

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
(As Sent to Governor)

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 \$ 242,041,063.00.

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..... \$ 294,760,035.00.

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.

26	\$ 379,417.00	Alzheimer's disease services development
27		and implementation of Senate Bill No.
28		2100, 1997 Regular Session.
29	\$ 3,896,641.00	Medicaid matching funds.
30	\$ 252,944.00	Psychotropic drugs or Medicaid match.
31	\$ 505,890.00	Alzheimer's Disease Program, prepayment
32		to Medicaid, etc.
33	\$ 2,727,792.00	Holding centers, group homes, substance
34		abuse programs, Children's Programs,
35		Prepayment of Medicaid, etc.
36	\$ 1,138,252.00	Physician services at community mental
37		health centers.
38	\$ 50,590.00	Grant for Epilepsy Foundation of
39		Mississippi or Medicaid match.
40	<u>\$ 104,196.00</u>	Specialized Treatment Facility.
41	\$13,315,512.00	TOTAL

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

47 **CENTRAL OFFICE**

48 MAJOR OBJECTS OF EXPENDITURE:

49	Personal Services:	
50	Salaries, Wages and Fringe Benefits..	\$ 6,055,295.00
51	Travel and Subsistence.....	275,000.00
52	Contractual Services.....	952,500.00
53	Commodities.....	143,860.00
54	Capital Outlay:	
55	Other Than Equipment.....	0.00
56	Equipment.....	80,000.00
57	Vehicles.....	18,000.00
58	Wireless Communication Devices.....	0.00

59	Subsidies, Loans and Grants.....		<u>4,866,772.00</u>
60	Total.....	\$	12,391,427.00
61	FUNDING:		
62	General Funds.....	\$	3,583,685.00
63	Special Funds.....		<u>8,807,742.00</u>
64	Total.....	\$	12,391,427.00
65	AUTHORIZED POSITIONS:		
66	Permanent: Full Time.....		79
67	Part Time.....		0
68	Time-Limited: Full Time.....		33
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>56,609,862.00</u>
83	Total.....	\$	57,757,113.00
84	FUNDING:		
85	General Funds.....	\$	25,726,885.00
86	Special Funds.....		<u>32,030,228.00</u>
87	Total.....	\$	57,757,113.00
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.. \$ 45,785,291.00

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

98 Contractual Services..... 1,775,285.00

99 Commodities..... 3,333,858.00

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..... \$ 51,577,791.00

107 FUNDING:

108 General Funds..... \$ 39,953,765.00

109 Special Funds..... 11,624,026.00

110 Total..... \$ 51,577,791.00

111 AUTHORIZED POSITIONS:

112 Permanent: Full Time..... 1,157

113 Part Time..... 4

114 Time-Limited: Full Time..... 90

115 Part Time..... 20

116 ELLISVILLE STATE SCHOOL AND FARM

117 MAJOR OBJECTS OF EXPENDITURE:

118 Personal Services:

119 Salaries, Wages and Fringe Benefits.. \$ 59,794,164.00

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

121 Contractual Services..... 7,283,241.00

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

123 Capital Outlay:

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

125	Equipment.....	232,000.00
126	Vehicles.....	468,000.00
127	Wireless Communication Devices.....	0.00
128	Subsidies, Loans and Grants.....	<u>5,112,044.00</u>
129	Total.....	\$ 80,112,010.00

130 FUNDING:

131	General Funds.....	\$ 19,250,708.00
132	Special Funds.....	<u>60,861,302.00</u>
133	Total.....	\$ 80,112,010.00

134 AUTHORIZED POSITIONS:

135	Permanent: Full Time.....	1,602
136	Part Time.....	31
137	Time-Limited: Full Time.....	73
138	Part Time.....	0

139 **MISSISSIPPI STATE HOSPITAL**

140 MAJOR OBJECTS OF EXPENDITURE:

141 Personal Services:

142	Salaries, Wages and Fringe Benefits..	\$ 96,283,630.00
143	Travel and Subsistence.....	62,989.00
144	Contractual Services.....	13,609,891.00
145	Commodities.....	11,683,836.00

