

By: Representatives Holland, Barnett, Banks, Davis, Flaggs, Gibbs, Malone, Markham, Read, Shows, Stevens To: Appropriations

HOUSE BILL NO. 1563

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S
2 OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE
4 EXPENSES OF THE ADMINISTRATION OF SUCH LAW FOR THE FISCAL YEAR
5 2007.

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

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, 2006, and ending June 30, 2007.....
15 \$ 353,831,457.00.

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, 2006, and ending June 30, 2007.....
22 \$ 384,410,310.00.

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, 2006, and ending
31 June 30, 2007..... \$ 2,936,273,153.00.

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.** The following sum, or so much thereof as may be
35 necessary, is hereby appropriated out of any money in the State
36 Treasury to the credit of the Health Care Expendable Fund, for the
37 purpose of defraying the expenses of the Governor's Office -
38 Division of Medicaid for the fiscal year beginning July 1, 2006,
39 and ending June 30, 2007..... \$ 107,836,907.00.

40 The above funds shall be allocated as follows:

41	CHIP Program at 200% level of poverty...\$	4,882,039.00
42	Eyeglasses for adults.....\$	1,185,638.00
43	Home and Community Waiver Program.....\$	3,344,197.00
44	Disabled worker buy-in to the Medicaid	
45	program.....\$	1,279,792.00
46	Dental fee increase.....\$	1,534,355.00
47	Miscellaneous.....\$	209,230.00
48	Medical Services Program Matching Funds.\$	95,401,656.00

49 It is the intention of the Legislature that funds may be
50 shifted among the above allocated line items where needed in the
51 discretion of the Executive Director of the Division of Medicaid.

52 **SECTION 5.** Of the funds appropriated under the provisions of
53 Sections 1, 2, 3 and 4, not more than the amounts set forth below
54 shall be expended for the respective major objects or purposes of
55 expenditure:

56 MAJOR OBJECTS OF EXPENDITURE:

57 Personal Services:

58	Salaries, Wages and Fringe Benefits.. \$	39,818,109.00
59	Travel and Subsistence.....	997,829.00
60	Contractual Services.....	115,056,865.00
61	Commodities.....	2,439,125.00

62 Capital Outlay:

63 Other Than Equipment..... 0.00

64 Equipment..... 2,388,320.00

65 Subsidies, Loans and Grants..... 3,621,651,579.00

66 Total..... \$ 3,782,351,827.00

67 FUNDING:

68 General Funds..... \$ 353,831,457.00

69 Special Funds..... 3,428,520,370.00

70 Total..... \$ 3,782,351,827.00

71 AUTHORIZED POSITIONS:

72 Permanent: Full Time..... 996

73 Part Time..... 0

74 Time-Limited: Full Time..... 0

75 Part Time..... 0

76 For the fiscal year beginning on July 1, 2006, funds are

77 provided herein to adjust the annual compensation of each employee

78 who has been employed for twelve (12) months or longer by an

79 amount equal to One Thousand Dollars (\$1,000.00), effective on

80 July 1, 2006.

81 With the funds herein appropriated, it is the intention of

82 the Legislature that it shall be the agency's responsibility to

83 make certain that funds required to be appropriated for "Personal

84 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007

85 funds appropriated for that purpose, unless programs or positions

86 are added to the agency's Fiscal Year 2008 budget by the

87 Mississippi Legislature. Based on data provided by the

88 Legislative Budget Office, the State Personnel Board shall

89 determine and publish the projected annual cost to fully fund all

90 appropriated positions in compliance with the provisions of this

91 act. It shall be the responsibility of the agency head to insure

92 that no single personnel action increases this projected annual

93 cost and/or the Fiscal Year 2007 appropriation for "Personal

94 Services" when annualized, with the exception of escalated funds.

95 If, at the time the agency takes any action to change "Personal
96 Services," the State Personnel Board determines that the agency
97 has taken an action which would cause the agency to exceed this
98 projected annual cost or the Fiscal Year 2007 "Personal Services"
99 appropriated level, when annualized, then only those actions which
100 reduce the projected annual cost and/or the appropriation
101 requirement will be processed by the State Personnel Board until
102 such time as the requirements of this provision are met.

