

**Senate Amendments to House Bill No. 1734**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

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

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, 2004, and ending June 30, 2005.....  
15 ..... \$ 246,855,284.00.

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, 2004, and ending June 30, 2005.....  
22 ..... \$ 166,190,140.00.

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, 2004, and ending  
31 June 30, 2005..... \$ 2,140,082,972.00.

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.** Of the funds appropriated under the provisions of  
35 Sections 1, 2 and 3, not more than the amounts set forth below  
36 shall be expended for the respective major objects or purposes of  
37 expenditure:

38 MAJOR OBJECTS OF EXPENDITURE:

39 Personal Services:

40	Salaries, Wages and Fringe Benefits..	\$	23,969,103.00
41	Travel and Subsistence.....		628,538.00
42	Contractual Services.....		89,080,998.00
43	Commodities.....		700,500.00
44	Capital Outlay:		
45	Other Than Equipment.....		0.00
46	Equipment.....		277,000.00
47	Subsidies, Loans and Grants.....		<u>2,438,472,257.00</u>
48	Total.....	\$	2,553,128,396.00

49 FUNDING:

50	General Funds.....	\$	246,855,284.00
51	Special Funds.....		<u>2,306,273,112.00</u>
52	Total.....	\$	2,553,128,396.00

53 AUTHORIZED POSITIONS:

54	Permanent:	Full Time.....	571
55		Part Time.....	0
56	Time-Limited:	Full Time.....	10
57		Part Time.....	0

58 With the funds herein appropriated, it is the intention of  
59 the Legislature that it shall be the agency's responsibility to  
60 make certain that funds required to be appropriated for "Personal  
61 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005  
62 funds appropriated for that purpose, unless programs or positions  
63 are added to the agency's Fiscal Year 2006 budget by the  
64 Mississippi Legislature. Based on data provided by the  
65 Legislative Budget Office, the State Personnel Board shall  
66 determine and publish the projected annual cost to fully fund all

67 appropriated positions in compliance with the provisions of this  
68 act. It shall be the responsibility of the agency head to insure  
69 that no single personnel action increases this projected annual  
70 cost and/or the Fiscal Year 2005 appropriation for "Personal  
71 Services" when annualized, with the exception of escalated funds.  
72 If, at the time the agency takes any action to change "Personal  
73 Services," the State Personnel Board determines that the agency  
74 has taken an action which would cause the agency to exceed this  
75 projected annual cost or the Fiscal Year 2005 "Personal Services"  
76 appropriated level, when annualized, then only those actions which  
77 reduce the projected annual cost and/or the appropriation  
78 requirement will be processed by the State Personnel Board until  
79 such time as the requirements of this provision are met.

80 Any transfers or escalations shall be made in accordance with  
81 the terms, conditions and procedures established by law or  
82 allowable under the terms set forth within this act. The State  
83 Personnel Board shall not escalate positions without written  
84 approval from the Department of Finance and Administration. The  
85 Department of Finance and Administration shall not provide written  
86 approval to escalate any funds for salaries and/or positions  
87 without proof of availability of new or additional funds above the  
88 appropriated level.

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

93 **SECTION 5.** It is the intention of the Legislature that the  
94 Governor's Office - Division of Medicaid shall maintain complete  
95 accounting and personnel records related to the expenditure of all  
96 funds appropriated under this act and that such records shall be  
97 in the same format and level of detail as maintained for Fiscal  
98 Year 2004. It is further the intention of the Legislature that  
99 the agency's budget request for Fiscal Year 2006 shall be  
100 submitted to the Joint Legislative Budget Committee in a format

101 and level of detail comparable to the format and level of detail  
102 provided during the Fiscal Year 2005 budget request process.

103       **SECTION 6.** In compliance with the "Mississippi Performance  
104 Budget and Strategic Planning Act of 1994," it is the intent of  
105 the Legislature that the funds provided herein shall be utilized  
106 in the most efficient and effective manner possible to achieve the  
107 intended mission of this agency. Based on the funding authorized,  
108 this agency shall make every effort to attain the targeted  
109 performance measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Admin as a Percent of Total Budget (%)	2.80
Medical Services	
Recipients (Persons)	725,000
Recipients in Managed Care (Persons)	0
Primary Care Physicians (Persons)	8,400

118       A reporting of the degree to which the performance targets  
119 set above have been or are being achieved shall be provided in the  
120 agency's budget request submitted to the Joint Legislative Budget  
121 Committee for Fiscal Year 2006.

122       **SECTION 7.** It is the intention of the Legislature that the  
123 Executive Director of the Division of Medicaid may authorize  
124 increases in any major objects of expenditures in total amounts  
125 not to exceed twenty-five percent (25%) of the appropriated amount  
126 of each major object of expenditure, provided that other major  
127 objects of expenditure are decreased by a corresponding dollar  
128 amount.

129       **SECTION 8.** The money herein appropriated shall be paid by  
130 the State Treasurer out of any money in the State Treasury to the  
131 credit of the proper fund or funds as set forth in this act, upon  
132 warrants issued by the State Fiscal Officer; and the State Fiscal  
133 Officer shall issue his warrants upon requisitions signed by the  
134 proper person, officer or officers, in the manner provided by law.

135           **SECTION 9.** This act shall take effect and be in force from  
136 and after July 1, 2004.

SS05\HB1734A.J

John O. Gilbert  
Secretary of the Senate