

House Amendments to Senate Bill No. 3040

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE 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:

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 support and
8 maintenance of the Department of Mental Health for the fiscal year
9 beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 194,781,584.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby authorized for expenditure out of any special
13 source funds which are collected by or otherwise become available
14 for the support and maintenance of the Department of Mental Health
15 for the fiscal year beginning July 1, 2006, and ending
16 June 30, 2007..... \$ 297,456,594.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Section 2, Eighteen Million Three Hundred Forty Thousand
19 Seventy-five Dollars (\$18,340,075.00) shall be derived from the
20 Health Care Expendable Fund created in Section 43-13-407,
21 Mississippi Code of 1972, for the support and maintenance of the
22 Department of Mental Health. The funds provided for in this
23 section shall be allocated as follows:

- | | | |
|----|-----------------|--|
| 24 | \$ 5,225,891.00 | Expenses of the Department of Mental |
| 25 | | Health. |
| 26 | \$ 522,589.00 | Alzheimer's disease services development |
| 27 | | and implementation of Senate Bill No. |
| 28 | | 2100, 1997 Regular Session. |
| 29 | \$ 5,367,025.00 | Medicaid matching funds. |
| 30 | \$ 348,392.00 | Psychotropic drugs or Medicaid match. |

31	\$ 696,786.00	Alzheimer's Disease Program, prepayment
32		to Medicaid, etc.
33	\$ 3,757,115.00	Crisis centers, holding centers, group
34		homes, substance abuse programs,
35		Children's Programs, Prepayment of
36		Medicaid. etc.
37	\$ 1,567,767.00	Physician services at community mental
38		health centers.
39	\$ 69,680.00	Grant for Epilepsy Foundation of
40		Mississippi or Medicaid match.
41	<u>\$ 784,830.00</u>	Crisis Centers and Specialized Treatment
42		Facility.
43	\$18,340,075.00	TOTAL

44 **SECTION 4.** Of the funds appropriated under the provisions of
45 Section 1 and authorized for expenditure under the provisions of
46 Section 2, not more than the amounts set forth below shall be
47 expended for the respective major objects or purposes of
48 expenditure:

49 **CENTRAL OFFICE**

50 MAJOR OBJECTS OF EXPENDITURE:

51	Personal Services:	
52	Salaries, Wages and Fringe Benefits..	\$ 5,341,848.00
53	Travel and Subsistence.....	210,000.00
54	Contractual Services.....	889,475.00
55	Commodities.....	143,860.00
56	Capital Outlay:	
57	Other Than Equipment.....	0.00
58	Equipment.....	45,000.00
59	Subsidies, Loans and Grants.....	<u>4,766,772.00</u>
60	Total.....	\$ 11,396,955.00

61 FUNDING:

62	General Funds.....	\$ 2,919,911.00
63	Special Funds.....	<u>8,477,044.00</u>
64	Total.....	\$ 11,396,955.00

65 AUTHORIZED POSITIONS:

66	Permanent:	Full Time.....	65
67		Part Time.....	0
68	Time-Limited:	Full Time.....	18
69		Part Time.....	0

SERVICE BUDGET

MAJOR OBJECTS OF EXPENDITURE:

72	Personal Services:		
73	Salaries, Wages and Fringe Benefits..	\$	0.00
74	Travel and Subsistence.....		0.00
75	Contractual Services.....		1,147,251.00
76	Commodities.....		0.00
77	Capital Outlay:		
78	Other Than Equipment.....		0.00
79	Equipment.....		0.00
80	Subsidies, Loans and Grants.....		<u>50,609,862.00</u>
81	Total.....	\$	51,757,113.00

FUNDING:

83	General Funds.....	\$	16,442,993.00
84	Special Funds.....		<u>35,314,120.00</u>
85	Total.....	\$	51,757,113.00

AUTHORIZED POSITIONS:

87	Permanent:	Full Time.....	0
88		Part Time.....	0
89	Time-Limited:	Full Time.....	0
90		Part Time.....	0

EAST MISSISSIPPI STATE HOSPITAL

MAJOR OBJECTS OF EXPENDITURE:

93	Personal Services:		
94	Salaries, Wages and Fringe Benefits..	\$	36,095,579.00
95	Travel and Subsistence.....		40,000.00
96	Contractual Services.....		2,905,285.00
97	Commodities.....		5,802,970.00
98	Capital Outlay:		
99	Other Than Equipment.....		25,000.00
100	Equipment.....		350,626.00

