

Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO

House Bill No. 1735

BY: Committee

**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, 2004, and ending June 30, 2005.....
10 \$ 28,730,478.00.

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, 2004, and ending June 30, 2005.....
18 \$ 211,323,362.00.

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

23 MAJOR OBJECTS OF EXPENDITURE:

24	Personal Services:		
25	Salaries, Wages and Fringe Benefits..	\$	88,206,789.00
26	Travel and Subsistence.....		7,045,491.00
27	Contractual Services.....		43,573,346.00
28	Commodities.....		63,320,130.00
29	Capital Outlay:		
30	Other Than Equipment.....		823,000.00
31	Equipment.....		6,105,636.00
32	Subsidies, Loans and Grants.....		<u>30,979,448.00</u>
33	Total.....	\$	240,053,840.00

34	FUNDING:		
35	General Funds.....	\$	28,730,478.00
36	Special Funds.....		<u>211,323,362.00</u>
37	Total.....	\$	240,053,840.00

38	AUTHORIZED POSITIONS:		
39	Permanent:	Full Time.....	1,681
40		Part Time.....	22
41	Time-Limited:	Full Time.....	510
42		Part Time.....	11

43 With the funds herein appropriated, it is the intention of
44 the Legislature that it shall be the agency's responsibility to
45 make certain that funds required to be appropriated for "Personal
46 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
47 funds appropriated for that purpose, unless programs or positions
48 are added to the agency's Fiscal Year 2006 budget by the
49 Mississippi Legislature. Based on data provided by the
50 Legislative Budget Office, the State Personnel Board shall
51 determine and publish the projected annual cost to fully fund all
52 appropriated positions in compliance with the provisions of this
53 act. It shall be the responsibility of the agency head to insure
54 that no single personnel action increases this projected annual
55 cost and/or the Fiscal Year 2005 appropriation for "Personal

56 Services" when annualized, with the exception of escalated funds.
57 If, at the time the agency takes any action to change "Personal
58 Services," the State Personnel Board determines that the agency
59 has taken an action which would cause the agency to exceed this
60 projected annual cost or the Fiscal Year 2005 "Personal Services"
61 appropriated level, when annualized, then only those actions which
62 reduce the projected annual cost and/or the appropriation
63 requirement will be processed by the State Personnel Board until
64 such time as the requirements of this provision are met.

65 Any transfers or escalations shall be made in accordance with
66 the terms, conditions and procedures established by law or
67 allowable under the terms set forth within this act. The State
68 Personnel Board shall not escalate positions without written
69 approval from the Department of Finance and Administration. The
70 Department of Finance and Administration shall not provide written
71 approval to escalate any funds for salaries and/or positions
72 without proof of availability of new or additional funds above the
73 appropriated level.

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

78 **SECTION 4.** It is the intention of the Legislature that the
79 State Department of Health shall maintain complete accounting and
80 personnel records related to the expenditure of all funds
81 appropriated under this act and that such records shall be in the
82 same format and level of detail as maintained for Fiscal Year
83 2004. It is further the intention of the Legislature that the
84 agency's budget request for Fiscal Year 2006 shall be submitted to
85 the Joint Legislative Budget Committee in a format and level of
86 detail comparable to the format and level of detail provided
87 during the Fiscal Year 2005 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2005
<u>Performance Measures</u>	<u>Target</u>
Chronic Illness	
Patients Served (Persons)	300
Home Health Visits (Visits)	2,700
Hypertension Visits (Visits)	2,399
Diabetes Treatment Visits (Visits)	377
Maternal & Child Health	
Maternity Patients Served (Persons)	6,500
WIC Patients Served per Month (Persons)	10,300
Family Planning Patients Served (Persons)	97,233
Environmental Health	
General Sanitation Inspections (Actions)	30,100
Food Establishments Inspected (Sites)	30,000
Water Supplies Tested (Actions)	1,400
Disease Prevention	
Vaccinations Administered (Doses)	550,000
STD Diagnostic Treatment & Follow-up	
Services (Persons)	26,000
TB Cases & Contacts Investigated (Actions)	1,500
H Care Planning & Licensure	
Declaratory for CON Reviews (Actions)	400
Ambulance Services Lic/Permitted (Entities)	667
Nurse's Aides Certified (Persons)	6,418
Professional Licenses Issued (Actions)	6,418