146 Capital Outlay:

147	Other Than Equipment.....	106,859.00
148	Equipment.....	578,110.00
149	Vehicles.....	102,334.00
150	Wireless Communication Devices.....	0.00
151	Subsidies, Loans and Grants.....	<u>777,726.00</u>
152	Total.....	\$ 123,205,375.00

153 FUNDING:

154	General Funds.....	\$ 89,106,398.00
155	Special Funds.....	<u>34,098,977.00</u>
156	Total.....	\$ 123,205,375.00

157 AUTHORIZED POSITIONS:

158	Permanent:	Full Time.....	2,680
159		Part Time.....	10
160	Time-Limited:	Full Time.....	193
161		Part Time.....	0

CENTRAL MISSISSIPPI RESIDENTIAL CENTER

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

165	Salaries, Wages and Fringe Benefits..	\$	4,123,405.00
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.....	\$	5,358,744.00

FUNDING:

177	General Funds.....	\$	4,621,877.00
178	Special Funds.....		<u>736,867.00</u>
179	Total.....	\$	5,358,744.00

AUTHORIZED POSITIONS:

181	Permanent:	Full Time.....	117
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..	\$	4,115,729.00
189	Travel and Subsistence.....		7,300.00
190	Contractual Services.....		527,639.00

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.....	\$	5,083,263.00
199	FUNDING:		
200	General Funds.....	\$	5,052,763.00
201	Special Funds.....		<u>30,500.00</u>
202	Total.....	\$	5,083,263.00
203	AUTHORIZED POSITIONS:		
204	Permanent: Full Time.....	107	
205	Part Time.....	0	
206	Time-Limited: Full Time.....	9	
207	Part Time.....	0	
208	SPECIALIZED TREATMENT FACILITY		
209	MAJOR OBJECTS OF EXPENDITURE:		
210	Personal Services:		
211	Salaries, Wages and Fringe Benefits..	\$	3,998,507.00
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.....	\$	5,459,117.00
222	FUNDING:		
223	General Funds.....	\$	2,999,860.00

224	Special Funds.....		<u>2,459,257.00</u>
225	Total.....	\$	5,459,117.00

226 AUTHORIZED POSITIONS:

227	Permanent:	Full Time.....	150
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..	\$	485,398.00
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.....		18,300.00
241	Vehicles.....		0.00
242	Wireless Communication Devices.....		0.00
243	Subsidies, Loans and Grants.....		<u>4,700,000.00</u>

244	Total.....	\$	5,284,325.00
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245 FUNDING:

246	General Funds.....	\$	0.00
247	Special Funds.....		<u>5,284,325.00</u>
248	Total.....	\$	5,284,325.00

249 AUTHORIZED POSITIONS:

250	Permanent:	Full Time.....	8
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..	\$	21,762,448.00
258	Travel and Subsistence.....		45,000.00
259	Contractual Services.....		3,190,273.00
260	Commodities.....		2,373,505.00
261	Capital Outlay:		
262	Other Than Equipment.....		250,000.00
263	Equipment.....		275,176.00
264	Vehicles.....		45,000.00
265	Wireless Communication Devices.....		0.00
266	Subsidies, Loans and Grants.....		<u>1,713,644.00</u>
267	Total.....	\$	29,655,046.00
268	FUNDING:		
269	General Funds.....	\$	10,056,217.00
270	Special Funds.....		<u>19,598,829.00</u>
271	Total.....	\$	29,655,046.00
272	AUTHORIZED POSITIONS:		
273	Permanent: Full Time.....		495
274	Part Time.....		3
275	Time-Limited: Full Time.....		110
276	Part Time.....		2
277	NORTH MISSISSIPPI STATE HOSPITAL		
278	MAJOR OBJECTS OF EXPENDITURE:		
279	Personal Services:		
280	Salaries, Wages and Fringe Benefits..	\$	5,585,987.00
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.....	\$	7,541,814.00
291	FUNDING:		
292	General Funds.....	\$	7,071,950.00
293	Special Funds.....		<u>469,864.00</u>
294	Total.....	\$	7,541,814.00
295	AUTHORIZED POSITIONS:		
296	Permanent: Full Time.....		188
297	Part Time.....		0
298	Time-Limited: Full Time.....		3
299	Part Time.....		0
300	NORTH MISSISSIPPI REGIONAL CENTER		
301	MAJOR OBJECTS OF EXPENDITURE:		
302	Personal Services:		
303	Salaries, Wages and Fringe Benefits..	\$	43,619,428.00
304	Travel and Subsistence.....		119,912.00
305	Contractual Services.....		5,183,218.00
306	Commodities.....		5,866,146.00
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.....	\$	62,581,245.00
314	FUNDING:		
315	General Funds.....	\$	11,181,926.00
316	Special Funds.....		<u>51,399,319.00</u>
317	Total.....	\$	62,581,245.00
318	AUTHORIZED POSITIONS:		
319	Permanent: Full Time.....		987
320	Part Time.....		11
321	Time-Limited: Full Time.....		172
322	Part Time.....		12