101	Subsidies, Loans and Grants.....		<u>2,900,000.00</u>
102	Total.....	\$	48,119,460.00

103 FUNDING:

104	General Funds.....	\$	31,449,800.00
105	Special Funds.....		<u>16,669,660.00</u>
106	Total.....	\$	48,119,460.00

107 AUTHORIZED POSITIONS:

108	Permanent:	Full Time.....	1,044
109		Part Time.....	2
110	Time-Limited:	Full Time.....	78
111		Part Time.....	4

112 **ELLISVILLE STATE SCHOOL AND FARM**

113 MAJOR OBJECTS OF EXPENDITURE:

114 Personal Services:

115	Salaries, Wages and Fringe Benefits..	\$	50,956,742.00
116	Travel and Subsistence.....		126,000.00
117	Contractual Services.....		4,653,109.00
118	Commodities.....		5,252,965.00
119	Capital Outlay:		
120	Other Than Equipment.....		400,000.00
121	Equipment.....		489,344.00
122	Subsidies, Loans and Grants.....		<u>15,232,898.00</u>
123	Total.....	\$	77,111,058.00

124 FUNDING:

125	General Funds.....	\$	16,164,740.00
126	Special Funds.....		<u>60,946,318.00</u>
127	Total.....	\$	77,111,058.00

128 AUTHORIZED POSITIONS:

129	Permanent:	Full Time.....	1,564
130		Part Time.....	28
131	Time-Limited:	Full Time.....	49
132		Part Time.....	0

133 **MISSISSIPPI STATE HOSPITAL**

134 MAJOR OBJECTS OF EXPENDITURE:

135 Personal Services:

136	Salaries, Wages and Fringe Benefits..	\$	80,467,227.00
137	Travel and Subsistence.....		62,989.00
138	Contractual Services.....		11,983,946.00
139	Commodities.....		9,189,836.00
140	Capital Outlay:		
141	Other Than Equipment.....		106,859.00
142	Equipment.....		437,036.00
143	Subsidies, Loans and Grants.....		<u>6,084,975.00</u>
144	Total.....	\$	108,332,868.00

145 FUNDING:

146	General Funds.....	\$	74,631,660.00
147	Special Funds.....		<u>33,701,208.00</u>
148	Total.....	\$	108,332,868.00

149 AUTHORIZED POSITIONS:

150	Permanent:	Full Time.....	2,156
151		Part Time.....	6
152	Time-Limited:	Full Time.....	168
153		Part Time.....	0

154 **CENTRAL MISSISSIPPI RESIDENTIAL CENTER**

155 MAJOR OBJECTS OF EXPENDITURE:

156 Personal Services:

157	Salaries, Wages and Fringe Benefits..	\$	3,637,458.00
158	Travel and Subsistence.....		9,460.00
159	Contractual Services.....		673,924.00
160	Commodities.....		618,638.00
161	Capital Outlay:		
162	Other Than Equipment.....		60,000.00
163	Equipment.....		55,953.00
164	Subsidies, Loans and Grants.....		<u>2,000.00</u>
165	Total.....	\$	5,057,433.00

166 FUNDING:

167	General Funds.....	\$	4,002,452.00
168	Special Funds.....		<u>1,054,981.00</u>
169	Total.....	\$	5,057,433.00

170 AUTHORIZED POSITIONS:

171	Permanent:	Full Time.....	94
172		Part Time.....	0
173	Time-Limited:	Full Time.....	12
174		Part Time.....	0

BROOKHAVEN JUVENILE REHABILITATION FACILITY

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

178	Salaries, Wages and Fringe Benefits..	\$	3,561,905.00
179	Travel and Subsistence.....		7,300.00
180	Contractual Services.....		509,389.00
181	Commodities.....		302,955.00
182	Capital Outlay:		
183	Other Than Equipment.....		7,000.00
184	Equipment.....		41,640.00
185	Subsidies, Loans and Grants.....		<u>6,000.00</u>
186	Total.....	\$	4,436,189.00

FUNDING:

188	General Funds.....	\$	4,388,939.00
189	Special Funds.....		<u>47,250.00</u>
190	Total.....	\$	4,436,189.00

AUTHORIZED POSITIONS:

192	Permanent:	Full Time.....	92
193		Part Time.....	0
194	Time-Limited:	Full Time.....	8
195		Part Time.....	0

SPECIALIZED TREATMENT FACILITY

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

199	Salaries, Wages and Fringe Benefits..	\$	1,310,261.00
200	Travel and Subsistence.....		12,257.00
201	Contractual Services.....		516,258.00
202	Commodities.....		345,121.00
203	Capital Outlay:		
204	Other Than Equipment.....		30,000.00
205	Equipment.....		64,138.00

