

By: Representative Frierson

To: Appropriations

HOUSE BILL NO. 2

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S  
2 OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL  
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE  
4 EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR  
5 2014.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is hereby appropriated out of any money in the State  
9 General Fund not otherwise appropriated, to the Governor's  
10 Office - Division of Medicaid for the purpose of providing medical  
11 assistance under the Mississippi Medicaid Law and defraying the  
12 expenses of the administration of such law, as provided in Section  
13 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year  
14 beginning July 1, 2013, and ending June 30, 2014.....  
15 .....\$ 571,549,188.00.

16 **SECTION 2.** The following sum, or so much thereof as may be  
17 necessary, is hereby appropriated out of any money in the State  
18 Treasury to the credit of the Medical Care Fund created by Section  
19 43-13-143, Mississippi Code of 1972, for the purpose of providing



20 medical assistance under the Mississippi Medicaid Law for the  
21 fiscal year beginning July 1, 2013, and ending June 30, 2014.....  
22 .....\$ 420,052,225.00.

23       **SECTION 3.** The following sum, or so much thereof as may be  
24 necessary, is hereby appropriated out of any money in any special  
25 fund in the State Treasury to the credit of the Governor's  
26 Office - Division of Medicaid which is comprised of special source  
27 funds collected by or otherwise available to the commission, for  
28 the purpose of providing medical assistance under the Mississippi  
29 Medicaid Law and defraying the expenses of the administration of  
30 such law, for the fiscal year beginning July 1, 2013, and ending  
31 June 30, 2014.....\$ 4,283,507,616.00.

32       Prior period recovery of funds may be maintained and expended  
33 by the division when the recovery is received or finalized. Any  
34 recoveries due to audits or third party recoveries may be used to  
35 offset the cost of such audits and third party recoveries and as  
36 such, the division may escalate Contractual Services as needed for  
37 these purposes.

38       **SECTION 4.** The following sum, or so much thereof as may be  
39 necessary, is hereby appropriated out of any money in the State  
40 Treasury to the credit of the Health Care Expendable Fund, for the  
41 purpose of defraying the expenses of the Governor's  
42 Office - Division of Medicaid for the fiscal year beginning July  
43 1, 2013, and ending June 30, 2014.....\$ 80,715,568.00.

44       The above funds shall be allocated as follows:



45	CHIP Program at 200% level of poverty.....\$	2,879,024.00
46	Eyeglasses for adults.....\$	699,191.00
47	Home and Community Waiver Program.....\$	1,972,132.00
48	Disabled worker buy-in to the Medicaid	
49	program.....\$	754,715.00
50	Dental fee increase.....\$	904,837.00
51	Medical Program Matching Funds.....\$	73,505,669.00

52 It is the intention of the Legislature that funds may be  
53 shifted among the above allocated line items where needed in the  
54 discretion of the Executive Director of the Division of Medicaid.

55 **SECTION 5.** Of the funds appropriated under the provisions of  
56 this act, the following positions are authorized:

57 AUTHORIZED POSITIONS:

58	Permanent:	Full Time.....	1,027
59		Part Time.....	2
60	Time-Limited:	Full Time.....	17
61		Part Time.....	0

62 With the funds herein appropriated, it is the intention of  
63 the Legislature that it shall be the agency's responsibility to  
64 make certain that funds required to be appropriated for "Personal  
65 Services" for Fiscal Year 2015 do not exceed Fiscal Year 2014  
66 funds appropriated for that purpose, unless programs or positions  
67 are added to the agency's Fiscal Year 2014 budget by the  
68 Mississippi Legislature. Based on data provided by the  
69 Legislative Budget Office, the State Personnel Board shall



70 determine and publish the projected annual cost to fully fund all  
71 appropriated positions in compliance with the provisions of this  
72 act. It shall be the responsibility of the agency head to ensure  
73 that no single personnel action increases this projected annual  
74 cost and/or the Fiscal Year 2014 appropriations for "Personal  
75 Services" when annualized, with the exception of escalated funds.  
76 If, at the time the agency takes any action to change "Personal  
77 Services," the State Personnel Board determines that the agency  
78 has taken an action which would cause the agency to exceed this  
79 projected annual cost or the Fiscal Year 2014 "Personal Services"  
80 appropriated level, when annualized, then only those actions which  
81 reduce the projected annual cost and/or the appropriation  
82 requirement will be processed by the State Personnel Board until  
83 such time as the requirements of this provision are met.