323	HUDSPETH REGIONAL CENTER		
324	MAJOR OBJECTS OF EXPENDITURE:		
325	Personal Services:		
326	Salaries, Wages and Fringe Benefits..	\$	35,656,908.00
327	Travel and Subsistence.....		122,500.00
328	Contractual Services.....		4,200,000.00
329	Commodities.....		3,909,251.00
330	Capital Outlay:		
331	Other Than Equipment.....		200,000.00
332	Equipment.....		350,000.00
333	Vehicles.....		225,000.00
334	Wireless Communication Devices.....		0.00
335	Subsidies, Loans and Grants.....		<u>4,783,300.00</u>
336	Total.....	\$	49,446,959.00
337	FUNDING:		
338	General Funds.....	\$	9,771,257.00
339	Special Funds.....		<u>39,675,702.00</u>
340	Total.....	\$	49,446,959.00
341	AUTHORIZED POSITIONS:		
342	Permanent: Full Time.....		944
343	Part Time.....		28
344	Time-Limited: Full Time.....		42
345	Part Time.....		0
346	SOUTH MISSISSIPPI REGIONAL CENTER		
347	MAJOR OBJECTS OF EXPENDITURE:		
348	Personal Services:		
349	Salaries, Wages and Fringe Benefits..	\$	23,859,850.00
350	Travel and Subsistence.....		77,000.00
351	Contractual Services.....		3,904,164.00
352	Commodities.....		2,522,765.00
353	Capital Outlay:		
354	Other Than Equipment.....		175,000.00
355	Equipment.....		287,022.00

356	Vehicles.....		349,558.00
357	Wireless Communication Devices.....		0.00
358	Subsidies, Loans and Grants.....		<u>3,569,339.00</u>
359	Total.....	\$	34,744,698.00

360 FUNDING:

361	General Funds.....	\$	7,905,950.00
362	Special Funds.....		<u>26,838,748.00</u>
363	Total.....	\$	34,744,698.00

364 AUTHORIZED POSITIONS:

365	Permanent:	Full Time.....	549
366		Part Time.....	8
367	Time-Limited:	Full Time.....	97
368		Part Time.....	3

369 **SOUTH MISSISSIPPI STATE HOSPITAL**

370 MAJOR OBJECTS OF EXPENDITURE:

371 Personal Services:

372	Salaries, Wages and Fringe Benefits..	\$	5,625,782.00
373	Travel and Subsistence.....		11,000.00
374	Contractual Services.....		588,384.00
375	Commodities.....		288,101.00

376 Capital Outlay:

377	Other Than Equipment.....		20,000.00
378	Equipment.....		58,904.00
379	Vehicles.....		0.00
380	Wireless Communication Devices.....		0.00
381	Subsidies, Loans and Grants.....		<u>10,000.00</u>
382	Total.....	\$	6,602,171.00

