipment.....		99,111.00
253	Subsidies, Loans and Grants.....		<u>10,000.00</u>
254	Total.....	\$	6,122,056.00
255	FUNDING:		
256	General Funds.....	\$	5,261,492.00
257	Special Funds.....		<u>860,564.00</u>
258	Total.....	\$	6,122,056.00





259 AUTHORIZED POSITIONS:

260	Permanent:	Full Time.....	156
261		Part Time.....	0
262	Time-Limited:	Full Time.....	1
263		Part Time.....	0

264 **CENTRAL MISSISSIPPI RESIDENTIAL CENTER**

265 MAJOR OBJECTS OF EXPENDITURE:

266 Personal Services:

267	Salaries, Wages and Fringe Benefits..	\$	1,521,135.00
268	Travel and Subsistence.....		15,961.00
269	Contractual Services.....		517,884.00
270	Commodities.....		687,469.00
271	Capital Outlay:		
272	Other Than Equipment.....		535,572.00
273	Equipment.....		1,200,000.00
274	Subsidies, Loans and Grants.....		<u>251,548.00</u>
275	Total.....	\$	4,729,569.00

276 FUNDING:

277	General Funds.....	\$	4,032,264.00
278	Special Funds.....		<u>697,305.00</u>
279	Total.....	\$	4,729,569.00

280 AUTHORIZED POSITIONS:

281	Permanent:	Full Time.....	132
282		Part Time.....	0
283	Time-Limited:	Full Time.....	14
284		Part Time.....	0

285 **BROOKHAVEN JUVENILE REHABILITATION FACILITY**

286 MAJOR OBJECTS OF EXPENDITURE:

287 Personal Services:

288	Salaries, Wages and Fringe Benefits..	\$	3,621,575.00
289	Travel and Subsistence.....		8,600.00
290	Contractual Services.....		541,998.00
291	Commodities.....		385,981.00



292	Capital Outlay:		
293	Other Than Equipment.....		10,000.00
294	Equipment.....		65,519.00
295	Subsidies, Loans and Grants.....		<u>6,000.00</u>
296	Total.....	\$	4,639,673.00

297 FUNDING:

298	General Funds.....	\$	4,639,673.00
299	Special Funds.....		<u>0.00</u>
300	Total.....	\$	4,639,673.00

301 AUTHORIZED POSITIONS:

302	Permanent: Full Time.....	118
303	Part Time.....	0
304	Time-Limited: Full Time.....	10
305	Part Time.....	0

306 **SPECIALIZED TREATMENT FACILITY**

307 MAJOR OBJECTS OF EXPENDITURE:

308 Personal Services:

309	Salaries, Wages and Fringe Benefits..	\$	428,149.00
310	Travel and Subsistence.....		10,238.00
311	Contractual Services.....		175,000.00
312	Commodities.....		58,633.00

313 Capital Outlay:

314	Other Than Equipment.....		25,000.00
315	Equipment.....		25,000.00
316	Subsidies, Loans and Grants.....		<u>500.00</u>
317	Total.....	\$	722,520.00

318 FUNDING:

319	General Funds.....	\$	722,520.00
320	Special Funds.....		<u>0.00</u>
321	Total.....	\$	722,520.00

322 AUTHORIZED POSITIONS:

323	Permanent: Full Time.....	85
324	Part Time.....	0



325	Time-Limited: Full Time.....	0
326	Part Time.....	0

**SERVICE BUDGET**

MAJOR OBJECTS OF EXPENDITURE:

329	Personal Services:	
330	Salaries, Wages and Fringe Benefits.. \$	0.00
331	Travel and Subsistence.....	0.00
332	Contractual Services.....	1,203,343.00
333	Commodities.....	0.00
334	Capital Outlay:	
335	Other Than Equipment.....	0.00
336	Equipment.....	0.00
337	Subsidies, Loans and Grants.....	<u>51,566,925.00</u>
338	Total..... \$	52,770,268.00

FUNDING:

340	General Funds..... \$	13,056,766.00
341	Special Funds.....	<u>39,713,502.00</u>
342	Total..... \$	52,770,268.00

AUTHORIZED POSITIONS:

344	Permanent: Full Time.....	0
345	Part Time.....	0
346	Time-Limited: Full Time.....	0
347	Part Time.....	0

**DIVISION OF ALCOHOL AND DRUG ABUSE**

MAJOR OBJECTS OF EXPENDITURE:

350	Personal Services:	
351	Salaries, Wages and Fringe Benefits.. \$	318,678.00
352	Travel and Subsistence.....	23,100.00
353	Contractual Services.....	45,600.00
354	Commodities.....	8,700.00
355	Capital Outlay:	
356	Other Than Equipment.....	0.00
357	Equipment.....	21,000.00



