

Senate Amendments to House Bill No. 1564

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:

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 \$ 32,462,145.00.

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 \$ 236,376,426.00.

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.....\$4,180,712.00

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 Twelve Dollars
41 (\$4,180,712.00) 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.. \$ 102,083,575.00

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..... 49,892,476.00

66 Total..... \$ 268,838,571.00

67 FUNDING:

68 General Funds..... \$ 32,462,145.00

69 Special Funds..... 236,376,426.00

70 Total..... \$ 268,838,571.00

71 AUTHORIZED POSITIONS:

72 Permanent: Full Time..... 1,633

73 Part Time..... 20

74 Time-Limited: Full Time..... 570

75 Part Time..... 11

76 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

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

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

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and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

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

SECTION 6. 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

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:

140		FY2007
141	<u>Performance Measures</u>	<u>Target</u>
142	Chronic Illness	
143	Home Health Patients Served (Persons)	1,769
144	Home Health Visits (Visits)	102,540
145	Hypertension Visits (Visits)	3,100
146	Diabetes Treatment Visits (Visits)	151
147	Maternal & Child Health	
148	Maternity Patients Served (Persons)	7,650
149	WIC Patients Served per Month (Persons)	105,000
150	Family Planning Patients Served (Persons)	90,000
151	Environmental Health	
152	General Sanitation Inspections (Actions)	18,070
153	Food Establishments Inspections (Actions)	28,500
154	Water Supplies Tested (Actions)	1,390
155	Disease Prevention	
156	Vaccinations Administered (Doses)	520,000
157	STD Diagnostic Treatment & Follow-up	
158	Services (Persons)	26,000
159	TB Cases & Contacts Investigated (Actions)	3,000
160	H Care Planning & Licensure	
161	CON Declaratory Opinions Issued (Actions)	200
162	Ambulance Services Lic/Permitted (Entities)	650
163	Professional Licenses Issued (Actions)	5,179
164	Support Services	
165	Percentage of Total Budget (%)	6.21
166	Bioterrorism	
167	Number of Statewide Preparedness	
168	Exercises Conducted (Number of)	5
169	Number of Emergency Preparedness and	
170	Strategic National Stockpile Trainings	5

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

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

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

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

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

205 Rural Water Systems Improvements Board, for the fiscal year
206 beginning July 1, 2006, and ending June 30, 2007.....
207 \$ 28,000,000.00.

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

216 **SECTION 11.** It is the intention of the Legislature that the
217 State Department of Health shall expend not more than Fifty
218 Thousand Dollars (\$50,000.00) of the funds appropriated in Section
219 1 and allocated in Section 4 for providing the oil known as
220 "Lorenzo's Oil" for the treatment of the genetic disorder
221 adrenoleukodystrophy (ALD), to children and Mississippi residents
222 over the age of twenty-one (21) who have the genetic disorder
223 adrenoleukodystrophy and for whom Medicaid does not reimburse the
224 cost of providing the oil. The department may also provide needed
225 pathology and biannual MRI exams.

226 **SECTION 12.** In addition to all other funds heretofore
227 appropriated, the following sum, or so much thereof as may be
228 necessary, is hereby appropriated out of any money deposited in
229 the State Treasury from the Mississippi Tobacco Pilot Program as
230 authorized in the case Mike Moore Attorney General ex rel. State
231 of Mississippi v. The American Tobacco Company et al. (Chancery
232 Court of Jackson County, Mississippi, Cause No. 94-1429) to the
233 State Department of Health for the fiscal year beginning
234 July 1, 2006, and ending June 30, 2007..... \$ 5,000,000.00.

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

239 **SECTION 13.** Of the funds appropriated in Section 1, Seven
240 Hundred Fifty Thousand Dollars (\$750,000.00) are provided for the
241 purpose of purchasing AIDS drugs and other necessary AIDS related
242 medical services.

243 **SECTION 14.** Of the funds appropriated in Sections 1 and 3,
244 the amounts of One Hundred Ten Thousand Nine Hundred Seventy-seven
245 Dollars (\$110,977.00) shall be allocated to the T.K. Martin Center
246 at Mississippi State University and One Hundred Ten Thousand Nine
247 Hundred Seventy-seven Dollars (\$110,977.00) shall be allocated to
248 the Regional Rehabilitation Center in Tupelo for the Early
249 Intervention Program.

250 **SECTION 15.** Of the funds appropriated herein, Fifty Thousand
251 Dollars (\$50,000.00) is provided for the Breast and Cervical
252 Cancer Program.

253 **SECTION 16.** It is the intention of the Legislature that the
254 Executive Director of the State Department of Health may authorize
255 increases in major objects of expenditure in total amounts not to
256 exceed twenty-five percent (25%) of the appropriated amount of
257 each major object of expenditure, provided that other major
258 objects of expenditure are decreased by a corresponding dollar
259 amount. However, no transfers shall be authorized which increase
260 the major object of expenditure "Salaries, Wages and Fringe
261 Benefits."

262 **SECTION 17.** In addition to all other funds heretofore
263 appropriated, the following sum, or so much thereof as may be
264 necessary, is hereby appropriated out of any money in the State
265 Treasury to the credit of the Mississippi Burn Care Fund which is
266 comprised of special source funds collected by or otherwise
267 available to the department, for the purpose of funding the
268 development of a plan for delivery of services and of providing
269 reimbursement for uncompensated medical care to Mississippi burn
270 victims through the trauma care system, for the fiscal year
271 beginning July 1, 2006, and ending June 30, 2007.....
272 \$3,000,000.00.

273 **SECTION 18.** It is the intention of the Legislature that
274 whenever two (2) or more bids are received by this agency for the
275 purchase of commodities or equipment, and whenever all things
276 stated in such received bids are equal with respect to price,
277 quality and service, the Mississippi Industries for the Blind
278 shall be given preference. A similar preference shall be given to
279 the Mississippi Industries for the Blind whenever purchases are
280 made without competitive bids.

281 **SECTION 19.** The money herein appropriated shall be paid by
282 the State Treasurer out of any money in the State Treasury to the
283 credit of the proper fund or funds as set forth in this act, upon
284 warrants issued by the State Fiscal Officer; and the State Fiscal
285 Officer shall issue his warrants upon requisitions signed by the
286 proper person, officer or officers, in the manner provided by law.

287 **SECTION 20.** This act shall take effect and be in force from
288 and after July 1, 2006.

SS05\HB1564A.J

John O. Gilbert
Secretary of the Senate