103 Any transfers or escalations shall be made in accordance with
104 the terms, conditions and procedures established by law or
105 allowable under the terms set forth within this act. The State
106 Personnel Board shall not escalate positions without written
107 approval from the Department of Finance and Administration. The
108 Department of Finance and Administration shall not provide written
109 approval to escalate any funds for salaries and/or positions
110 without proof of availability of new or additional funds above the
111 appropriated level.

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

116 **SECTION 6.** It is the intention of the Legislature that the
117 Governor's Office - Division of Medicaid shall maintain complete
118 accounting and personnel records related to the expenditure of all
119 funds appropriated under this act and that such records shall be
120 in the same format and level of detail as maintained for Fiscal
121 Year 2006. It is further the intention of the Legislature that
122 the agency's budget request for Fiscal Year 2008 shall be
123 submitted to the Joint Legislative Budget Committee in a format
124 and level of detail comparable to the format and level of detail
125 provided during the Fiscal Year 2007 budget request process.

126 **SECTION 7.** In compliance with the "Mississippi Performance
127 Budget and Strategic Planning Act of 1994," it is the intent of

128 the Legislature that the funds provided herein shall be utilized
129 in the most efficient and effective manner possible to achieve the
130 intended mission of this agency. Based on the funding authorized,
131 this agency shall make every effort to attain the targeted
132 performance measures provided below:

	FY2007
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Admin as a Percent of Total Budget (%)	4.26
Medical Services	
Recipients (Persons)	674,000

139 A reporting of the degree to which the performance targets
140 set above have been or are being achieved shall be provided in the
141 agency's budget request submitted to the Joint Legislative Budget
142 Committee for Fiscal Year 2008.

143 **SECTION 8.** It is the intention of the Legislature that the
144 Executive Director of the Division of Medicaid may authorize
145 increases in any major objects of expenditures in total amounts
146 not to exceed twenty-five percent (25%) of the appropriated amount
147 of each major object of expenditure, provided that other major
148 objects of expenditure are decreased by a corresponding dollar
149 amount. It is further the intention of the Legislature that any
150 transfers made under the provision of this paragraph shall be of
151 an emergency nature and that in no case shall the transfers be
152 made which substantially alter the legislative intent for the
153 various programs as set forth in the original appropriations made
154 under this act. However, no transfers shall be authorized which
155 increase the major object of expenditure "Salaries, Wages and
156 Fringe Benefits."

157 **SECTION 9.** Of the funds appropriated under the provisions of
158 Section 3, Twenty-nine Million Four Hundred Thirty-six Thousand
159 Eight Hundred Forty-six Dollars (\$29,436,846.00) shall be derived
160 from the Budget Contingency Fund, as created in Section

161 27-103-301, Mississippi Code of 1972, for the purpose of matching
162 available federal funds.

163 **SECTION 10.** It is the intention of the Legislature that
164 whenever two (2) or more bids are received by this agency for the
165 purchase of commodities or equipment, and whenever all things
166 stated in such received bids are equal with respect to price,
167 quality and service, the Mississippi Industries for the Blind
168 shall be given preference. A similar preference shall be given to
169 the Mississippi Industries for the Blind whenever purchases are
170 made without competitive bids.

171 **SECTION 11.** The money herein appropriated shall be paid by
172 the State Treasurer out of any money in the State Treasury to the
173 credit of the proper fund or funds as set forth in this act, upon
174 warrants issued by the State Fiscal Officer; and the State Fiscal
175 Officer shall issue his warrants upon requisitions signed by the
176 proper person, officer or officers, in the manner provided by law.

177 **SECTION 12.** This act shall take effect and be in force from
178 and after July 1, 2006.