84 Unless otherwise authorized in this act, no state agency  
85 shall take any action to promote or otherwise award salary  
86 increases through reallocation, reclassification, realignment,  
87 educational benchmark, career ladder, equity salary adjustment, or  
88 any other means to increase salaries of employees or positions  
89 unless specifically exempted by the following conditions: the  
90 award of teacher salary increments; the advancement of a  
91 trainee/cadet to the next level of a bona fide career ladder; the  
92 award of an educational benchmark for the attainment of a  
93 Certified Public Accountant License or higher level professional  
94 certification; the immediate replacement of a departing employee



95 with an employee from within state service at a salary level of  
96 the departing employee or the FY2014 promotional formula,  
97 whichever is less; the emergency appointment of nurses,  
98 pharmacists or other health care and child protection  
99 professionals at a salary to be determined by the State Personnel  
100 Board or any other requested action of the agency that has been  
101 specifically authorized by the Legislature.

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

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

115 **SECTION 6.** It is the intention of the Legislature that the  
116 Governor's Office - Division of Medicaid shall maintain complete  
117 accounting and personnel records related to the expenditure of all  
118 funds appropriated under this act and that such records shall be  
119 in the same format and level of detail as maintained for Fiscal



120 Year 2013. It is further the intention of the Legislature that  
121 the agency's budget request for Fiscal Year 2015 shall be  
122 submitted to the Joint Legislative Budget Committee in a format  
123 and level of detail comparable to the format and level of detail  
124 provided during the Fiscal Year 2014 budget request process with  
125 the Children's Health Insurance Program (CHIP) being separated  
126 from the Medical Services Program and submitted as a separate  
127 program. In addition, the performance measures reported for the  
128 Medical Services Program shall include an unduplicated case count  
129 of individuals served by eligibility status, and the number and  
130 the costs of emergency room visits.

131 **SECTION 7.** In compliance with the "Mississippi Performance  
132 Budget and Strategic Planning Act of 1994," it is the intent of  
133 the Legislature that the funds provided herein shall be utilized  
134 in the most efficient and effective manner possible to achieve the  
135 intended mission of this agency. Based on the funding authorized,  
136 this agency shall make every effort to attain the targeted  
137 performance measures provided below:

	<b>FY2014</b>
<b>Performance Measures</b>	<b>Target</b>
Administrative Services	
Admin as a % of Total Budget (%)	3.69
Third Party Funds Recovered (\$)	28,794,653.00
Clean Claims % - 30 Days from Receipt (%)	100.00
Clean Claims % - 90 Days from Receipt (%)	100.00



145	Fiscal Agent Call Center Abandonment Rate (%)	1.90
146	Fiscal Agent Call Center Avg Answer Time (%)	30.00
147	Increase in Electronic Health Records	4,700.00
148	Increase in E-Prescribing Technologies	4,700.00
149	Providers Submitting Electronic Claims	22,000.00
150	Third Party Liability Costs	
151	Avoided (\$ in Thousands)	1,268,019.00
152	Applications Processed within	
153	Standard of Promptness (%)	90.00
154	Medical Services	
155	Recipients Enrolled (Persons)	668,069
156	Emergency Room Visits (\$)	57,148,694.00
157	Emergency Room Visits (Number of)	381,364
158	Out-stationed Eligibility Locations	115
159	Child Physical Exams	262,634
160	Adult Physical Exams	5,126
161	Num of Fraud/Abuse Cases Investigated	120
162	Kidney Dialysis (Number of Trips)	32,500
163	MSCAN Diabetic Members Aged 17-75	
164	Receiving HBA1c test (%)	74.50
165	MSCAN Members with Persistent Asthma are	
166	Appropriately Prescribed Medication (%)	84.00
167	Child's Health Ins Prg (CHIP)	
168	CHIP Enrollees (Number of)	72,667
169	Out-stationed Eligibility Locations	115.00



170	Home- & Com-Based Waiver Prg	
171	Elderly & Disabled - Persons Served	17,300
172	Elderly & Disabled - Funded Slots	17,300
173	Elderly & Disabled - Total Auth Slots	17,300
174	Assisted Living - Persons Served	585
175	Assisted Living - Funded Slots	605
176	Assisted Living - Total Auth Slots	700
177	Independent Living - Persons Served	2,600
178	Independent Living - Funded Slots	2,700
179	Independent Living - Total Auth Slots	4,200
180	Traumatic Brain Inj - Persons Served	850
181	Traumatic Brain Inj - Funded Slots	850
182	Traumatic Brain Inj - Total Auth Slots	3,300
183	Intellectual Disab - Persons Served	2,000
184	Intellectual Disab - Funded Slots	2,000
185	Intellectual Disab - Total Auth Slots	3,200
186	MYPAC - Persons Served	250
187	MYPAC - Funded Slots	250
188	MYPAC - Total Auth Slots	250

189 A reporting of the degree to which the performance targets  
190 set above have been or are being achieved shall be provided in the  
191 agency's budget request submitted to the Joint Legislative Budget  
192 Committee for Fiscal Year 2015.

