

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

HOUSE BILL NO. 1564

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR
3 2007.

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

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, 2006, and ending June 30, 2007.....

10 ..... \$ 30,204,756.00.

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, 2006, and ending June 30, 2007.....

18 ..... \$ 229,904,210.00.

19 SECTION 3. Of the funds appropriated under the provisions of
20 Section 2, Nine Million Eight Hundred Fifty-nine Thousand Five
21 Hundred Thirteen Dollars (\$9,859,513.00) shall be derived from the
22 Health Care Expendable Fund, created in Section 43-13-407,
23 Mississippi Code of 1972, for the support and maintenance of the
24 State Department of Health. The funds provided in this section
25 shall be allocated as follows:

26 Maternal and Child Health Care
27 Program.....\$ 975,499.00

28 Early Intervention Program.....\$ 174,196.00  
 29 Health Department Programs.....\$1,741,964.00  
 30 Mississippi Qualified Health  
 31 Center Grant Program.....\$2,787,142.00  
 32 Trauma Care System.....\$4,180,713.00

33 The State Department of Health may transfer a portion of  
 34 Trauma Care System funds to the Division of Medicaid for the  
 35 development and implementation of an enhanced reimbursement fee  
 36 program related to trauma care and services, used to match federal  
 37 funds, under a cooperative agreement between the State Department  
 38 of Health and the Division of Medicaid.

39 It is the intention of the Legislature that none of the Four  
 40 Million One Hundred Eighty Thousand Seven Hundred Thirteen Dollars  
 41 (\$4,180,713.00) authorized herein for the Trauma Care System shall  
 42 be expended to the benefit of any hospital located outside the  
 43 boundaries of the State of Mississippi, unless otherwise excepted  
 44 in this paragraph. Further, unless otherwise excepted in this  
 45 paragraph, no such out-of-state hospital shall be authorized to  
 46 receive such funds until such time as the amount appropriated for  
 47 such purpose shall reach an amount of Eight Million Dollars  
 48 (\$8,000,000.00) or more. Funds shall be expended by the  
 49 Mississippi Department of Health for distribution to the Regional  
 50 Medical Center at Memphis, located in Memphis, Tennessee, for  
 51 their participation in the Trauma Care System.

52 **SECTION 4.** Of the funds appropriated under the provisions of  
 53 Sections 1 and 2, not more than the amounts set forth below shall  
 54 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.. \$ 93,353,970.00  
 59 Travel and Subsistence..... 5,641,309.00  
 60 Contractual Services..... 44,146,413.00

61	Commodities.....		60,598,586.00
62	Capital Outlay:		
63	Other Than Equipment.....		0.00
64	Equipment.....		6,476,212.00
65	Subsidies, Loans and Grants.....		<u>49,892,476.00</u>
66	Total.....	\$	260,108,966.00
67	FUNDING:		
68	General Funds.....	\$	30,204,756.00
69	Special Funds.....		<u>229,904,210.00</u>
70	Total.....	\$	260,108,966.00

71 AUTHORIZED POSITIONS:

72	Permanent:	Full Time.....	1,633
73		Part Time.....	20
74	Time-Limited:	Full Time.....	570
75		Part Time.....	11

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

126           **SECTION 6.** 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:

133		FY2007
134	<u>Performance Measures</u>	<u>Target</u>
135	Chronic Illness	
136	Home Health Patients Served (Persons)	1,769
137	Home Health Visits (Visits)	102,540
138	Hypertension Visits (Visits)	3,100
139	Diabetes Treatment Visits (Visits)	151
140	Maternal & Child Health	
141	Maternity Patients Served (Persons)	7,650
142	WIC Patients Served per Month (Persons)	105,000
143	Family Planning Patients Served (Persons)	90,000
144	Environmental Health	
145	General Sanitation Inspections (Actions)	18,070
146	Food Establishments Inspections (Actions)	28,500
147	Water Supplies Tested (Actions)	1,390
148	Disease Prevention	
149	Vaccinations Administered (Doses)	520,000
150	STD Diagnostic Treatment & Follow-up	
151	Services (Persons)	26,000
152	TB Cases & Contacts Investigated (Actions)	3,000
153	H Care Planning & Licensure	
154	CON Declaratory Opinions Issued (Actions)	200
155	Ambulance Services Lic/Permitted (Entities)	650
156	Professional Licenses Issued (Actions)	5,179
157	Support Services	
158	Percentage of Total Budget (%)	6.21