206	Subsidies, Loans and Grants.....		<u>492,836.00</u>
207	Total.....	\$	2,770,871.00

208 FUNDING:

209	General Funds.....	\$	1,713,790.00
210	Special Funds.....		<u>1,057,081.00</u>
211	Total.....	\$	2,770,871.00

212 AUTHORIZED POSITIONS:

213	Permanent: Full Time.....	59
214	Part Time.....	0
215	Time-Limited: Full Time.....	0
216	Part Time.....	0

217 **DIVISION OF ALCOHOL AND DRUG ABUSE**

218 MAJOR OBJECTS OF EXPENDITURE:

219 Personal Services:

220	Salaries, Wages and Fringe Benefits..	\$	284,549.00
221	Travel and Subsistence.....		23,100.00
222	Contractual Services.....		45,600.00
223	Commodities.....		8,700.00
224	Capital Outlay:		
225	Other Than Equipment.....		0.00
226	Equipment.....		18,300.00
227	Subsidies, Loans and Grants.....		<u>4,060,042.00</u>
228	Total.....	\$	4,440,291.00

229 FUNDING:

230	General Funds.....	\$	0.00
231	Special Funds.....		<u>4,440,291.00</u>
232	Total.....	\$	4,440,291.00

233 AUTHORIZED POSITIONS:

234	Permanent: Full Time.....	5
235	Part Time.....	0
236	Time-Limited: Full Time.....	0
237	Part Time.....	0

238 **BOSWELL REGIONAL CENTER**

239 MAJOR OBJECTS OF EXPENDITURE:

240 Personal Services:

241	Salaries, Wages and Fringe Benefits..	\$	19,119,920.00
242	Travel and Subsistence.....		45,000.00
243	Contractual Services.....		3,021,807.00
244	Commodities.....		2,248,170.00
245	Capital Outlay:		
246	Other Than Equipment.....		250,000.00
247	Equipment.....		320,176.00
248	Subsidies, Loans and Grants.....		<u>4,241,478.00</u>
249	Total.....	\$	29,246,551.00
250	FUNDING:		
251	General Funds.....	\$	8,620,316.00
252	Special Funds.....		<u>20,626,235.00</u>
253	Total.....	\$	29,246,551.00
254	AUTHORIZED POSITIONS:		
255	Permanent: Full Time.....		476
256	Part Time.....		3
257	Time-Limited: Full Time.....		104
258	Part Time.....		0
259	NORTH MISSISSIPPI STATE HOSPITAL		
260	MAJOR OBJECTS OF EXPENDITURE:		
261	Personal Services:		
262	Salaries, Wages and Fringe Benefits..	\$	4,685,563.00
263	Travel and Subsistence.....		30,000.00
264	Contractual Services.....		806,556.00
265	Commodities.....		1,007,191.00
266	Capital Outlay:		
267	Other Than Equipment.....		30,000.00
268	Equipment.....		71,000.00
269	Subsidies, Loans and Grants.....		<u>0.00</u>
270	Total.....	\$	6,630,310.00
271	FUNDING:		
272	General Funds.....	\$	5,699,310.00
273	Special Funds.....		<u>931,000.00</u>
274	Total.....	\$	6,630,310.00
275	AUTHORIZED POSITIONS:		

276	Permanent:	Full Time.....	102
277		Part Time.....	0
278	Time-Limited:	Full Time.....	1
279		Part Time.....	0

NORTH MISSISSIPPI REGIONAL CENTER

MAJOR OBJECTS OF EXPENDITURE:

282	Personal Services:		
283	Salaries, Wages and Fringe Benefits..	\$	35,602,840.00
284	Travel and Subsistence.....		112,000.00
285	Contractual Services.....		4,563,119.00
286	Commodities.....		5,426,000.00
287	Capital Outlay:		
288	Other Than Equipment.....		65,000.00
289	Equipment.....		709,744.00
290	Subsidies, Loans and Grants.....		<u>11,090,247.00</u>
291	Total.....	\$	57,568,950.00

FUNDING:

293	General Funds.....	\$	9,746,618.00
294	Special Funds.....		<u>47,822,332.00</u>
295	Total.....	\$	57,568,950.00

AUTHORIZED POSITIONS:

297	Permanent:	Full Time.....	885
298		Part Time.....	9
299	Time-Limited:	Full Time.....	163
300		Part Time.....	10

HUDSPETH REGIONAL CENTER

MAJOR OBJECTS OF EXPENDITURE:

303	Personal Services:		
304	Salaries, Wages and Fringe Benefits..	\$	29,481,794.00
305	Travel and Subsistence.....		122,500.00
306	Contractual Services.....		4,109,425.00
307	Commodities.....		3,191,800.00
308	Capital Outlay:		
309	Other Than Equipment.....		150,000.00
310	Equipment.....		339,900.00

