

By: Senator(s) Gordon, Little, Burton,
Chassaniol, Moffatt, Thames, Butler, Dawkins,
Dearing, Doxey, Frazier, Jackson (11th),
Jordan, Kirby, Posey, Thomas

To: Appropriations

SENATE BILL NO. 3148

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 2008.

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 support and
8 maintenance of the Department of Mental Health for the fiscal year
9 beginning July 1, 2007, and ending June 30, 2008.....
10 \$ 239,712,978.00.

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, 2007, and ending
16 June 30, 2008..... \$ 279,967,822.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Section 2, Thirteen Million Three Hundred Fifteen Thousand Five
19 Hundred Twelve Dollars (\$13,315,512.00) 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 \$ 4,259,790.00 Expenses of the Department of Mental
25 Health.



59	Subsidies, Loans and Grants.....		<u>4,866,772.00</u>
60	Total.....	\$	12,049,324.00

61 FUNDING:

62	General Funds.....	\$	3,569,901.00
63	Special Funds.....		<u>8,479,423.00</u>
64	Total.....	\$	12,049,324.00

65 AUTHORIZED POSITIONS:

66	Permanent: Full Time.....	68
67	Part Time.....	0
68	Time-Limited: Full Time.....	63
69	Part Time.....	0

70 **SERVICE BUDGET**

71 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	Vehicles.....		0.00
81	Wireless Communication Devices.....		0.00

82	Subsidies, Loans and Grants.....		<u>55,609,862.00</u>
83	Total.....	\$	56,757,113.00

84 FUNDING:

85	General Funds.....	\$	24,726,885.00
86	Special Funds.....		<u>32,030,228.00</u>
87	Total.....	\$	56,757,113.00

88 AUTHORIZED POSITIONS:

89	Permanent: Full Time.....	0
90	Part Time.....	0
91	Time-Limited: Full Time.....	0



92 Part Time..... 0

93 EAST MISSISSIPPI STATE HOSPITAL

94 MAJOR OBJECTS OF EXPENDITURE:

95 Personal Services:

96 Salaries, Wages and Fringe Benefits.. \$ 43,514,992.00

97 Travel and Subsistence..... 22,000.00

98 Contractual Services..... 4,775,285.00

99 Commodities..... 2,333,858.00

100 Capital Outlay:

101 Other Than Equipment..... 25,000.00

102 Equipment..... 417,031.00

103 Vehicles..... 0.00

104 Wireless Communication Devices..... 0.00

105 Subsidies, Loans and Grants..... 219,326.00

106 Total..... \$ 51,307,492.00

107 FUNDING:

108 General Funds..... \$ 39,749,647.00

109 Special Funds..... 11,557,845.00

110 Total..... \$ 51,307,492.00

111 AUTHORIZED POSITIONS:

112 Permanent: Full Time..... 1,036

113 Part Time..... 1

114 Time-Limited: Full Time..... 75

115 Part Time..... 9

116 ELLISVILLE STATE SCHOOL AND FARM

117 MAJOR OBJECTS OF EXPENDITURE:

118 Personal Services:

119 Salaries, Wages and Fringe Benefits.. \$ 57,938,830.00

120 Travel and Subsistence..... 157,500.00

121 Contractual Services..... 5,816,386.00

122 Commodities..... 6,565,061.00

123 Capital Outlay:

124 Other Than Equipment..... 500,000.00



125	Equipment.....	143,680.00
126	Vehicles.....	468,000.00
127	Wireless Communication Devices.....	0.00
128	Subsidies, Loans and Grants.....	<u>5,112,044.00</u>
129	Total.....	\$ 76,701,501.00

130 FUNDING:

131	General Funds.....	\$ 19,022,420.00
132	Special Funds.....	<u>57,679,081.00</u>
133	Total.....	\$ 76,701,501.00

134 AUTHORIZED POSITIONS:

135	Permanent: Full Time.....	1,564
136	Part Time.....	30
137	Time-Limited: Full Time.....	68
138	Part Time.....	0

139 **MISSISSIPPI STATE HOSPITAL**

140 MAJOR OBJECTS OF EXPENDITURE:

141 Personal Services:

142	Salaries, Wages and Fringe Benefits..	\$ 95,002,520.00
143	Travel and Subsistence.....	62,989.00
144	Contractual Services.....	12,682,461.00
145	Commodities.....	10,903,836.00

