

**REPORT OF CONFERENCE COMMITTEE**

**MADAM PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3148: Appropriation; Dept. of Mental Health.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5           **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the support and  
8 maintenance of the Department of Mental Health for the fiscal year  
9 beginning July 1, 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.



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
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90 Part Time..... 0  
 91 Time-Limited: Full Time..... 0  
 92 Part Time..... 0

**EAST MISSISSIPPI STATE HOSPITAL**

MAJOR OBJECTS OF EXPENDITURE:

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

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

FUNDING:

108 General Funds..... \$ 39,953,765.00  
 109 Special Funds..... 11,624,026.00  
 110 Total..... \$ 51,577,791.00

AUTHORIZED POSITIONS:

112 Permanent: Full Time..... 1,157  
 113 Part Time..... 4  
 114 Time-Limited: Full Time..... 90  
 115 Part Time..... 20

**ELLISVILLE STATE SCHOOL AND FARM**

MAJOR OBJECTS OF EXPENDITURE:

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

162 **CENTRAL MISSISSIPPI RESIDENTIAL CENTER**

163 MAJOR OBJECTS OF EXPENDITURE:

164 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
169	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

176 FUNDING:

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

180 AUTHORIZED POSITIONS:

181	Permanent:	Full Time.....	117
182		Part Time.....	0
183	Time-Limited:	Full Time.....	12
184		Part Time.....	0

185 **BROOKHAVEN JUVENILE REHABILITATION FACILITY**

186	MAJOR OBJECTS OF EXPENDITURE:		
187	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	<b>SPECIALIZED TREATMENT FACILITY</b>		
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

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

**BOSWELL REGIONAL CENTER**

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

FUNDING:

269	General Funds.....	\$	10,056,217.00
270	Special Funds.....		<u>19,598,829.00</u>
271	Total.....	\$	29,655,046.00

AUTHORIZED POSITIONS:

273	Permanent:	Full Time.....	495
274		Part Time.....	3
275	Time-Limited:	Full Time.....	110
276		Part Time.....	2

**NORTH MISSISSIPPI STATE HOSPITAL**

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.....		0.00
290	Total.....	\$	7,541,814.00
291	FUNDING:		
292	General Funds.....	\$	7,071,950.00
293	Special Funds.....		469,864.00
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	<b>NORTH MISSISSIPPI REGIONAL CENTER</b>		
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.....		6,898,102.00
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	<b>SOUTH MISSISSIPPI REGIONAL CENTER</b>		
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	<b>SOUTH MISSISSIPPI STATE HOSPITAL</b>		
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
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:

443		FY08
444	<u>Performance Measures</u>	<u>Target</u>
445	Services Management	
446	State Institutions Operated (Number)	12
447	Units Monitored, etc (Number)	1,475
448	Grants Administered (Number)	500
449	Mental Health Services	
450	Group Homes - Alternative Living (Beds)	261
451	Halfway Houses (Beds)	35
452	Psychotropic Drugs Purchased (Prescriptions)	9,400
453	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.

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

1           AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF MENTAL HEALTH AND CERTAIN PROGRAMS OF THE DIVISION  
3 OF ALCOHOL AND DRUG ABUSE, FOR FISCAL YEAR 2008.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)  
Gordon

X (SIGNED)  
Stringer

X (SIGNED)  
Burton

X (SIGNED)  
Warren

X (SIGNED)  
Thames

X (SIGNED)  
Brown