383 FUNDING:

384	General Funds.....	\$	5,757,822.00
385	Special Funds.....		<u>844,349.00</u>
386	Total.....	\$	6,602,171.00

387 AUTHORIZED POSITIONS:

388	Permanent:	Full Time.....	133
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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 Five Hundred Dollars (\$1,500.00), whichever
396 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 2008 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 appropriations for "Personal
410 Services" when annualized, with the exception of escalated funds
411 and educational benchmarks. If, at the time the agency takes any
412 action to change "Personal Services," the State Personnel Board
413 determines that the agency has taken an action which would cause
414 the agency to exceed this projected annual cost or the Fiscal Year
415 2008 "Personal Services" appropriated level, when annualized, then
416 only those actions which reduce the projected annual cost and/or
417 the appropriation requirement will be processed by the State
418 Personnel Board until such time as the requirements of this
419 provision are met. On January 1, 2008, the State Personnel Board
420 will make adjustments to the structure side of the compliance

421 report based on data provided by the Legislative Budget Office in
422 order for agencies to award educational benchmarks.

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

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

436 **SECTION 5.** In compliance with the "Mississippi Performance
437 Budget and Strategic Planning Act of 1994," it is the intent of
438 the Legislature that the funds provided herein shall be utilized
439 in the most efficient and effective manner possible to achieve the
440 intended mission of this agency. Based on the funding authorized,
441 this agency shall make every effort to attain the targeted
442 performance measures provided below:

	FY08
<u>Performance Measures</u>	<u>Target</u>
Services Management	
State Institutions Operated (Number)	12
Units Monitored, etc (Number)	1,475
Grants Administered (Number)	500
Mental Health Services	
Group Homes - Alternative Living (Beds)	261
Halfway Houses (Beds)	35
Psychotropic Drugs Purchased (Prescriptions)	9,400
Mental Retardation Services	

454	Community Living Clients (Clients)	220
455	Work Activity & Employment Related (Clients)	1,000
456	Children & Youth Services	
457	Group Homes (Beds)	107
458	Chemical Dependency (Beds)	20
459	3% Alcohol Tax-alcohol/drug Prg	
460	Residential Treatment Beds (Beds)	753
461	Out-Patient Admissions (Number)	12,000
462	Mi - Institutional Care	
463	Patient & Resident Days (Number)	672,959
464	Operating Cost per Patient & Resident Day (\$)	308
465	Mi - Pre/post Inst Care	
466	Clients Served (Number)	793
467	Mi - Support Services	
468	Support as a Percent of Total Budget (%)	5.80
469	Mr - Institutional Care	
470	Patient & Resident Days (Number)	526,325
471	Operating Cost per Patient & Resident Day (\$)	283
472	Independent Living Skills (Client Days)	500
473	Mr - Group Homes	
474	ICF/MR Patient & Resident Days (Number)	226,052
475	Non ICF/MR Patient & Resident Days (Number)	83,840
476	Mr - Community Programs	
477	Home & Comm Based Waiver Clients (Number)	2,047
478	Non Home & Comm Based Waiver Clients (Number)	2,202
479	Units of Service Delivered (Number)	2,270,687
480	Mr - Support Services	
481	Support as a Percent of Total Budget (%)	4.60
482	A reporting of the degree to which the performance targets	
483	set above have been or are being achieved shall be provided in the	
484	agency's budget request submitted to the Joint Legislative Budget	
485	Committee for Fiscal Year 2009.	