311	Subsidies, Loans and Grants.....		<u>11,349,031.00</u>
312	Total.....	\$	48,744,450.00

313 FUNDING:

314	General Funds.....	\$	7,522,753.00
315	Special Funds.....		<u>41,221,697.00</u>
316	Total.....	\$	48,744,450.00

317 AUTHORIZED POSITIONS:

318	Permanent:	Full Time.....	847
319		Part Time.....	21
320	Time-Limited:	Full Time.....	39
321		Part Time.....	0

322 **SOUTH MISSISSIPPI REGIONAL CENTER**

323 MAJOR OBJECTS OF EXPENDITURE:

324 Personal Services:

325	Salaries, Wages and Fringe Benefits..	\$	19,926,099.00
326	Travel and Subsistence.....		77,000.00
327	Contractual Services.....		3,311,421.00
328	Commodities.....		2,361,505.00
329	Capital Outlay:		
330	Other Than Equipment.....		100,000.00
331	Equipment.....		358,670.00
332	Subsidies, Loans and Grants.....		<u>5,542,459.00</u>
333	Total.....	\$	31,677,154.00

334 FUNDING:

335	General Funds.....	\$	6,910,778.00
336	Special Funds.....		<u>24,766,376.00</u>
337	Total.....	\$	31,677,154.00

338 AUTHORIZED POSITIONS:

339	Permanent:	Full Time.....	540
340		Part Time.....	8
341	Time-Limited:	Full Time.....	94
342		Part Time.....	3

343 **SOUTH MISSISSIPPI STATE HOSPITAL**

344 MAJOR OBJECTS OF EXPENDITURE:

345 Personal Services:

346	Salaries, Wages and Fringe Benefits..	\$	4,457,400.00
347	Travel and Subsistence.....		11,000.00
348	Contractual Services.....		296,288.00
349	Commodities.....		102,635.00
350	Capital Outlay:		
351	Other Than Equipment.....		20,000.00
352	Equipment.....		51,202.00
353	Subsidies, Loans and Grants.....		<u>10,000.00</u>
354	Total.....	\$	4,948,525.00
355	FUNDING:		
356	General Funds.....	\$	4,567,524.00
357	Special Funds.....		<u>381,001.00</u>
358	Total.....	\$	4,948,525.00

359 AUTHORIZED POSITIONS:

360	Permanent:	Full Time.....	110
361		Part Time.....	0
362	Time-Limited:	Full Time.....	13
363		Part Time.....	0

364 For the fiscal year beginning on July 1, 2006, funds are
365 provided herein to adjust the annual compensation of each employee
366 who has been employed for twelve (12) months or longer by an
367 amount equal to One Thousand Dollars (\$1,000.00), effective on
368 July 1, 2006.

369 With the funds herein appropriated, it is the intention of
370 the Legislature that it shall be the agency's responsibility to
371 make certain that funds required to be appropriated for "Personal
372 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
373 funds appropriated for that purpose, unless programs or positions
374 are added to the agency's Fiscal Year 2008 budget by the
375 Mississippi Legislature. Based on data provided by the
376 Legislative Budget Office, the State Personnel Board shall
377 determine and publish the projected annual cost to fully fund all
378 appropriated positions in compliance with the provisions of this
379 act. It shall be the responsibility of the agency head to insure
380 that no single personnel action increases this projected annual

381 cost and/or the Fiscal Year 2007 appropriation for "Personal
 382 Services" when annualized, with the exception of escalated funds.
 383 If, at the time the agency takes any action to change "Personal
 384 Services," the State Personnel Board determines that the agency
 385 has taken an action which would cause the agency to exceed this
 386 projected annual cost or the Fiscal Year 2007 "Personal Services"
 387 appropriated level, when annualized, then only those actions which
 388 reduce the projected annual cost and/or the appropriation
 389 requirement will be processed by the State Personnel Board until
 390 such time as the requirements of this provision are met.

391 Any transfers or escalations shall be made in accordance with
 392 the terms, conditions and procedures established by law or
 393 allowable under the terms set forth within this act. The State
 394 Personnel Board shall not escalate positions without written
 395 approval from the Department of Finance and Administration. The
 396 Department of Finance and Administration shall not provide written
 397 approval to escalate any funds for salaries and/or positions
 398 without proof of availability of new or additional funds above the
 399 appropriated level.