159	Bioterrorism	
160	Number of Statewide Preparedness	
161	Exercises Conducted (Number of)	5
162	Number of Emergency Preparedness and	
163	Strategic National Stockpile Trainings	5

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

168 **SECTION 7.** It is the intent of the Legislature that the  
169 Mississippi Department of Health shall have authority to escalate  
170 the various budgets in both funds and positions, with the approval  
171 of the State Fiscal Officer, from any special funds collected or  
172 available, in the current fiscal year or any prior fiscal year,  
173 not to exceed Five Million Dollars (\$5,000,000.00), to the agency  
174 for expenditure. Upon such approval, the Mississippi Department  
175 of Health may expend such funds in the manner authorized by law.

176 The Executive Director of the Mississippi Department of  
177 Health shall submit to the Department of Finance and  
178 Administration a certified statement providing a detailed  
179 explanation for any escalation, including a justification for the  
180 establishment of any new positions or reclassification of existing  
181 positions and the existence of any required matching funds for  
182 those positions, and an assessment of the impact on the agency's  
183 General Fund Budget for the three (3) fiscal years following the  
184 fiscal year in which the escalation is requested.

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

190 **SECTION 9.** In addition to all other sums heretofore  
191 appropriated, the following sum, or so much thereof as may be

192 necessary, is hereby appropriated out of any money in the State  
193 Treasury to the credit of the Local Governments and Rural Water  
194 Systems Emergency Loan Fund, and the Local Governments and Rural  
195 Water System Improvements Revolving Loan Fund as authorized in  
196 Chapter 521, Laws of 1995, to the State Department of Health for  
197 the purpose of defraying the expenses of the Local Governments and  
198 Rural Water Systems Improvements Board, for the fiscal year  
199 beginning July 1, 2006, and ending June 30, 2007.....  
200 ..... \$ 28,000,000.00.

201 **SECTION 10.** Of the funds appropriated in Section 2, One  
202 Million Dollars (\$1,000,000.00) shall come from the Department of  
203 Human Services, Child Care Development Fund or other appropriate  
204 special funds for the purpose of child care licensure. These  
205 funds are to be transferred to the State Department of Health no  
206 later than July 31, 2006. The State Department of Health shall  
207 make a complete accounting of the uses of these funds to the  
208 Department of Human Services.

209 **SECTION 11.** It is the intention of the Legislature that the  
210 State Department of Health shall expend not more than Fifty  
211 Thousand Dollars (\$50,000.00) of the funds appropriated in Section  
212 1 and allocated in Section 4 for providing the oil known as  
213 "Lorenzo's Oil" for the treatment of the genetic disorder  
214 adrenoleukodystrophy (ALD), to children and Mississippi residents  
215 over the age of twenty-one (21) who have the genetic disorder  
216 adrenoleukodystrophy and for whom Medicaid does not reimburse the  
217 cost of providing the oil. The department may also provide needed  
218 pathology and biannual MRI exams.

219 **SECTION 12.** In addition to all other funds heretofore  
220 appropriated, the following sum, or so much thereof as may be  
221 necessary, is hereby appropriated out of any money deposited in  
222 the State Treasury from the Mississippi Tobacco Pilot Program as  
223 authorized in the case Mike Moore Attorney General ex rel. State  
224 of Mississippi v. The American Tobacco Company et al. (Chancery

225 Court of Jackson County, Mississippi, Cause No. 94-1429) to the  
226 State Department of Health for the fiscal year beginning  
227 July 1, 2006, and ending June 30, 2007..... \$ 5,000,000.00.

228 It is the intention of the Legislature that of the funds  
229 appropriated in this section, an amount not less than Two Million  
230 Five Hundred Thousand Dollars (\$2,500,000.00) is provided to fund  
231 the School Tobacco Nurse Program.