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

490 **SECTION 7.** Of the funds appropriated under the provisions of
491 Section 1, authorized for expenditure under the provisions of
492 Sections 2 and 3, and allocated under the provisions of Section 4,
493 funds in the amount of Two Hundred Thousand Dollars (\$200,000.00)
494 may be expended for the support of a pilot project to provide
495 authority for East Mississippi State Hospital and Mississippi
496 State Hospital to contract with local hospitals located in
497 counties with a population of less than fifty thousand (50,000) to
498 provide emergency inpatient care to individuals committed by the
499 Chancery Court to East Mississippi State Hospital or Mississippi
500 State Hospital for treatment of mental illness if, at the time
501 that such commitment is made, a bed is not available for admission
502 to East Mississippi State Hospital or Mississippi State Hospital.
503 East Mississippi State Hospital and Mississippi State Hospital
504 shall have the authority to contract with local hospitals located
505 in counties with a population of less than fifty thousand (50,000)
506 for inpatient emergency care for a period not to exceed seven (7)
507 days at a rate not to exceed One Hundred and Fifty Dollars
508 (\$150.00) per day with East Mississippi State Hospital or
509 Mississippi State Hospital providing One Hundred Dollars (\$100.00)
510 and the local government providing Fifty Dollars (\$50.00) per day
511 for such care. Payment for such physician fees shall be made at
512 the Medicaid rate of reimbursement and paid by East Mississippi
513 State Hospital or Mississippi State Hospital. Funds provided for
514 the initiation of this pilot project shall not be expended for
515 inpatient hospital care unless there is participation in the
516 reimbursement for such care by the local government as required by
517 the provisions of this section.

518 **SECTION 8.** It is the intention of the Legislature that the
519 Executive Director of the Department of Mental Health shall have
520 authority to transfer cash from one special fund treasury fund to
521 another special fund treasury fund under the control of the
522 Department of Mental Health. The purpose of this authority is to
523 more efficiently use available cash reserves. It is further the
524 intention of the Legislature that the Executive Director of the
525 Department of Mental Health shall submit written justification for
526 the transfer to the Legislative Budget Office and the Department
527 of Finance and Administration on or before the fifteenth (15th) of
528 the month prior to the effective date of the transfer.

529 **SECTION 9.** The Executive Director of the Department of
530 Mental Health and the directors of each separate facility operated
531 by the Department of Mental Health are hereby authorized to
532 transfer spending authority from any major objects to any other
533 major objects, excluding the Salaries, Wages and Fringe Benefits
534 category, in any amounts deemed necessary for the efficient
535 management and operation of their budgets, provided that the total
536 spending authority remains unchanged after such transfers and the
537 total of such transfers into any major object do not exceed
538 twenty-five percent (25%) of the original appropriated amount for
539 that major object plus any escalations of spending authority that
540 have occurred during any given fiscal year.

541 **SECTION 10.** It is the intention of the Legislature that the
542 Department of Mental Health shall have the authority to receive,
543 budget, and expend funds from any source, including beginning cash
544 in excess of beginning cash when spending authority was initially
545 appropriated, that may become available to the department in
546 accordance with the rules and regulations of the Department of
547 Finance and Administration in a manner consistent with the
548 escalation of federal funds.

549 **SECTION 11.** The Department of Mental Health and its
550 facilities shall have the authority, within funding and spending

551 authority appropriated under the provisions of Section 1,
552 authorized for expenditure in Sections 2 and 3, and allocated
553 under the provisions of Section 4 of this act, to transfer funds
554 to the Division of Medicaid in payment of Medicaid match and
555 designate that the funds thus transferred shall be applied to
556 Medicaid match obligations arising in the subsequent fiscal year.

557 **SECTION 12.** Any person within the Department of Mental
558 Health who must work on a statutory holiday or any holiday
559 proclaimed by the Governor, may at the discretion of the Director
560 of the Institution and the Executive Director of the Department of
561 Mental Health and within available personnel funds, be paid
562 "callback pay" in lieu of "compensatory time credit."

563 **SECTION 13.** Of the funds appropriated to the "Service
564 Budget" in the category "Subsidies, Loans and Grants," funds are
565 included for the support of community mental health services for
566 Fiscal Year 2008.

567 Provided, however, that none of the funds appropriated for
568 the support of community mental health services shall be made
569 available to any Regional Mental Health/Retardation Center which
570 does not receive from each of its participating counties a dollar
571 amount equivalent to what the proceeds of a three-fourths (3/4)
572 mill tax on all taxable property in the county in Fiscal Year 1982
573 would have been or the amount of funds contributed to the center
574 by the county in Fiscal Year 1984, whichever shall be greater. By
575 means of performance contracts, the Department of Mental Health
576 shall disburse the funds appropriated in this section for services
577 for the mentally ill, mentally retarded and alcohol/drug abusers.
578 The State Board of Mental Health and the Department of Mental
579 Health shall be responsible for selecting the types of services
580 which shall be provided with the funds appropriated in this
581 section, for developing and monitoring performance contracts and
582 for holding contractors accountable for utilization of funds.