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

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

	FY07
<u>Performance Measures</u>	<u>Target</u>
413 Services Management	
414 State Institutions Operated (Number of)	12
415 Units Monitored, etc (Number of)	1,450

416	Grants Administered (Number of)	461
417	Mental Health Services	
418	Group Homes - Alternative Living (Beds)	261
419	Halfway Houses (Beds)	35
420	Psychotropic Drugs Purchased (Prescriptions)	9,800
421	Mental Retardation Services	
422	Community Living Clients (Clients)	220
423	Work Activity & Employment Related (Clients)	1,000
424	Children & Youth Services	
425	Group Homes (Beds)	107
426	Chemical Dependency (Beds)	20
427	3% Alcohol Tax-alcohol/drug Prg	
428	Residential Treatment Beds (Beds)	753
429	Out-Patient Admissions (Number of)	12,000
430	Mi - Institutional Care	
431	Patient & Resident Days (Number of)	652,315
432	Operating Cost per Patient & Resident	
433	Day (\$)	258
434	Mi - Pre/post Inst Care	
435	Clients Served (Number of)	871
436	Mi - Support Services	
437	Support as a Percent of Total Budget (%)	5.75
438	Mr - Institutional Care	
439	Patient & Resident Days (Number of)	518,307
440	Operating Cost per Patient & Resident	
441	Day (\$)	262
442	Independent Living Skills (Client Days)	2,816
443	Mr - Group Homes	
444	ICF/MR Patient & Resident Days (Number of)	200,297
445	Non ICF/MR Patient & Resident	
446	Days (Number of)	86,923
447	Mr - Community Programs	
448	Home & Community Based Waiver	
449	Clients (Number of)	1,925
450	Non Home & Community Based Waiver	

451	Clients (Number of)	2,119
452	Units of Service Delivered (Number of)	2,352,303
453	Mr - Support Services	
454	Support as a Percent of Total Budget (%)	4.60
455	Mi - Crisis Intervention Ctr	
456	Patient & Resident Days (Number of)	36,239
457	Mi - Residential Apartments	
458	Patient & Resident Days (Number of)	6,935
459	Mi - Residential Homes	
460	Patient & Resident Days (Number of)	3,650
461	Mi - Footprints Adult Day Svcs	
462	Clients Served (Number of)	25

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

467 **SECTION 6.** Of the funds appropriated under the provisions of
468 Section 1, authorized for expenditure in Sections 2 and 3, and
469 allocated in Section 4 to the "Central Office," funds are included
470 for an Alzheimer's education and training program.

471 **SECTION 7.** Of the funds appropriated under the provisions of
472 Section 1, authorized for expenditure under the provisions of
473 Sections 2 and 3, and allocated under the provisions of Section 4,
474 funds in the amount of Two Hundred Thousand Dollars (\$200,000.00)
475 may be expended for the support of a pilot project to provide
476 authority for East Mississippi State Hospital and Mississippi
477 State Hospital to contract with local hospitals located in
478 counties with a population of less than fifty thousand (50,000) to
479 provide emergency inpatient care to individuals committed by the
480 Chancery Court to East Mississippi State Hospital or Mississippi
481 State Hospital for treatment of mental illness if, at the time
482 that such commitment is made, a bed is not available for admission
483 to East Mississippi State Hospital or Mississippi State Hospital.
484 East Mississippi State Hospital and Mississippi State Hospital
485 shall have the authority to contract with local hospitals located

486 in counties with a population of less than fifty thousand (50,000)
487 for inpatient emergency care for a period not to exceed seven (7)
488 days at a rate not to exceed One Hundred and Fifty Dollars
489 (\$150.00) per day with East Mississippi State Hospital or
490 Mississippi State Hospital providing One Hundred Dollars (\$100.00)
491 and the local government providing Fifty Dollars (\$50.00) per day
492 for such care. Payment for such physician fees shall be made at
493 the Medicaid rate of reimbursement and paid by East Mississippi
494 State Hospital or Mississippi State Hospital. Funds provided for
495 the initiation of this pilot project shall not be expended for
496 inpatient hospital care unless there is participation in the
497 reimbursement for such care by the local government as required by
498 the provisions of this section.

499 **SECTION 8.** It is the intention of the Legislature that the
500 Executive Director of the Department of Mental Health shall have
501 authority to transfer cash from one special fund treasury fund to
502 another special fund treasury fund under the control of the
503 Department of Mental Health. The purpose of this authority is to
504 more efficiently use available cash reserves. It is further the
505 intention of the Legislature that the Executive Director of the
506 Department of Mental Health shall submit written justification for
507 the transfer to the Legislative Budget Office and the Department
508 of Finance and Administration on or before the fifteenth (15th) of
509 the month prior to the effective date of the transfer.

510 **SECTION 9.** The Executive Director of the Department of
511 Mental Health and the directors of each separate facility operated
512 by the Department of Mental Health are hereby authorized to
513 transfer spending authority from any major objects to any other
514 major objects, excluding the Salaries, Wages and Fringe Benefits
515 category, in any amounts deemed necessary for the efficient
516 management and operation of their budgets, provided that the total
517 spending authority remains unchanged after such transfers and the
518 total of such transfers into any major object do not exceed
519 twenty-five percent (25%) of the original appropriated amount for

520 that major object plus any escalations of spending authority that
521 have occurred during any given fiscal year.