120 Support Services

121 Percentage of Total Budget (%) 6.97

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

126 **SECTION 6.** It is the intention of the Legislature that the
127 State Department of Health may escalate any special funds and
128 positions not to exceed Four Million Dollars (\$4,000,000.00).
129 Such escalation shall be submitted to and approved by the
130 Department of Finance and Administration in the manner consistent
131 with the escalation of federal funds.

132 **SECTION 7.** It is the intention of the Legislature that the
133 Department of Health shall have the authority to expend any
134 special funds collected or otherwise available, notwithstanding
135 any restrictions in the general law or statutes earmarking said
136 funds for a particular use, that are in excess of the amounts
137 needed for the purpose of such fund, for the purpose of providing
138 maternal and child health, family planning and disease control
139 services.

140 **SECTION 8.** It is the intention of the Legislature that with
141 the funds provided herein, the State Department of Health may
142 provide and administer without charge, Hepatitis B vaccinations to
143 Emergency Medical Services (EMS) personnel who are in need of such
144 vaccinations through job related exposure.

145 **SECTION 9.** In addition to all other sums heretofore
146 appropriated, the following sum, or so much thereof as may be
147 necessary, is hereby appropriated out of any money in the State
148 Treasury to the credit of the Local Governments and Rural Water
149 Systems Emergency Loan Fund, and the Local Governments and Rural
150 Water System Improvements Revolving Loan Fund as authorized in
151 Chapter 521, Laws of 1995, to the State Department of Health for

the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2004, and ending June 30, 2005..... \$ 33,552,000.00.

SECTION 10. It is the intention of the Legislature that in the event that there are insufficient Child Care Development Block Grant Funds, then the Department of Health shall maintain the Child Care Licensure Program at the same level that the program was in Fiscal Year 1993 using any other funds.

SECTION 11. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2004. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 12. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated in Section 1 and allocated in Section 3 for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 13. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money deposited in the State Treasury from the Mississippi Tobacco Pilot Program as authorized in the case Mike Moore Attorney General ex rel. State

184 of Mississippi v. The American Tobacco Company et al. (Chancery
185 Court of Jackson County, Mississippi, Cause No. 94-1429) to the
186 State Department of Health for the fiscal year beginning
187 July 1, 2004, and ending June 30, 2005..... \$ 8,000,000.00.

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

192 **SECTION 14.** Of the funds appropriated in Section 1, Seven
193 Hundred Fifty Thousand Dollars (\$750,000.00) are provided for the
194 purpose of purchasing AIDS drugs and other necessary AIDS related
195 medical services.

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

198 **SECTION 16.** In addition to all other funds heretofore
199 appropriated, the following sum, or so much thereof as may be
200 necessary, is hereby appropriated out of any money in any special
201 fund in the State Treasury to the credit of the State Department
202 of Health which is comprised of special source funds collected by
203 or otherwise available to the department, for the purpose of
204 funding the Federal Bioterrorism Preparedness Program to the State
205 Department of Health for the fiscal year beginning July 1, 2004,
206 and ending June 30, 2005..... \$ 16,217,101.00.

207 **SECTION 17.** The money herein appropriated shall be paid by
208 the State Treasurer out of any money in the State Treasury to the
209 credit of the proper fund or funds as set forth in this act, upon
210 warrants issued by the State Fiscal Officer; and the State Fiscal
211 Officer shall issue his warrants upon requisitions signed by the
212 proper person, officer or officers, in the manner provided by law.

213 **SECTION 18.** This act shall take effect and be in force from
214 and after July 1, 2004.