583 **SECTION 14.** Funds presently included or any funds received
584 in the future for timber funds at Ellisville State School and East
585 Mississippi State Hospital are hereby authorized for transfer to
586 the regular operating budgets of the respective facilities. Each
587 facility shall receive such funds as "Special" funds, and such
588 funds shall be available for use in payment of any and all
589 expenses of each facility, paid by the State Treasurer upon
590 warrants issued by the State Fiscal Officer; and the State Fiscal
591 Officer shall issue his warrants upon requisitions signed by the
592 proper person, officer or officers in the manner provided by law.

593 **SECTION 15.** The Department of Mental Health and its
594 facilities shall have the express legal authority, within funding
595 and spending authority appropriated under the provisions of
596 Section 1, authorized for expenditure under the provisions of
597 Sections 2 and 3, and allocated under the provisions of Section 4
598 of this act, to purchase land for use by residential facilities
599 operated by the Department, either directly or by means of
600 transferring funds to the Bureau of Building, Grounds and Real
601 Property Management, and to transfer such funds to Bureau of
602 Building, Grounds, and Real Property Management for the purposes
603 of constructing and equipping group homes for persons with mental
604 illness, mental retardation, and/or substance abuse; constructing
605 and equipping such other buildings as may be required for
606 treatment of persons with mental illness, mental retardation,
607 and/or substance abuse; repair and renovate existing buildings;
608 and to construct, repair and/or renovate employee housing. Any
609 intermediate care facilities for the mentally retarded (ICF/MR)
610 constructed with funds authorized in this section shall be
611 authorized to participate in Medicaid funding available for such
612 services.

613 **SECTION 16.** Of the General Funds appropriated to the
614 "Service Budget" in the category of "Subsidies, Loans and Grants,"
615 the sum required may be expended to fund the Home- and

616 Community-Based Waiver Option for community mental retardation
617 services as authorized under Section 43-13-117(29), Mississippi
618 Code of 1972.

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

627 **SECTION 18.** The following sum, or so much thereof as may be
628 necessary, is hereby reappropriated out of any money in the
629 special fund in the State Treasury to the credit of the Department
630 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,
631 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year
632 beginning July 1, 2007, and ending June 30, 2008.....
633 \$ 10,000,000.00

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

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

644 **SECTION 20.** Of the funds appropriated under the provisions
645 of Section 1, authorized for expenditure in Sections 2 and 3, and
646 allocated in Section 4 to Mississippi State Hospital, funds not to
647 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) may be
648 expended for preplanning costs associated with a project or

649 projects to renovate buildings on the campus of Mississippi State
650 Hospital to meet standards of the Joint Commission on
651 Accreditation of Healthcare Organizations.

652 **SECTION 21.** None of the funds appropriated for the support
653 of community mental health, mental retardation, or substance abuse
654 services shall be made available to any service provider which,
655 upon determination of the Executive Director of the Department of
656 Mental Health, has an outstanding monetary obligation owed to the
657 Department of Mental Health or to the Division of Medicaid,
658 pursuant to an audit or programmatic review performed by the
659 Department of Mental Health, that has not been resolved, including
660 those audits or programmatic reviews that occurred prior to
661 July 1, 2007.

