

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MADAM PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1544: Appropriation; State Department of Health-support.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the Senate recede from its Amendment No. 1.

- 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 purpose of
8 defraying the expenses of the State Department of Health for the
9 fiscal year beginning July 1, 2003, and ending June 30, 2004.....
10 \$ 29,891,091.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby appropriated out of any money in any special
13 fund in the State Treasury to the credit of the State Department
14 of Health which is comprised of special source funds collected by
15 or otherwise available to the department, for the purpose of
16 defraying the expenses of the department for the fiscal year
17 beginning July 1, 2003, and ending June 30, 2004.....
18 \$ 201,614,093.00.

19 **SECTION 3.** The following sum, or so much thereof as may be
20 necessary, is hereby appropriated out of any money in the State
21 Treasury to the credit of the Health Care Expendable Fund, for the
22 purpose of defraying the expenses of the State Board of Health for
23 the fiscal year beginning July 1, 2003, and ending June 30, 2004.
24 \$ 14,150,000.00.

The above funds shall be allocated as follows:

26 Maternal and Child Health Care

27 Program.....\$1,400,000.00
 28 Early Intervention Program.....\$ 250,000.00
 29 Health Department Programs.....\$2,500,000.00
 30 Mississippi Qualified Health
 31 Center Grant Program.....\$4,000,000.00
 32 Trauma Care System.....\$6,000,000.00

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

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

49 MAJOR OBJECTS OF EXPENDITURE:

50 Personal Services:

51 Salaries, Wages and Fringe Benefits.. \$ 92,356,061.00
 52 Travel and Subsistence..... 5,134,367.00
 53 Contractual Services..... 41,947,538.00
 54 Commodities..... 59,883,424.00

55 Capital Outlay:

56 Other Than Equipment..... 823,000.00
 57 Equipment..... 5,857,094.00
 58 Subsidies, Loans and Grants..... 39,653,700.00
 59 Total..... \$ 245,655,184.00

60 FUNDING:

61 General Funds..... \$ 29,891,091.00
 62 Special Funds..... 215,764,093.00

63 Total..... \$ 245,655,184.00

64 AUTHORIZED POSITIONS:

65	Permanent:	Full Time	2,101
66		Part Time	48
67	Time-Limited:	Full Time	602
68		Part Time	17

69 With the funds herein appropriated, it is the intention of
70 the Legislature that it shall be the agency's responsibility to
71 make certain that funds required to be appropriated for "Personal
72 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004
73 funds appropriated for that purpose, unless programs or positions
74 are added to the agency's Fiscal Year 2005 budget by the
75 Mississippi Legislature. Based on data provided by the
76 Legislative Budget Office, the State Personnel Board shall
77 determine and publish the projected annual cost to fully fund all
78 appropriated positions in compliance with the provisions of this
79 act. It shall be the responsibility of the agency head to insure
80 that no single personnel action increases this projected annual
81 cost and/or the Fiscal Year 2004 appropriation for "Personal
82 Services" when annualized. If, at the end of any calendar month,
83 the State Personnel Board determines that the agency has taken
84 action(s) which would cause the agency to exceed this projected
85 annual cost or the Fiscal Year 2004 "Personal Services"
86 appropriated level, when annualized, then only those actions which
87 reduce the projected annual cost and/or the appropriation
88 requirement will be processed by the State Personnel Board until
89 such time as the requirements of this provision are met.

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

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

96 **SECTION 5.** It is the intention of the Legislature that the
97 State Department of Health may escalate any special funds and
98 positions not to exceed Four Million Dollars (\$4,000,000.00).

99 Such escalation shall be submitted to and approved by the
100 Department of Finance and Administration in the manner consistent
101 with the escalation of federal funds.