358	Subsidies, Loans and Grants.....		<u>3,589,266.00</u>
359	Total.....	\$	4,006,344.00
360	FUNDING:		
361	General Funds.....	\$	0.00
362	Special Funds.....		<u>4,006,344.00</u>
363	Total.....	\$	4,006,344.00

364 AUTHORIZED POSITIONS:

365	Permanent:	Full Time.....	7
366		Part Time.....	0
367	Time-Limited:	Full Time.....	0
368		Part Time.....	0

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



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

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

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

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

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

412 **SECTION 7.** Of the funds appropriated under the provisions of  
413 Section 1, authorized for expenditure under the provisions of  
414 Section 2, and allocated under the provisions of Section 4, funds  
415 in the amount of Two Hundred Thousand Dollars (\$200,000.00) may be  
416 expended for the support of a pilot project to provide authority  
417 for East Mississippi State Hospital and Mississippi State Hospital  
418 to contract with local hospitals located in counties with a  
419 population of less than fifty thousand (50,000) to provide  
420 emergency inpatient care to individuals committed by the Chancery  
421 Court to East Mississippi State Hospital or Mississippi State  
422 Hospital for treatment of mental illness if, at the time that such



423 commitment is made, a bed is not available for admission to East  
424 Mississippi State Hospital or Mississippi State Hospital. East  
425 Mississippi State Hospital and Mississippi State Hospital shall  
426 have the authority to contract with local hospitals located in  
427 counties with a population of less than fifty thousand (50,000)  
428 for inpatient emergency care for a period not to exceed seven (7)  
429 days at a rate not to exceed One Hundred and Fifty Dollars  
430 (\$150.00) per day with East Mississippi State Hospital or  
431 Mississippi State Hospital providing One Hundred Dollars (\$100.00)  
432 and the local government providing Fifty Dollars (\$50.00) per day  
433 for such care. Payment for such physician fees shall be made at  
434 the Medicaid rate of reimbursement and paid by East Mississippi  
435 State Hospital or Mississippi State Hospital. Funds provided for  
436 the initiation of this pilot project shall not be expended for  
437 inpatient hospital care unless there is participation in the  
438 reimbursement for such care by the local government as required by  
439 the provisions of this section.

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

451       **SECTION 9.** The Executive Director of the Department of  
452 Mental Health and the directors of each separate facility operated  
453 by the Department of Mental Health are hereby authorized to  
454 transfer spending authority from any major objects to any other  
455 major objects in any amounts deemed necessary for the efficient



456 management and operation of their budgets, provided that the total  
457 spending authority remains unchanged after such transfers and the  
458 total of such transfers into any major object do not exceed  
459 twenty-five percent (25%) of the original appropriated amount for  
460 that major object plus any escalations of spending authority that  
461 have occurred during any given fiscal year.

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

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

486       **SECTION 12.** Any person within the Department of Mental  
487 Health who must work on a statutory holiday or any holiday  
488 proclaimed by the Governor, may at the discretion of the Director



489 of the Institution and the Executive Director of the Department of  
490 Mental Health and within available personnel funds, be paid "call  
491 back pay" in lieu of "compensatory time credit."

492 **SECTION 13.** Of the funds appropriated to the "Service  
493 Budget" in the category "Subsidies, Loans and Grants," funds are  
494 included for the support of community mental health services for  
495 Fiscal Year 2004.

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

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





522           **SECTION 15.** The Department of Mental Health and its  
523 facilities shall have the express legal authority, within funding  
524 and spending authority appropriated under the provisions of  
525 Section 1, authorized for expenditure under the provisions of  
526 Section 2, and allocated under the provisions of Section 4 of this  
527 act, to purchase land for use by residential facilities operated  
528 by the Department, either directly or by means of transferring  
529 funds to the Bureau of Building, Grounds and Real Property  
530 Management, and to transfer such funds to Bureau of Building,  
531 Grounds, and Real Property Management for the purposes of  
532 constructing and equipping group homes for persons with mental  
533 illness, mental retardation, and/or substance abuse; constructing  
534 and equipping such other buildings as may be required for  
535 treatment of persons with mental illness, mental retardation,  
536 and/or substance abuse; repair and renovate existing buildings;  
537 and to construct, repair and/or renovate employee housing. Any  
538 intermediate care facilities for the mentally retarded (ICF/MR)  
539 constructed with funds authorized in this section shall be  
540 authorized to participate in Medicaid funding available for such  
541 services.