522 **SECTION 10.** It is the intention of the Legislature that the
523 Department of Mental Health shall have the authority to receive,
524 budget, and expend funds from any source, including beginning cash
525 in excess of beginning cash when spending authority was initially
526 appropriated, that may become available to the department in
527 accordance with the rules and regulations of the Department of
528 Finance and Administration in a manner consistent with the
529 escalation of federal funds.

530 **SECTION 11.** The Department of Mental Health and its
531 facilities shall have the authority, within funding and spending
532 authority appropriated under the provisions of Section 1,
533 authorized for expenditure in Sections 2 and 3, and allocated
534 under the provisions of Section 4 of this act, to transfer funds
535 to the Division of Medicaid in payment of Medicaid match and
536 designate that the funds thus transferred shall be applied to
537 Medicaid match obligations arising in the subsequent fiscal year.

538 **SECTION 12.** Any person within the Department of Mental
539 Health who must work on a statutory holiday or any holiday
540 proclaimed by the Governor, may at the discretion of the Director
541 of the Institution and the Executive Director of the Department of
542 Mental Health and within available personnel funds, be paid "call
543 back pay" in lieu of "compensatory time credit."

544 **SECTION 13.** Of the funds appropriated to the "Service
545 Budget" in the category "Subsidies, Loans and Grants," funds are
546 included for the support of community mental health services for
547 Fiscal Year 2007.

548 Provided, however, that none of the funds appropriated for
549 the support of community mental health services shall be made
550 available to any Regional Mental Health/Retardation Center which
551 does not receive from each of its participating counties a dollar
552 amount equivalent to what the proceeds of a three-fourths (3/4)
553 mill tax on all taxable property in the county in Fiscal Year 1982
554 would have been or the amount of funds contributed to the center

555 by the county in Fiscal Year 1984, whichever shall be greater. By
556 means of performance contracts, the Department of Mental Health
557 shall disburse the funds appropriated in this section for services
558 for the mentally ill, mentally retarded and alcohol/drug abusers.
559 The State Board of Mental Health and the Department of Mental
560 Health shall be responsible for selecting the types of services
561 which shall be provided with the funds appropriated in this
562 section, for developing and monitoring performance contracts and
563 for holding contractors accountable for utilization of funds.

564 **SECTION 14.** Funds presently included or any funds received
565 in the future for timber funds at Ellisville State School and East
566 Mississippi State Hospital are hereby authorized for transfer to
567 the regular operating budgets of the respective facilities. Each
568 facility shall receive such funds as "Special" funds, and such
569 funds shall be available for use in payment of any and all
570 expenses of each facility, paid by the State Treasurer upon
571 warrants issued by the State Fiscal Officer; and the State Fiscal
572 Officer shall issue his warrants upon requisitions signed by the
573 proper person, officer or officers in the manner provided by law.

574 **SECTION 15.** The Department of Mental Health and its
575 facilities shall have the express legal authority, within funding
576 and spending authority appropriated under the provisions of
577 Section 1, authorized for expenditure under the provisions of
578 Sections 2 and 3, and allocated under the provisions of Section 4
579 of this act, to purchase land for use by residential facilities
580 operated by the Department, either directly or by means of
581 transferring funds to the Bureau of Building, Grounds and Real
582 Property Management, and to transfer such funds to Bureau of
583 Building, Grounds, and Real Property Management for the purposes
584 of constructing and equipping group homes for persons with mental
585 illness, mental retardation, and/or substance abuse; constructing
586 and equipping such other buildings as may be required for
587 treatment of persons with mental illness, mental retardation,
588 and/or substance abuse; repair and renovate existing buildings;
589 and to construct, repair and/or renovate employee housing. Any

590 intermediate care facilities for the mentally retarded (ICF/MR)
591 constructed with funds authorized in this section shall be
592 authorized to participate in Medicaid funding available for such
593 services.

594 **SECTION 16.** Of the General Funds appropriated to the
595 "Service Budget" in the category of "Subsidies, Loans and Grants,"
596 the sum required may be expended to fund the Home and Community
597 Based Waiver Option for community mental retardation services as
598 authorized under Section 43-13-117(29) of the Mississippi Code of
599 1972 (Annotated).

600 **SECTION 17.** With the funds herein appropriated, the
601 Department of Mental Health is authorized to provide home and
602 community based treatment and institutional treatment to not more
603 than ten (10) persons at any given time who, on or after reaching
604 their twenty-first birthday (age 21), suffered a severe brain
605 injury and whose condition as a result of that brain injury would
606 have resulted in their classification as developmentally disabled
607 if such injury had occurred prior to their twenty-first birthday.