146 Capital Outlay:

147	Other Than Equipment.....	106,859.00
148	Equipment.....	344,357.00
149	Vehicles.....	92,679.00
150	Wireless Communication Devices.....	0.00
151	Subsidies, Loans and Grants.....	<u>777,726.00</u>
152	Total.....	\$ 119,973,427.00

153 FUNDING:

154	General Funds.....	\$ 88,634,437.00
155	Special Funds.....	<u>31,338,990.00</u>
156	Total.....	\$ 119,973,427.00

157 AUTHORIZED POSITIONS:



158	Permanent:	Full Time.....	2,314
159		Part Time.....	7
160	Time-Limited:	Full Time.....	178
161		Part Time.....	0

CENTRAL MISSISSIPPI RESIDENTIAL CENTER

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

165	Salaries, Wages and Fringe Benefits..	\$	4,104,593.00
166	Travel and Subsistence.....		9,460.00
167	Contractual Services.....		565,084.00
168	Commodities.....		542,842.00

Capital Outlay:

170	Other Than Equipment.....		60,000.00
171	Equipment.....		55,953.00
172	Vehicles.....		0.00
173	Wireless Communication Devices.....		0.00
174	Subsidies, Loans and Grants.....		<u>2,000.00</u>

175	Total.....	\$	5,339,932.00
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FUNDING:

177	General Funds.....	\$	4,603,065.00
178	Special Funds.....		<u>736,867.00</u>

179	Total.....	\$	5,339,932.00
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AUTHORIZED POSITIONS:

181	Permanent:	Full Time.....	92
182		Part Time.....	0
183	Time-Limited:	Full Time.....	12
184		Part Time.....	0

BROOKHAVEN JUVENILE REHABILITATION FACILITY

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

188	Salaries, Wages and Fringe Benefits..	\$	4,058,335.00
189	Travel and Subsistence.....		7,300.00
190	Contractual Services.....		567,639.00



191	Commodities.....		377,955.00
192	Capital Outlay:		
193	Other Than Equipment.....		7,000.00
194	Equipment.....		41,640.00
195	Vehicles.....		0.00
196	Wireless Communication Devices.....		0.00
197	Subsidies, Loans and Grants.....		<u>6,000.00</u>
198	Total.....	\$	5,065,869.00
199	FUNDING:		
200	General Funds.....	\$	5,035,369.00
201	Special Funds.....		<u>30,500.00</u>
202	Total.....	\$	5,065,869.00
203	AUTHORIZED POSITIONS:		
204	Permanent: Full Time.....	98	
205	Part Time.....	0	
206	Time-Limited: Full Time.....	8	
207	Part Time.....	0	
208	SPECIALIZED TREATMENT FACILITY		
209	MAJOR OBJECTS OF EXPENDITURE:		
210	Personal Services:		
211	Salaries, Wages and Fringe Benefits..	\$	3,991,125.00
212	Travel and Subsistence.....		12,257.00
213	Contractual Services.....		516,258.00
214	Commodities.....		345,121.00
215	Capital Outlay:		
216	Other Than Equipment.....		30,000.00
217	Equipment.....		64,138.00
218	Vehicles.....		0.00
219	Wireless Communication Devices.....		0.00
220	Subsidies, Loans and Grants.....		<u>492,836.00</u>
221	Total.....	\$	5,451,735.00
222	FUNDING:		
223	General Funds.....	\$	2,992,478.00



224	Special Funds.....		<u>2,459,257.00</u>
225	Total.....	\$	5,451,735.00

226 AUTHORIZED POSITIONS:

227	Permanent: Full Time.....	94
228	Part Time.....	0
229	Time-Limited: Full Time.....	0
230	Part Time.....	0

231 **DIVISION OF ALCOHOL AND DRUG ABUSE**

232 MAJOR OBJECTS OF EXPENDITURE:

233 Personal Services:

234	Salaries, Wages and Fringe Benefits..	\$	314,068.00
235	Travel and Subsistence.....		23,100.00
236	Contractual Services.....		48,827.00
237	Commodities.....		8,700.00

238 Capital Outlay:

239	Other Than Equipment.....		0.00
240	Equipment.....		5,000.00
241	Vehicles.....		0.00
242	Wireless Communication Devices.....		0.00
243	Subsidies, Loans and Grants.....		<u>4,700,000.00</u>

