

By: Representatives Holland, Young, Scott

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 1048

1 AN ACT TO AMEND SECTIONS 41-99-1, 41-99-3, 41-99-5 AND
2 41-99-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE
3 DEPARTMENT OF HEALTH TO MAKE GRANTS UNDER THE MISSISSIPPI
4 QUALIFIED HEALTH CENTER GRANT PROGRAM UNTIL JULY 1, 2009; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-99-1, Mississippi Code of 1972, is
8 amended as follows:

9 41-99-1. For purposes of this chapter:

10 (a) "Mississippi qualified health center" means a
11 public or nonprofit entity that provides comprehensive primary
12 care services that:

13 (i) Has a community board of directors, the
14 majority of whom are users of such centers;

15 (ii) Accepts all patients that present themselves
16 despite their ability to pay and uses a sliding-fee-schedule for
17 payments; and

18 (iii) Serves a designated medically underserved
19 area or population, as provided in Section 330 of the Public
20 Health Service Act.

21 (b) "Uninsured or medically indigent patient" means a
22 patient receiving services from a Mississippi qualified health
23 center who is not eligible for Medicaid, Medicare or any other
24 type of governmental reimbursement for health care costs or
25 receiving third-party payments via an employer.

26 (c) "Department" means the * * * State Department of
27 Health.

28 (d) "Primary care" means the basic entry level of
29 health care provided by health care practitioners or nonphysician
30 health care practitioners, which is generally provided in an
31 outpatient setting.

32 (e) "Medically underserved area or population" means an
33 area designated by the Secretary of the United States Department
34 of Health and Human Services as an area with a shortage of
35 professionals, health services or a population group designated by
36 the secretary as having a shortage of those services.

37 (f) "Service grant" means a grant by the department to
38 a Mississippi qualified health center in accordance with this
39 chapter.

40 (g) "Program" means the Mississippi Qualified Health
41 Center Grant Program established in this chapter.

42 **SECTION 2.** Section 41-99-3, Mississippi Code of 1972, is
43 amended as follows:

44 41-99-3. The Mississippi Qualified Health Center Grant
45 Program is * * * established, under the direction and
46 administration of the State Department of Health, for the purpose
47 of making service grants to Mississippi qualified health centers
48 for their use in providing care to uninsured or medically indigent
49 patients in Mississippi. The Mississippi Qualified Health Center
50 Grant Program shall be established with such state funds as may be
51 appropriated by the Legislature.

52 **SECTION 3.** Section 41-99-5, Mississippi Code of 1972, is
53 amended as follows:

54 41-99-5. (1) Any Mississippi qualified health center
55 desiring to participate in the program shall make application for
56 a grant to the department in a form satisfactory to the
57 department. The department shall receive grant proposals from
58 Mississippi qualified health centers. All proposals shall be
59 submitted in accordance with the provisions of grant procedures,

60 criteria and standards developed and made public by the
61 department.

62 (2) The department shall use the funds provided by this
63 chapter to make grants until July 1, 2009, to Mississippi
64 qualified health centers upon proposals made under subsection (1)
65 of this section. Grants that are awarded to Mississippi qualified
66 health centers shall only be used by those centers to:

67 (a) Increase access to preventative and primary care
68 services by uninsured or medically indigent patients that are
69 served by those centers; and

70 (b) Create new services or augment existing services
71 provided to uninsured or medically indigent patients, including,
72 but not limited to, primary care medical and preventive services,
73 dental services, optometric services, in-house laboratory
74 services, diagnostic services, pharmacy services, nutritional
75 services and social services.

76 (3) Grants received by Mississippi qualified health centers
77 under this chapter shall not be used:

78 (a) To supplant federal funds traditionally received by
79 those centers, but shall be used to supplement them;

80 (b) For land or real estate investments;

81 (c) To finance or satisfy any existing debt; or

82 (d) Unless the health center specifically complies with
83 the definition of a Mississippi qualified health center contained
84 in Section 41-99-1.

85 (4) The department shall develop regulations, procedures and
86 application forms to govern how grants will be awarded, shall
87 develop a plan to ensure that grants are equitably distributed
88 among all Mississippi qualified health centers, and shall develop
89 an audit process to assure that grant monies are used to provide
90 and expend care to the uninsured and medically indigent.

91 (5) The department shall establish a fund for the purpose of
92 providing service grants to Mississippi qualified health centers

93 in accordance with this chapter and the following terms and
94 conditions:

95 (a) The total amount of grants issued under this
96 chapter shall be Four Million Dollars (\$4,000,000.00) per state
97 fiscal year.

98 (b) No Mississippi qualified health center shall
99 receive assistance under this program in excess of Two Hundred
100 Thousand Dollars (\$200,000.00) per calendar year.

101 (c) Each Mississippi qualified health center receiving
102 a service grant shall provide a yearly report to the department
103 that details the number of additional uninsured and medically
104 indigent patients that are cared for and the types of services
105 that are provided.

106 (6) The department shall establish an advisory council to
107 review and make recommendations to the department on the awarding
108 of any grants to Mississippi qualified health centers. Those
109 recommendations by the advisory council shall not be binding upon
110 the department, but when a recommendation by the advisory council
111 is not followed by the department, the department shall place in
112 its minutes reasons for not accepting the advisory council's
113 recommendation, and provide for an appeals process. All approved
114 grants shall be awarded within thirty (30) days of approval by the
115 department.

116 (7) The composition of the advisory council shall be the
117 following:

118 (a) Two (2) employees of the department, one (1) of
119 whom must have experience in reviewing and writing grant
120 proposals;

121 (b) Two (2) executive employees of Mississippi
122 qualified health centers, one (1) of whom must be a chief
123 financial officer;

124 (c) Two (2) health care providers who are affiliated
125 with a Mississippi qualified health center; and

126 (d) One (1) health care provider who is not affiliated
127 with a Mississippi qualified health center or the department but
128 has training and experience in primary care.

129 (8) The department may use a portion of any grant monies
130 received under this chapter to administer the program and to pay
131 reasonable expenses incurred by the advisory council; * * *
132 however, in no case shall more than one and one-half percent
133 (1-1/2%) or Sixty Thousand Dollars (\$60,000.00) annually,
134 whichever is less, be used to absorb program expenses.

135 (9) No assistance shall be provided to a Mississippi
136 qualified health center under this chapter unless the Mississippi
137 qualified health center certifies to the department that it will
138 not discriminate against any employee or against any applicant for
139 employment because of race, religion, color, national origin, sex
140 or age.

141 **SECTION 4.** Section 41-99-7, Mississippi Code of 1972, is
142 amended as follows:

143 41-99-7. There is * * * created a special fund in the State
144 Treasury to be known as the Mississippi Qualified Health Center
145 Grant Program Fund, from which grants and expenditures authorized
146 in connection with the program shall be disbursed. All monies
147 received by legislative appropriation to carry out the purposes of
148 this chapter shall be deposited into the Mississippi Qualified
149 Health Center Grant Program Fund.

150 **SECTION 5.** This act shall take effect and be in force from
151 and after July 1, 2004.