232 **SECTION 13.** Of the funds appropriated in Section 1, Seven  
233 Hundred Thousand Dollars (\$700,000.00) are provided for the  
234 purpose of purchasing AIDS drugs and other necessary AIDS related  
235 medical services.

236 **SECTION 14.** Of the funds appropriated in Section 1,  
237 Twenty-five Thousand Dollars (\$25,000.00) shall be provided to the  
238 Southern AIDS Commission, Inc., for the purpose of providing  
239 technical assistance, and providing for the expansion of education  
240 on causes and prevention of HIV/AIDS, and providing delivery  
241 services to persons infected with HIV. The Southern AIDS  
242 Commission, Inc. shall report by February 1, 2007, to the Board of  
243 Health and the Chairmen of the House and Senate Public Health  
244 Committees the status of the project and all services provided.

245 **SECTION 15.** Of the funds appropriated in Sections 1 and 3,  
246 the amounts of One Hundred Ten Thousand Nine Hundred Seventy-seven  
247 Dollars (\$110,977.00) shall be allocated to the T.K. Martin Center  
248 at Mississippi State University and One Hundred Ten Thousand Nine  
249 Hundred Seventy-seven Dollars (\$110,977.00) shall be allocated to  
250 the Regional Rehabilitation Center in Tupelo for the Early  
251 Intervention Program.

252 **SECTION 16.** Of the funds appropriated herein, Fifty Thousand  
253 Dollars (\$50,000.00) is provided for the Breast and Cervical  
254 Cancer Program.

255 **SECTION 17.** It is the intention of the Legislature that the  
256 Executive Director of the State Department of Health may authorize  
257 increases in major objects of expenditure in total amounts not to



258 exceed twenty-five percent (25%) of the appropriated amount of  
259 each major object of expenditure, provided that other major  
260 objects of expenditure are decreased by a corresponding dollar  
261 amount. However, no transfers shall be authorized which increase  
262 the major object of expenditure "Salaries, Wages and Fringe  
263 Benefits."

264       **SECTION 18.** In addition to all other funds heretofore  
265 appropriated, the following sum, or so much thereof as may be  
266 necessary, is hereby appropriated out of any money in the State  
267 Treasury to the credit of the Mississippi Burn Care Fund which is  
268 comprised of special source funds collected by or otherwise  
269 available to the department, for the purpose of funding the  
270 development of a plan for delivery of services and of providing  
271 reimbursement for uncompensated medical care to Mississippi burn  
272 victims through the trauma care system, for the fiscal year  
273 beginning July 1, 2006, and ending June 30, 2007.....  
274 ..... \$3,000,000.00.

275       **SECTION 19.** Of the funds appropriated in Section 1, Twenty-  
276 Five Thousand Dollars (\$25,000.00) shall be provided to the North  
277 Mississippi Prevention Center, for the purpose of providing  
278 technical assistance, and providing for the expansion of education  
279 on causes and prevention of HIV/AIDS, and providing delivery  
280 services to persons infected with HIV. The North Mississippi  
281 Prevention Center, shall report by February 1, 2007, to the Board  
282 of Health and the Chairmen of the House and Senate Public Health  
283 Committees the status of the project and all services provided.

284       **SECTION 20.** It is the intention of the Legislature that  
285 whenever two (2) or more bids are received by this agency for the  
286 purchase of commodities or equipment, and whenever all things  
287 stated in such received bids are equal with respect to price,  
288 quality and service, the Mississippi Industries for the Blind  
289 shall be given preference. A similar preference shall be given to

290 the Mississippi Industries for the Blind whenever purchases are  
291 made without competitive bids.

292         **SECTION 21.** The money herein appropriated shall be paid by  
293 the State Treasurer out of any money in the State Treasury to the  
294 credit of the proper fund or funds as set forth in this act, upon  
295 warrants issued by the State Fiscal Officer; and the State Fiscal  
296 Officer shall issue his warrants upon requisitions signed by the  
297 proper person, officer or officers, in the manner provided by law.

298         **SECTION 22.** This act shall take effect and be in force from  
299 and after July 1, 2006.