244	Total.....	\$	5,099,695.00
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245 FUNDING:

246	General Funds.....	\$	0.00
247	Special Funds.....		<u>5,099,695.00</u>
248	Total.....	\$	5,099,695.00

249 AUTHORIZED POSITIONS:

250	Permanent: Full Time.....	5
251	Part Time.....	0
252	Time-Limited: Full Time.....	0
253	Part Time.....	0

254 **BOSWELL REGIONAL CENTER**

255 MAJOR OBJECTS OF EXPENDITURE:

256 Personal Services:



257	Salaries, Wages and Fringe Benefits..	\$	21,190,929.00
258	Travel and Subsistence.....		45,000.00
259	Contractual Services.....		2,379,166.00
260	Commodities.....		1,979,104.00
261	Capital Outlay:		
262	Other Than Equipment.....		150,000.00
263	Equipment.....		175,176.00
264	Vehicles.....		45,000.00
265	Wireless Communication Devices.....		0.00
266	Subsidies, Loans and Grants.....		<u>3,013,644.00</u>
267	Total.....	\$	28,978,019.00

268 FUNDING:

269	General Funds.....	\$	9,893,556.00
270	Special Funds.....		<u>19,084,463.00</u>
271	Total.....	\$	28,978,019.00

272 AUTHORIZED POSITIONS:

273	Permanent:	Full Time.....	476
274		Part Time.....	2
275	Time-Limited:	Full Time.....	106
276		Part Time.....	1

277 **NORTH MISSISSIPPI STATE HOSPITAL**

278 MAJOR OBJECTS OF EXPENDITURE:

279 Personal Services:

280	Salaries, Wages and Fringe Benefits..	\$	5,575,629.00
281	Travel and Subsistence.....		30,000.00
282	Contractual Services.....		807,230.00
283	Commodities.....		1,017,597.00
284	Capital Outlay:		
285	Other Than Equipment.....		30,000.00
286	Equipment.....		71,000.00
287	Vehicles.....		0.00
288	Wireless Communication Devices.....		0.00
289	Subsidies, Loans and Grants.....		<u>0.00</u>



290	Total.....	\$	7,531,456.00
291	FUNDING:		
292	General Funds.....	\$	7,061,592.00
293	Special Funds.....		<u>469,864.00</u>
294	Total.....	\$	7,531,456.00
295	AUTHORIZED POSITIONS:		
296	Permanent: Full Time.....		112
297	Part Time.....		0
298	Time-Limited: Full Time.....		1
299	Part Time.....		0
300	NORTH MISSISSIPPI REGIONAL CENTER		
301	MAJOR OBJECTS OF EXPENDITURE:		
302	Personal Services:		
303	Salaries, Wages and Fringe Benefits..	\$	42,130,126.00
304	Travel and Subsistence.....		115,300.00
305	Contractual Services.....		4,439,391.00
306	Commodities.....		5,591,928.00
307	Capital Outlay:		
308	Other Than Equipment.....		65,000.00
309	Equipment.....		529,439.00
310	Vehicles.....		300,000.00
311	Wireless Communication Devices.....		0.00
312	Subsidies, Loans and Grants.....		<u>6,898,102.00</u>
313	Total.....	\$	60,069,286.00
314	FUNDING:		
315	General Funds.....	\$	11,110,863.00
316	Special Funds.....		<u>48,958,423.00</u>
317	Total.....	\$	60,069,286.00
318	AUTHORIZED POSITIONS:		
319	Permanent: Full Time.....		937
320	Part Time.....		10
321	Time-Limited: Full Time.....		195
322	Part Time.....		8