542           **SECTION 16.** Of the General Funds appropriated to the  
543 "Service Budget" in the category of "Subsidies, Loans and Grants,"  
544 the sum required may be expended to fund the Home and Community  
545 Based Waiver Option for community mental retardation services as  
546 authorized under Section 43-13-117 (29) of the Mississippi Code of  
547 1972 (Annotated).

548           **SECTION 17.** With the funds herein appropriated, the  
549 Department of Mental Health is authorized to provide home and  
550 community based treatment and institutional treatment to not more  
551 than ten (10) persons at any given time who, on or after reaching  
552 their twenty-first birthday (age 21), suffered a severe brain  
553 injury and whose condition as a result of that brain injury would



554 have resulted in their classification as developmentally disabled  
555 if such injury had occurred prior to their twenty-first birthday.

556       **SECTION 18.** The following sum, or so much thereof as may be  
557 necessary, is hereby reappropriated out of any money in the  
558 special fund in the State Treasury to the credit of the Department  
559 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,  
560 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year  
561 beginning July 1, 2003, and ending June 30, 2004.....  
562 ..... \$ 10,000,000.00

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

567       **SECTION 19.** None of the funds appropriated herein may be  
568 used to pay for alternative residential placement or  
569 hospitalization for mental health, mental retardation, or  
570 substance treatment of a person committed to the Department of  
571 Mental Health under Sections 41-21-61, et seq., 41-21-107,  
572 41-31-1, et seq., 43-21-315, and 43-21-611, Mississippi Code of  
573 1972.

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

582       **SECTION 21.** None of the funds appropriated for the support  
583 of community mental health, mental retardation, or substance abuse  
584 services shall be made available to any service provider which,  
585 upon determination of the Executive Director of the Department of  
586 Mental Health, has an outstanding monetary obligation owed to the



587 Department of Mental Health or to the Division of Medicaid,  
588 pursuant to an audit or programmatic review performed by the  
589 Department of Mental Health, that has not been resolved, including  
590 those audits or programmatic reviews that occurred prior to  
591 July 1, 2003.

592       **SECTION 22.** From the funds provided herein, the Department  
593 shall have the authority to adjust salaries of academic teachers  
594 to be commensurate to the teacher's salary scale as provided in  
595 the Mississippi Teacher Opportunity Program for the 2003-2004  
596 school year, as outlined in Section 37-19-7, Mississippi Code of  
597 1972, effective July 1, 2003.

598       **SECTION 23.** No program or entity certified by the Department  
599 of Mental Health which also receives state source, federal source,  
600 or Medicaid funding directly from the Department of Mental Health  
601 or by virtue of state source funds appropriated to the Department  
602 of Mental Health for Medicaid match for provision of mental  
603 health, mental retardation, or substance abuse services shall pay  
604 to any person employed by that program or entity a salary or  
605 compensation, directly or indirectly, in excess of the salary  
606 provided for a similar position under the classification system of  
607 the State Personnel Board for a person with similar credentials,  
608 educational level, and directly related years of experience in the  
609 position. Any person whose current salary already exceeds the  
610 allowable amount as determined under this section shall be allowed  
611 to retain his or her current salary, but no increases shall be  
612 granted until such time as the allowable maximum salary under the  
613 classification system of the State Personnel Board exceeds the  
614 current salary paid to that person. Those programs and entities  
615 may adopt a system of compensation that includes additional  
616 compensation for Educational Benchmarks as allowed under the State  
617 Personnel Board system. Further, the Department of Mental Health  
618 and the State Personnel Board shall collaborate in determining  
619 similarity of positions in those programs or entities affected by



620 this Section to positions within the classification system of the  
621 State Personnel Board in any manner they deem appropriate to  
622 efficiently implement the provisions of this Section. Staff  
623 of the State Personnel Board and the Department of Mental Health  
624 shall be the final authority in the determination of corresponding  
625 job titles and pay grades. Failure to comply with the provisions  
626 of this Section shall be cause to reduce or terminate funding  
627 received from the Department of Mental Health.

628       **SECTION 24.** Of the funds provided under the provisions of  
629 this act, Twenty-eight Thousand Dollars (\$28,000.00) may be used  
630 to reallocate or reclassify PIN 3702 and PIN 3724 at the  
631 Ellisville State School.

632       **SECTION 25.** The money herein appropriated shall be paid by  
633 the State Treasurer out of any money in the State Treasury to the  
634 credit of the proper fund or funds as set forth in this act, upon  
635 warrants issued by the State Fiscal Officer; and the State Fiscal  
636 Officer shall issue his warrants upon requisitions signed by the  
637 proper person, officer or officers in the manner provided by law.

638       **SECTION 26.** This act shall take effect and be in force from  
639 and after July 1, 2003.

