

Senate Amendments to House Bill No. 1563

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, 2006, and ending June 30, 2007.....
15 \$ 355,115,697.00.

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 \$ 290,875,942.00.

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..... \$ 2,908,416,905.00.

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..... \$ 107,736,584.00.

40 The above funds shall be allocated as follows:

41	CHIP Program at 200% level of poverty...	\$ 4,877,497.00
42	Eyeglasses for adults.....	\$ 1,184,535.00
43	Home and Community Waiver Program.....	\$ 3,341,086.00
44	Disabled worker buy-in to the Medicaid	
45	program.....	\$ 1,278,601.00
46	Dental fee increase.....	\$ 1,532,928.00
47	Miscellaneous.....	\$ 209,036.00
48	Medical Services Program Matching Funds.	\$ 95,312,901.00

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..	\$ 42,682,947.00
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.....	<u>3,498,580,042.00</u>
66	Total.....	\$ 3,662,145,128.00

67	FUNDING:	
68	General Funds.....	\$ 355,115,697.00
69	Special Funds.....	<u>3,307,029,431.00</u>
70	Total.....	\$ 3,662,145,128.00

71 AUTHORIZED POSITIONS:

72	Permanent: Full Time.....	996
73	Part Time.....	0
74	Time-Limited: Full Time.....	0
75	Part Time.....	0

76 Funds are provided herein to adjust the Variable Compensation
77 Plan to ensure that all full-time employees receive a pay increase
78 equal to the realignment component of the Variable Compensation
79 Plan or Twelve Hundred Dollars (\$1,200.00), whichever is greater,
80 beginning on July 1, 2006.

81 Pursuant to policies established by the State Personnel
82 Board, agency heads may, on a case by case basis and within funds
83 available, recommend equity salary adjustments to Fiscal Year 2006
84 agency appropriation acts where application of limitations result
85 in awarding one employee a salary increase greater than another
86 employee within the same agency, with the same job classification
87 series and greater longevity.

88 With the funds herein appropriated, it is the intention of
89 the Legislature that it shall be the agency's responsibility to
90 make certain that funds required to be appropriated for "Personal
91 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
92 funds appropriated for that purpose, unless programs or positions
93 are added to the agency's Fiscal Year 2008 budget by the
94 Mississippi Legislature. Based on data provided by the
95 Legislative Budget Office, the State Personnel Board shall
96 determine and publish the projected annual cost to fully fund all
97 appropriated positions in compliance with the provisions of this
98 act. It shall be the responsibility of the agency head to insure
99 that no single personnel action increases this projected annual
100 cost and/or the Fiscal Year 2007 appropriation for "Personal
101 Services" when annualized, with the exception of escalated funds.

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

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

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

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

133 **SECTION 7.** In compliance with the "Mississippi Performance
134 Budget and Strategic Planning Act of 1994," it is the intent of
135 the Legislature that the funds provided herein shall be utilized
136 in the most efficient and effective manner possible to achieve the

137 intended mission of this agency. Based on the funding authorized,
138 this agency shall make every effort to attain the targeted
139 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

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

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

164 **SECTION 9.** It is the intention of the Legislature that
165 whenever two (2) or more bids are received by this agency for the
166 purchase of commodities or equipment, and whenever all things
167 stated in such received bids are equal with respect to price,
168 quality and service, the Mississippi Industries for the Blind
169 shall be given preference. A similar preference shall be given to
170 the Mississippi Industries for the Blind whenever purchases are
171 made without competitive bids.

172 **SECTION 10.** The money herein appropriated shall be paid by
173 the State Treasurer out of any money in the State Treasury to the
174 credit of the proper fund or funds as set forth in this act, upon
175 warrants issued by the State Fiscal Officer; and the State Fiscal
176 Officer shall issue his warrants upon requisitions signed by the
177 proper person, officer or officers, in the manner provided by law.

178 **SECTION 11.** This act shall take effect and be in force from
179 and after July 1, 2006.

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John O. Gilbert
Secretary of the Senate