323	HUDSPETH REGIONAL CENTER	
324	MAJOR OBJECTS OF EXPENDITURE:	
325	Personal Services:	
326	Salaries, Wages and Fringe Benefits.. \$	34,889,910.00
327	Travel and Subsistence.....	50,000.00
328	Contractual Services.....	3,757,146.00
329	Commodities.....	3,478,400.00
330	Capital Outlay:	
331	Other Than Equipment.....	50,000.00
332	Equipment.....	198,900.00
333	Vehicles.....	75,000.00
334	Wireless Communication Devices.....	0.00
335	Subsidies, Loans and Grants.....	<u>4,783,300.00</u>
336	Total..... \$	47,282,656.00
337	FUNDING:	
338	General Funds..... \$	9,678,153.00
339	Special Funds.....	<u>37,604,503.00</u>
340	Total..... \$	47,282,656.00
341	AUTHORIZED POSITIONS:	
342	Permanent: Full Time.....	888
343	Part Time.....	27
344	Time-Limited: Full Time.....	38
345	Part Time.....	0
346	SOUTH MISSISSIPPI REGIONAL CENTER	
347	MAJOR OBJECTS OF EXPENDITURE:	
348	Personal Services:	
349	Salaries, Wages and Fringe Benefits.. \$	21,743,859.00
350	Travel and Subsistence.....	77,000.00
351	Contractual Services.....	3,736,164.00
352	Commodities.....	2,420,483.00
353	Capital Outlay:	
354	Other Than Equipment.....	102,500.00
355	Equipment.....	287,022.00



356	Vehicles.....	74,000.00
357	Wireless Communication Devices.....	0.00
358	Subsidies, Loans and Grants.....	<u>3,569,339.00</u>
359	Total.....	\$ 32,010,367.00

360 FUNDING:

361	General Funds.....	\$ 7,888,033.00
362	Special Funds.....	<u>24,122,334.00</u>
363	Total.....	\$ 32,010,367.00

364 AUTHORIZED POSITIONS:

365	Permanent: Full Time.....	509
366	Part Time.....	8
367	Time-Limited: Full Time.....	87
368	Part Time.....	3

369 **SOUTH MISSISSIPPI STATE HOSPITAL**

370 MAJOR OBJECTS OF EXPENDITURE:

371 Personal Services:

372	Salaries, Wages and Fringe Benefits..	\$ 5,482,820.00
373	Travel and Subsistence.....	11,000.00
374	Contractual Services.....	385,471.00
375	Commodities.....	102,635.00

376 Capital Outlay:

377	Other Than Equipment.....	20,000.00
378	Equipment.....	51,002.00
379	Vehicles.....	0.00
380	Wireless Communication Devices.....	0.00
381	Subsidies, Loans and Grants.....	<u>10,000.00</u>
382	Total.....	\$ 6,062,928.00

383 FUNDING:

384	General Funds.....	\$ 5,746,579.00
385	Special Funds.....	<u>316,349.00</u>
386	Total.....	\$ 6,062,928.00

387 AUTHORIZED POSITIONS:

388	Permanent: Full Time.....	108
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389	Part Time.....	0
390	Time-Limited: Full Time.....	6
391	Part Time.....	0

392 Funds are provided herein to adjust the Variable Compensation
393 Plan to ensure that all full-time employees receive a pay increase
394 equal to the realignment component of the Variable Compensation
395 Plan or One Thousand Dollars (\$1,000.00), or Three Percent (3%)
396 whichever is greater, to be awarded on July 1, 2007.

397 With the funds herein appropriated, it is the intention of
398 the Legislature that it shall be the agency's responsibility to
399 make certain that funds required to be appropriated for "Personal
400 Services" for Fiscal Year 2009 do not exceed Fiscal Year 2008
401 funds appropriated for that purpose, unless programs or positions
402 are added to the agency's Fiscal Year 2009 budget by the
403 Mississippi Legislature. Based on data provided by the
404 Legislative Budget Office, the State Personnel Board shall
405 determine and publish the projected annual cost to fully fund all
406 appropriated positions in compliance with the provisions of this
407 act. It shall be the responsibility of the agency head to insure
408 that no single personnel action increases this projected annual
409 cost and/or the Fiscal Year 2008 appropriation for "Personal
410 Services" when annualized, with the exception of escalated funds.
411 If, at the time the agency takes any action to change "Personal
412 Services," the State Personnel Board determines that the agency
413 has taken an action which would cause the agency to exceed this
414 projected annual cost or the Fiscal Year 2008 "Personal Services"
415 appropriated level, when annualized, then only those actions which
416 reduce the projected annual cost and/or the appropriation
417 requirement will be processed by the State Personnel Board until
418 such time as the requirements of this provision are met.