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

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

115 **SECTION 8.** In addition to all other sums heretofore
116 appropriated, the following sum, or so much thereof as may be
117 necessary, is hereby appropriated out of any money in the State
118 Treasury to the credit of the Local Governments and Rural Water
119 Systems Emergency Loan Fund, and the Local Governments and Rural
120 Water System Improvements Revolving Loan Fund as authorized in
121 Chapter 521, Laws of 1995, to the State Department of Health for
122 the purpose of defraying the expenses of the Local Governments and
123 Rural Water Systems Improvements Board, for the fiscal year
124 beginning July 1, 2003, and ending June 30, 2004.....
125 \$ 33,552,000.00.

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

131 **SECTION 10.** Of the funds appropriated in Section 2, One
132 Million Dollars (\$1,000,000.00) shall come from the Department of
133 Human Services, Child Care Development Fund or other appropriate
134 special funds for the purpose of child care licensure. These

135 funds are to be transferred to the State Department of Health no
136 later than July 31, 2003. The State Department of Health shall
137 make a complete accounting of the uses of these funds to the
138 Department of Human Services.

139 **SECTION 11.** It is the intention of the Legislature that the
140 State Department of Health shall expend not more than Fifty
141 Thousand Dollars (\$50,000.00) of the funds appropriated in Section
142 1 and allocated in Section 4 for providing the oil known as
143 "Lorenzo's Oil" for the treatment of the genetic disorder
144 adrenoleukodystrophy (ALD), to children and Mississippi residents
145 over the age of twenty-one (21) who have the genetic disorder
146 adrenoleukodystrophy and for whom Medicaid does not reimburse the
147 cost of providing the oil. The department may also provide needed
148 pathology and biannual MRI exams.

149 **SECTION 12.** In addition to all other funds heretofore
150 appropriated, the following sum, or so much thereof as may be
151 necessary, is hereby appropriated out of any money deposited in
152 the State Treasury from the Mississippi Tobacco Pilot Program as
153 authorized in the case Mike Moore Attorney General ex rel. State
154 of Mississippi v. The American Tobacco Company et al. (Chancery
155 Court of Jackson County, Mississippi, Cause No. 94-1429) to the
156 State Department of Health for the fiscal year beginning
157 July 1, 2003, and ending June 30, 2004..... \$ 8,000,000.00.

158 It is the intention of the Legislature that of the funds
159 appropriated in this section, an amount of Two Million Five
160 Hundred Thousand Dollars (\$2,500,000.00) is provided to fund the
161 School Tobacco Nurse Program.

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

166 **SECTION 14.** Of the funds appropriated in Section 3, the
167 amounts of One Hundred Twenty-five Thousand Dollars (\$125,000.00)
168 shall be allocated to the T. K. Martin Center at Mississippi State
169 University and One Hundred Twenty-five Thousand Dollars
170 (\$125,000.00) shall be allocated to the Regional Rehabilitation

171 Center in Tupelo for the Early Intervention Program.

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

174 **SECTION 16.** In addition to all other funds heretofore
175 appropriated, the following sum, or so much thereof as may be
176 necessary, is hereby appropriated out of any money in any special
177 fund in the State Treasury to the credit of the State Department
178 of Health which is comprised of special source funds collected by
179 or otherwise available to the department, for the purpose of
180 funding the Federal Bioterrorism Preparedness Program to the State
181 Department of Health for the fiscal year beginning July 1, 2003,
182 and ending June 30, 2004..... \$ 12,300,000.00.

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

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

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

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

203 **SECTION 19.** The money herein appropriated shall be paid by
204 the State Treasurer out of any money in the State Treasury to the
205 credit of the proper fund or funds as set forth in this act, upon
206 warrants issued by the State Fiscal Officer; and the State Fiscal

207 Officer shall issue his warrants upon requisitions signed by the
208 proper person, officer or officers, in the manner provided by law.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL
3 YEARS 2003 AND 2004.

CONFEREES FOR THE HOUSE

X _____
Charlie Capps, Jr.

X _____
Mary Ann Stevens

X _____
Jim C. Barnett

CONFEREES FOR THE SENATE

X _____
Jack Gordon

X _____
Billy Thames

X _____
Robert G. Huggins