608 **SECTION 18.** The following sum, or so much thereof as may be
609 necessary, is hereby reappropriated out of any money in the
610 special fund in the State Treasury to the credit of the Department
611 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,
612 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year
613 beginning July 1, 2006, and ending June 30, 2007.....
614 \$ 10,000,000.00

615 Notwithstanding the amount reappropriated under the
616 provisions of this section, in no event shall the amount expended
617 exceed the unexpended balance as of June 30, 2006, or change the
618 purpose for which the funds were originally authorized.

619 **SECTION 19.** None of the funds appropriated herein may be
620 used to pay for alternative residential placement or
621 hospitalization for mental health, mental retardation, or
622 substance treatment of a person committed to the Department of
623 Mental Health under Sections 41-21-61 et seq., 41-21-107, 41-31-1
624 et seq., 43-21-315 and 43-21-611, Mississippi Code of 1972.

625 **SECTION 20.** Of the funds appropriated under the provisions
626 of Section 1, authorized for expenditure in Sections 2 and 3, and
627 allocated in Section 4 to Mississippi State Hospital, funds not to
628 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) may be
629 expended for preplanning costs associated with a project or
630 projects to renovate buildings on the campus of Mississippi State
631 Hospital to meet standards of the Joint Commission on
632 Accreditation of Healthcare Organizations.

633 **SECTION 21.** None of the funds appropriated for the support
634 of community mental health, mental retardation, or substance abuse
635 services shall be made available to any service provider which,
636 upon determination of the Executive Director of the Department of
637 Mental Health, has an outstanding monetary obligation owed to the
638 Department of Mental Health or to the Division of Medicaid,
639 pursuant to an audit or programmatic review performed by the
640 Department of Mental Health, that has not been resolved, including
641 those audits or programmatic reviews that occurred prior to
642 July 1, 2006.

643 **SECTION 22.** No program or entity certified by the Department
644 of Mental Health which also receives state source, federal source,
645 or Medicaid funding directly from the Department of Mental Health
646 or by virtue of state source funds appropriated to the Department
647 of Mental Health for Medicaid match for provision of mental
648 health, mental retardation, or substance abuse services shall pay
649 to any person employed by that program or entity a salary or
650 compensation, directly or indirectly, in excess of the salary
651 provided for a similar position under the classification system of
652 the State Personnel Board for a person with similar credentials,
653 educational level, and directly related years of experience in the
654 position. Any person whose current salary already exceeds the
655 allowable amount as determined under this section shall be allowed
656 to retain his or her current salary, but no increases shall be
657 granted until such time as the allowable maximum salary under the
658 classification system of the State Personnel Board exceeds the
659 current salary paid to that person. Those programs and entities

660 may adopt a system of compensation that includes additional
661 compensation for Educational Benchmarks as allowed under the State
662 Personnel Board system. Further, the Department of Mental Health
663 and the State Personnel Board shall collaborate in determining
664 similarity of positions in those programs or entities affected by
665 this section to positions within the classification system of the
666 State Personnel Board in any manner they deem appropriate to
667 efficiently implement the provisions of this section. Staff
668 of the State Personnel Board and the Department of Mental Health
669 shall be the final authority in the determination of corresponding
670 job titles and pay grades. Failure to comply with the provisions
671 of this section shall be cause to reduce or terminate funding
672 received from the Department of Mental Health.

673 **SECTION 23.** Special funds appropriated in the Service Budget
674 of the Department of Mental Health shall include an allocation of
675 Three Million Five Hundred Fifty-nine Thousand Three Hundred
676 Eleven Dollars (\$3,559,311.00) from Title XX Social Services Block
677 Grant funding received by the State of Mississippi, unless the
678 total Title XX Social Services Block Grant award received by the
679 State of Mississippi is reduced or increased by the federal
680 government from what was received in federal fiscal year ending
681 September 30, 2006. In cases where the total grant received by
682 the State of Mississippi is reduced or increased, the percentage
683 of the grant allocated to the Department of Mental Health shall be
684 the same as was allocated for the federal year ending
685 September 30, 2006.

686 **SECTION 24.** The Executive Director of the Department of
687 Mental Health is hereby authorized to transfer and receive into
688 the Central Office accounts of the Department of Mental Health
689 certain funds which originated from the various Department of
690 Mental Health facilities as transfers to the Department of Finance
691 and Administration - Bureau of Building and Real Property
692 Management for building/renovation/repair for certain projects
693 that have not been obligated by the Bureau of Building and Real
694 Property Management for the purpose for which the funds were

695 transferred. Said funds are currently held in a Department of
696 Finance and Administration account and may be held in Fund 3391.
697 The Executive Director is further provided authority to transfer
698 those funds from the Central Office to any other Department of
699 Mental Health facility in any amount at his discretion.