419 Any transfers or escalations shall be made in accordance with
420 the terms, conditions and procedures established by law or
421 allowable under the terms set forth within this act. The State

422 Personnel Board shall not escalate positions without written
423 approval from the Department of Finance and Administration. The
424 Department of Finance and Administration shall not provide written
425 approval to escalate any funds for salaries and/or positions
426 without proof of availability of new or additional funds above the
427 appropriated level.

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

432 The agency shall not take any action to promote or otherwise
433 award salary increases through reallocation, reclassification,
434 realignment, education benchmark, career ladder, or any other
435 means to increase salaries of employees or positions unless
436 specifically exempted by the following conditions: the award of
437 teacher pay increases, the advancement of a trainee/cadet to the
438 next level of a bona fide career ladder, the award of an
439 educational benchmark for the attainment of Certified Public
440 Accountant License or higher level professional certification as
441 determined by the State Personnel Board, the immediate replacement
442 of a departing employee with an individual from within state
443 service or a new hire at a salary level equivalent to that of the
444 departing employee, and the emergency appointment of nurses,
445 pharmacists or other health care professionals at a salary to be
446 determined by the State Personnel Board, unless otherwise
447 authorized in this act.

448 **SECTION 5.** In compliance with the "Mississippi Performance
449 Budget and Strategic Planning Act of 1994," it is the intent of
450 the Legislature that the funds provided herein shall be utilized
451 in the most efficient and effective manner possible to achieve the
452 intended mission of this agency. Based on the funding authorized,
453 this agency shall make every effort to attain the targeted
454 performance measures provided below:



455		FY08
456	<u>Performance Measures</u>	<u>Target</u>
457	Services Management	
458	State Institutions Operated (Number)	12
459	Units Monitored, etc (Number)	1,475
460	Grants Administered (Number)	500
461	Mental Health Services	
462	Group Homes - Alternative Living (Beds)	261
463	Halfway Houses (Beds)	35
464	Psychotropic Drugs Purchased (Prescriptions)	9,400
465	Mental Retardation Services	
466	Community Living Clients (Clients)	220
467	Work Activity & Employment Related (Clients)	1,000
468	Children & Youth Services	
469	Group Homes (Beds)	107
470	Chemical Dependency (Beds)	20
471	3% Alcohol Tax-alcohol/drug Prg	
472	Residential Treatment Beds (Beds)	753
473	Out-Patient Admissions (Number)	12,000
474	Mi - Institutional Care	
475	Patient & Resident Days (Number)	672,959
476	Operating Cost per Patient & Resident Day (\$)	308
477	Mi - Pre/post Inst Care	
478	Clients Served (Number)	793
479	Mi - Support Services	
480	Support as a Percent of Total Budget (%)	5.80
481	Mr - Institutional Care	
482	Patient & Resident Days (Number)	526,325
483	Operating Cost per Patient & Resident Day (\$)	283
484	Independent Living Skills (Client Days)	500
485	Mr - Group Homes	
486	ICF/MR Patient & Resident Days (Number)	226,052
487	Non ICF/MR Patient & Resident Days (Number)	83,840



488 Mr - Community Programs
 489 Home & Comm Based Waiver Clients (Number) 2,047
 490 Non Home & Comm Based Waiver Clients (Number) 2,202
 491 Units of Service Delivered (Number) 2,270,687

492 Mr - Support Services
 493 Support as a Percent of Total Budget (%) 4.60

494 A reporting of the degree to which the performance targets
 495 set above have been or are being achieved shall be provided in the
 496 agency's budget request submitted to the Joint Legislative Budget
 497 Committee for Fiscal Year 2009.

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

502 **SECTION 7.** Of the funds appropriated under the provisions of
 503 Section 1, authorized for expenditure under the provisions of
 504 Sections 2 and 3, and allocated under the provisions of Section 4,
 505 funds in the amount of Two Hundred Thousand Dollars (\$200,000.00)
 506 may be expended for the support of a pilot project to provide
 507 authority for East Mississippi State Hospital and Mississippi
 508 State Hospital to contract with local hospitals located in
 509 counties with a population of less than fifty thousand (50,000) to
 510 provide emergency inpatient care to individuals committed by the
 511 Chancery Court to East Mississippi State Hospital or Mississippi
 512 State Hospital for treatment of mental illness if, at the time
 513 that such commitment is made, a bed is not available for admission
 514 to East Mississippi State Hospital or Mississippi State Hospital.
 515 East Mississippi State Hospital and Mississippi State Hospital
 516 shall have the authority to contract with local hospitals located
 517 in counties with a population of less than fifty thousand (50,000)
 518 for inpatient emergency care for a period not to exceed seven (7)
 519 days at a rate not to exceed One Hundred and Fifty Dollars
 520 (\$150.00) per day with East Mississippi State Hospital or