662 **SECTION 22.** No program or entity certified by the Department
663 of Mental Health which also receives state source, federal source,
664 or Medicaid funding directly from the Department of Mental Health
665 or by virtue of state source funds appropriated to the Department
666 of Mental Health for Medicaid match for provision of mental
667 health, mental retardation, or substance abuse services shall pay
668 to any person employed by that program or entity a salary or
669 compensation, directly or indirectly, in excess of the salary
670 provided for a similar position under the classification system of
671 the State Personnel Board for a person with similar credentials,
672 educational level, and directly related years of experience in the
673 position. Any person whose current salary already exceeds the
674 allowable amount as determined under this section shall be allowed
675 to retain his or her current salary, but no increases shall be
676 granted until such time as the allowable maximum salary under the
677 classification system of the State Personnel Board exceeds the
678 current salary paid to that person. Those programs and entities
679 may adopt a system of compensation that includes additional
680 compensation for Educational Benchmarks as allowed under the State

681 Personnel Board system. Further, the Department of Mental Health
682 and the State Personnel Board shall collaborate in determining
683 similarity of positions in those programs or entities affected by
684 this section to positions within the classification system of the
685 State Personnel Board in any manner they deem appropriate to
686 efficiently implement the provisions of this section. Staff
687 of the State Personnel Board and the Department of Mental Health
688 shall be the final authority in the determination of corresponding
689 job titles and pay grades. Failure to comply with the provisions
690 of this section shall be cause to reduce or terminate funding
691 received from the Department of Mental Health.

692 **SECTION 23.** Special funds appropriated in the Service Budget
693 of the Department of Mental Health shall include an allocation of
694 Three Million Five Hundred Fifty-nine Thousand Three Hundred
695 Eleven Dollars (\$3,559,311.00) from Title XX Social Services Block
696 Grant funding received by the State of Mississippi, unless the
697 total Title XX Social Services Block Grant award received by the
698 State of Mississippi is reduced or increased by the federal
699 government from what was received in federal fiscal year ending
700 September 30, 2007. In cases where the total grant received by
701 the State of Mississippi is reduced or increased, the percentage
702 of the grant allocated to the Department of Mental Health shall be
703 the same as was allocated for the federal fiscal year ending
704 September 30, 2007.

705 **SECTION 24.** The Executive Director of the Department of
706 Mental Health is hereby authorized to transfer and receive into
707 the Central Office accounts of the Department of Mental Health
708 certain funds which originated from the various Department of
709 Mental Health facilities as transfers to the Department of Finance
710 and Administration - Bureau of Building, Grounds and Real Property
711 Management for building/renovation/repair for certain projects
712 that have not been obligated by the Bureau of Building and Real
713 Property Management for the purpose for which the funds were

714 transferred. Said funds are currently held in a Department of
715 Finance and Administration account and may be held in Fund 3391.
716 The executive director is further provided authority to transfer
717 those funds from the Central Office to any other Department of
718 Mental Health facility in any amount at his discretion.

719 **SECTION 25.** The Executive Director of the Department of
720 Mental Health shall have the authority to transfer not more than
721 twenty-five percent (25%) of the general funds appropriated in
722 this act to crisis centers operated by a facility to the facility
723 operating budget in whatever line items are necessary. The
724 executive director shall submit justification for such a transfer
725 to the Director of the Legislative Budget Office and the Executive
726 Director of the Department of Finance and Administration on or
727 before the fifteenth day of the month preceding the month in which
728 the transfer is to be made. Notwithstanding any provision of this
729 section to the contrary, the executive director shall not reduce
730 funding at any crisis center below that which is required to
731 operate that crisis center at full funding at full capacity.

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

736 Therefore, state agencies as standard procedure, will observe
737 the following criteria:

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

739 (b) Evaluate effectiveness through respected
740 advertising standards, including market reach and cost
741 effectiveness.

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

744 (d) Itemize and justify professional assistance and
745 related expenses for creative and production costs outside of the
746 actual media expenditures.

747 (e) Utilize Mississippi-owned media companies when
748 feasible.

749 **SECTION 27.** It is the intention of the Legislature that
750 whenever two (2) or more bids are received by this agency for the
751 purchase of commodities or equipment, and whenever all things
752 stated in such received bids are equal with respect to price,
753 quality and service, the Mississippi Industries for the Blind
754 shall be given preference. A similar preference shall be given to
755 the Mississippi Industries for the Blind whenever purchases are
756 made without competitive bids.

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

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