700 **SECTION 25.** It is the intention of the Legislature that
701 whenever two (2) or more bids are received by this agency for the
702 purchase of commodities or equipment, and whenever all things
703 stated in such received bids are equal with respect to price,
704 quality and service, the Mississippi Industries for the Blind
705 shall be given preference. A similar preference shall be given to
706 the Mississippi Industries for the Blind whenever purchases are
707 made without competitive bids.

708 **SECTION 26.** All expenditures of funds appropriated by this
709 act for the purposes of advertising through the media shall comply
710 with the provisions of this section. All notices, advertisements,
711 or announcements designed to accomplish distribution of vital
712 information paid for wholly or in part through funds appropriated
713 by this act and distributed through the media shall be placed
714 according to a formula based upon the following criteria:

715 (a) Outlets of the Mississippi Public Broadcasting
716 System shall receive twenty percent (20%) of all expenditures
717 allotted for any advertising campaign undertaken by the agency to
718 which funds are appropriated by this act. All distribution of
719 information undertaken by the Mississippi Broadcasting System
720 under these requirements shall conform to the accepted standards
721 of information distribution common to public media.

722 (b) Media outlets, other than outlets of the
723 Mississippi Public Broadcasting System, shall receive placement of
724 such notices through the following method of distribution and
725 based upon commonly accepted boundaries of distribution:

726 (i) Newspapers. Newspapers demonstrating
727 established market reach through verifiable and auditable
728 circulation numbers shall receive twenty-five percent (25%) of all
729 expenditures allotted for distribution of vital information, and

730 such expenditures to the individual newspapers shall be determined
731 and prorated based upon the verifiable and auditable share of
732 total circulation within the individual counties. This
733 requirement does not replace the requirements and systems
734 currently in place regarding legal notices in the newspapers.

735 (ii) Radio. Radio stations demonstrating
736 established market reach through verifiable and auditable market
737 share information as recorded through reputable and established
738 rating services shall receive twenty percent (20%) of all
739 expenditures allotted for such distribution of vital information,
740 and such expenditures to the individual stations shall be
741 determined and prorated based upon the verifiable and auditable
742 share of total market reach within the individual counties.

743 (iii) Television. Television stations and
744 television cable outlets demonstrating established market reach
745 through verifiable and auditable market share information as
746 recorded through reputable and established rating services shall
747 receive twenty percent (20%) of all expenditures allotted for such
748 distribution of vital information, and such expenditures to the
749 individual stations shall be determined and prorated based upon
750 the verifiable and auditable share of total market reach within
751 the individual demonstrated market reach area of the station or
752 cable outlet.

753 (iv) Magazines. Magazines demonstrating
754 established market reach through verifiable and auditable
755 circulation numbers shall receive ten percent (10%) of all
756 expenditures allotted for such distribution of vital information,
757 and such expenditures to the individual magazines shall be
758 determined and prorated based upon the verifiable and auditable
759 circulation numbers within the counties. If no magazine exists
760 which meets the criteria stated above, the portion of those funds
761 so allotted shall be distributed among the other media outlets
762 equally.

763 (v) Electronic media. Electronic media
764 demonstrating established market reach through verifiable and

765 auditable circulation numbers shall receive five percent (5%) of
766 all expenditures allotted for such distribution of vital
767 information, and such expenditures to the individual electronic
768 media outlets shall be determined and prorated based upon the
769 verifiable and auditable circulation numbers within the counties.
770 If no electronic media exists which meets the criteria stated
771 above, the portion of those funds so allotted shall be distributed
772 equally among the other media outlets.

773 Provisions of this section do not apply to the placement of
774 advertisements in national media outlets to recruit economic
775 development or to promote tourism in the state.

776 **SECTION 27.** The money herein appropriated shall be paid by
777 the State Treasurer out of any money in the State Treasury to the
778 credit of the proper fund or funds as set forth in this act, upon
779 warrants issued by the State Fiscal Officer; and the State Fiscal
780 Officer shall issue his warrants upon requisitions signed by the
781 proper person, officer or officers in the manner provided by law.

782 **SECTION 28.** This act shall take effect and be in force from
783 and after July 1, 2006.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH AND CERTAIN PROGRAMS OF THE DIVISION
3 OF ALCOHOL AND DRUG ABUSE, FOR FISCAL YEAR 2007.

HR40\SB3040PH.J

Don Richardson
Clerk of the House of Representatives