521 Mississippi State Hospital providing One Hundred Dollars (\$100.00)
522 and the local government providing Fifty Dollars (\$50.00) per day
523 for such care. Payment for such physician fees shall be made at
524 the Medicaid rate of reimbursement and paid by East Mississippi
525 State Hospital or Mississippi State Hospital. Funds provided for
526 the initiation of this pilot project shall not be expended for
527 inpatient hospital care unless there is participation in the
528 reimbursement for such care by the local government as required by
529 the provisions of this section.

530 **SECTION 8.** It is the intention of the Legislature that the
531 Executive Director of the Department of Mental Health shall have
532 authority to transfer cash from one special fund treasury fund to
533 another special fund treasury fund under the control of the
534 Department of Mental Health. The purpose of this authority is to
535 more efficiently use available cash reserves. It is further the
536 intention of the Legislature that the Executive Director of the
537 Department of Mental Health shall submit written justification for
538 the transfer to the Legislative Budget Office and the Department
539 of Finance and Administration on or before the fifteenth (15th) of
540 the month prior to the effective date of the transfer.

541 **SECTION 9.** The Executive Director of the Department of
542 Mental Health and the directors of each separate facility operated
543 by the Department of Mental Health are hereby authorized to
544 transfer spending authority from any major objects to any other
545 major objects, excluding the Salaries, Wages and Fringe Benefits
546 category, in any amounts deemed necessary for the efficient
547 management and operation of their budgets, provided that the total
548 spending authority remains unchanged after such transfers and the
549 total of such transfers into any major object do not exceed
550 twenty-five percent (25%) of the original appropriated amount for
551 that major object plus any escalations of spending authority that
552 have occurred during any given fiscal year.



553 **SECTION 10.** It is the intention of the Legislature that the
554 Department of Mental Health shall have the authority to receive,
555 budget, and expend funds from any source, including beginning cash
556 in excess of beginning cash when spending authority was initially
557 appropriated, that may become available to the department in
558 accordance with the rules and regulations of the Department of
559 Finance and Administration in a manner consistent with the
560 escalation of federal funds.

561 **SECTION 11.** The Department of Mental Health and its
562 facilities shall have the authority, within funding and spending
563 authority appropriated under the provisions of Section 1,
564 authorized for expenditure in Sections 2 and 3, and allocated
565 under the provisions of Section 4 of this act, to transfer funds
566 to the Division of Medicaid in payment of Medicaid match and
567 designate that the funds thus transferred shall be applied to
568 Medicaid match obligations arising in the subsequent fiscal year.

569 **SECTION 12.** Any person within the Department of Mental
570 Health who must work on a statutory holiday or any holiday
571 proclaimed by the Governor, may at the discretion of the Director
572 of the Institution and the Executive Director of the Department of
573 Mental Health and within available personnel funds, be paid
574 "callback pay" in lieu of "compensatory time credit."

575 **SECTION 13.** Of the funds appropriated to the "Service
576 Budget" in the category "Subsidies, Loans and Grants," funds are
577 included for the support of community mental health services for
578 Fiscal Year 2008.

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



586 by the county in Fiscal Year 1984, whichever shall be greater. By
587 means of performance contracts, the Department of Mental Health
588 shall disburse the funds appropriated in this section for services
589 for the mentally ill, mentally retarded and alcohol/drug abusers.
590 The State Board of Mental Health and the Department of Mental
591 Health shall be responsible for selecting the types of services
592 which shall be provided with the funds appropriated in this
593 section, for developing and monitoring performance contracts and
594 for holding contractors accountable for utilization of funds.

595 **SECTION 14.** Funds presently included or any funds received
596 in the future for timber funds at Ellisville State School and East
597 Mississippi State Hospital are hereby authorized for transfer to
598 the regular operating budgets of the respective facilities. Each
599 facility shall receive such funds as "Special" funds, and such
600 funds shall be available for use in payment of any and all
601 expenses of each facility, paid by the State Treasurer upon
602 warrants issued by the State Fiscal Officer; and the State Fiscal
603 Officer shall issue his warrants upon requisitions signed by the
604 proper person, officer or officers in the manner provided by law.

605 **SECTION 15.** The Department of Mental Health and its
606 facilities shall have the express legal authority, within funding
607 and spending authority appropriated under the provisions of
608 Section 1, authorized for expenditure under the provisions of
609 Sections 2 and 3, and allocated under the provisions of Section 4
610 of this act, to purchase land for use by residential facilities
611 operated by the Department, either directly or by means of
612 transferring funds to the Bureau of Building, Grounds and Real
613 Property Management, and to transfer such funds to Bureau of
614 Building, Grounds, and Real Property Management for the purposes
615 of constructing and equipping group homes for persons with mental
616 illness, mental retardation, and/or substance abuse; constructing
617 and equipping such other buildings as may be required for
618 treatment of persons with mental illness, mental retardation,



619 and/or substance abuse; repair and renovate existing buildings;
620 and to construct, repair and/or renovate employee housing. Any
621 intermediate care facilities for the mentally retarded (ICF/MR)
622 constructed with funds authorized in this section shall be
623 authorized to participate in Medicaid funding available for such
624 services.

625 **SECTION 16.** Of the General Funds appropriated to the
626 "Service Budget" in the category of "Subsidies, Loans and Grants,"
627 the sum required may be expended to fund the Home- and
628 Community-Based Waiver Option for community mental retardation
629 services as authorized under Section 43-13-117(29), Mississippi
630 Code of 1972.

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

639 **SECTION 18.** The following sum, or so much thereof as may be
640 necessary, is hereby reappropriated out of any money in the
641 special fund in the State Treasury to the credit of the Department
642 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,
643 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year
644 beginning July 1, 2007, and ending June 30, 2008.....
645 \$ 10,000,000.00

646 Notwithstanding the amount reappropriated under the
647 provisions of this section, in no event shall the amount expended
648 exceed the unexpended balance as of June 30, 2007, or change the
649 purpose for which the funds were originally authorized.

650 **SECTION 19.** None of the funds appropriated herein may be
651 used to pay for alternative residential placement or



652 hospitalization for mental health, mental retardation, or
653 substance treatment of a person committed to the Department of
654 Mental Health under Sections 41-21-61 et seq., 41-21-107, 41-31-1
655 et seq., 43-21-315 and 43-21-611, Mississippi Code of 1972.

656 **SECTION 20.** Of the funds appropriated under the provisions
657 of Section 1, authorized for expenditure in Sections 2 and 3, and
658 allocated in Section 4 to Mississippi State Hospital, funds not to
659 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) may be
660 expended for preplanning costs associated with a project or
661 projects to renovate buildings on the campus of Mississippi State
662 Hospital to meet standards of the Joint Commission on
663 Accreditation of Healthcare Organizations.

664 **SECTION 21.** None of the funds appropriated for the support
665 of community mental health, mental retardation, or substance abuse
666 services shall be made available to any service provider which,
667 upon determination of the Executive Director of the Department of
668 Mental Health, has an outstanding monetary obligation owed to the
669 Department of Mental Health or to the Division of Medicaid,
670 pursuant to an audit or programmatic review performed by the
671 Department of Mental Health, that has not been resolved, including
672 those audits or programmatic reviews that occurred prior to
673 July 1, 2007.

674 **SECTION 22.** No program or entity certified by the Department
675 of Mental Health which also receives state source, federal source,
676 or Medicaid funding directly from the Department of Mental Health
677 or by virtue of state source funds appropriated to the Department
678 of Mental Health for Medicaid match for provision of mental
679 health, mental retardation, or substance abuse services shall pay
680 to any person employed by that program or entity a salary or
681 compensation, directly or indirectly, in excess of the salary
682 provided for a similar position under the classification system of
683 the State Personnel Board for a person with similar credentials,
684 educational level, and directly related years of experience in the



685 position. Any person whose current salary already exceeds the
686 allowable amount as determined under this section shall be allowed
687 to retain his or her current salary, but no increases shall be
688 granted until such time as the allowable maximum salary under the
689 classification system of the State Personnel Board exceeds the
690 current salary paid to that person. Those programs and entities
691 may adopt a system of compensation that includes additional
692 compensation for Educational Benchmarks as allowed under the State
693 Personnel Board system. Further, the Department of Mental Health
694 and the State Personnel Board shall collaborate in determining
695 similarity of positions in those programs or entities affected by
696 this section to positions within the classification system of the
697 State Personnel Board in any manner they deem appropriate to
698 efficiently implement the provisions of this section. Staff
699 of the State Personnel Board and the Department of Mental Health
700 shall be the final authority in the determination of corresponding
701 job titles and pay grades. Failure to comply with the provisions
702 of this section shall be cause to reduce or terminate funding
703 received from the Department of Mental Health.

704 **SECTION 23.** Special funds appropriated in the Service Budget
705 of the Department of Mental Health shall include an allocation of
706 Three Million Five Hundred Fifty-nine Thousand Three Hundred
707 Eleven Dollars (\$3,559,311.00) from Title XX Social Services Block
708 Grant funding received by the State of Mississippi, unless the
709 total Title XX Social Services Block Grant award received by the
710 State of Mississippi is reduced or increased by the federal
711 government from what was received in federal fiscal year ending
712 September 30, 2007. In cases where the total grant received by
713 the State of Mississippi is reduced or increased, the percentage
714 of the grant allocated to the Department of Mental Health shall be
715 the same as was allocated for the federal fiscal year ending
716 September 30, 2007.



717 **SECTION 24.** The Executive Director of the Department of
718 Mental Health is hereby authorized to transfer and receive into
719 the Central Office accounts of the Department of Mental Health
720 certain funds which originated from the various Department of
721 Mental Health facilities as transfers to the Department of Finance
722 and Administration - Bureau of Building, Grounds and Real Property
723 Management for building/renovation/repair for certain projects
724 that have not been obligated by the Bureau of Building and Real
725 Property Management for the purpose for which the funds were
726 transferred. Said funds are currently held in a Department of
727 Finance and Administration account and may be held in Fund 3391.
728 The Executive Director is further provided authority to transfer
729 those funds from the Central Office to any other Department of
730 Mental Health facility in any amount at his discretion.

731 **SECTION 25.** The Executive Director of the Department of
732 Mental Health shall have the authority to transfer not more than
733 twenty-five percent (25%) of the general funds appropriated in
734 this act to crisis centers operated by a facility to the facility
735 operating budget in whatever line items are necessary. The
736 executive director shall submit justification for such a transfer
737 to the Director of the Legislative Budget Office and the Executive
738 Director of the Department of Finance and Administration on or
739 before the fifteenth day of the month preceding the month in which
740 the transfer is to be made. Notwithstanding any provision of this
741 section to the contrary, the executive director shall not reduce
742 funding at any crisis center below that which is required to
743 operate that crisis center at full funding at full capacity.

744 **SECTION 26.** It is legislative intent to ensure beneficial
745 information reaches as many Mississippians as possible. Further,
746 it is legislative intent that the expenditure of public funds for
747 this purpose be accomplished in an efficient and effective manner.

748 Therefore, state agencies as standard procedure, will observe
749 the following criteria:

750 (a) Develop goals and desired result for a campaign.

751 (b) Evaluate effectiveness through respected
752 advertising standards, including market reach and cost
753 effectiveness.

754 (c) Seek public service announcements, which would be
755 aired by media without cost.

756 (d) Itemize and justify professional assistance and
757 related expenses for creative and production costs outside of the
758 actual media expenditures.

759 (e) Utilize Mississippi-owned media companies when
760 feasible.

761 **SECTION 27.** It is the intention of the Legislature that
762 whenever two (2) or more bids are received by this agency for the
763 purchase of commodities or equipment, and whenever all things
764 stated in such received bids are equal with respect to price,
765 quality and service, the Mississippi Industries for the Blind
766 shall be given preference. A similar preference shall be given to
767 the Mississippi Industries for the Blind whenever purchases are
768 made without competitive bids.

769 **SECTION 28.** The money herein appropriated shall be paid by
770 the State Treasurer out of any money in the State Treasury to the
771 credit of the proper fund or funds as set forth in this act, upon
772 warrants issued by the State Fiscal Officer; and the State Fiscal
773 Officer shall issue his warrants upon requisitions signed by the
774 proper person, officer or officers in the manner provided by law.

775 **SECTION 29.** This act shall take effect and be in force from
776 and after July 1, 2007.