193 **SECTION 8.** It is the intention of the Legislature that  
194 whenever two (2) or more bids are received by this agency for the





195 purchase of commodities or equipment, and whenever all things  
196 stated in such received bids are equal with respect to price,  
197 quality and service, the Mississippi Industries for the Blind  
198 shall be given preference. A similar preference shall be given to  
199 the Mississippi Industries for the Blind whenever purchases are  
200 made without competitive bids.

201       **SECTION 9.** Of the funds appropriated herein, an amount not  
202 to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is  
203 provided to implement an Adult Foster Care program for Medicaid  
204 recipients as authorized by Section 43-13-117, Mississippi Code of  
205 1972.

206       **SECTION 10.** The division shall provide statistical and  
207 financial reports on a monthly basis to the Legislative Budget  
208 Office. These reports shall include, but are not limited to, an  
209 accounting of all funds spent and participant statistics medical  
210 program, the CHIP program, the Dialysis Transportation program,  
211 and each of the Home- and Community-Based Waiver programs, and an  
212 accounting of all funds spent in the administrative program.

213       The Division of Medicaid shall perform its cash flow  
214 projections on a predetermined monthly schedule and make this and  
215 any other information requested available, upon request, to the  
216 Chair of the Senate Public Health and Welfare Committee, the House  
217 Public Health and Human Services Committee, the House Medicaid  
218 Committee, the House and Senate Appropriations Committees as well  
219 as the Legislative Budget Office.



220           **SECTION 11.** Of the funds appropriated under the provisions  
221 of Section 3, One Hundred Eighty-seven Million Eight Hundred  
222 Twenty-nine Thousand Six Hundred Two Dollars (\$187,829,602.00)  
223 shall be derived from the Budget Contingency Fund created in  
224 Section 27-103-301, Mississippi Code of 1972, and allocated in a  
225 manner as determined by the Treasurer's Office.

226           **SECTION 12.** Of the funds appropriated in this act, the  
227 Division of Medicaid shall pay a per diem rate of reimbursement of  
228 no less than Fifty Dollars (\$50.00) or more than Seventy-five  
229 Dollars (\$75.00) to providers of adult day services for each day  
230 of service provided to an eligible beneficiary. In order to  
231 receive this per diem rate of reimbursement, providers of adult  
232 day services shall participate in the Elderly and Disabled Waiver  
233 Program for Home- and Community-Based Services.

234           **SECTION 13.** In the division's Fiscal Year 2015 budget  
235 submission, all Medicaid 1915 (C) Home- and Community-Based  
236 Waivers shall be presented as a budget program separate from the  
237 Medical Services Program.

238           **SECTION 14.** The Division shall transfer One Million Dollars  
239 (\$1,000,000.00) of State Support Funds to the Department of  
240 Rehabilitation Services for the support of the Independent Living  
241 Home- and Community-Based Waiver program and shall transfer One  
242 Million Dollars (\$1,000,000.00) of State Support Funds to the  
243 Department of Human Services to support the Home Delivered Meals  
244 program.



245           **SECTION 15.** Of the funds appropriated under the provisions  
246 of this act, Two Million Seven Hundred Fifty Thousand Dollars  
247 (\$2,750,000.00) are provided for the purpose of funding a  
248 temporary program to provide nonemergency transportation to  
249 locations for necessary dialysis services for end-stage renal  
250 disease patients who are sixty-five (65) years of age or older or  
251 are disabled as determined under Section 1614(a)(3) of the federal  
252 Social Security Act, as amended, whose income did not exceed one  
253 hundred thirty-five percent (135%) of the nonfarm official poverty  
254 level as defined by the Office of Management and Budget and whose  
255 eligibility was covered under the former category of eligibility  
256 known as Poverty Level Aged and Disabled (PLADS). One Hundred  
257 Eighty-two Thousand Five Hundred Thirty-five Dollars (\$182,535.00)  
258 of the amount provided in this section, as originally authorized  
259 in HB 865 of the 2009 Regular Session, shall come from Treasury  
260 Fund 3322.

261           **SECTION 16.** Of the funds appropriated in Sections 1 and 3,  
262 Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars  
263 (\$398,550.00) General Funds and One Million One Hundred One  
264 Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds  
265 are provided for five (5) additional slots in the Assisted Living  
266 Waiver program for persons with Traumatic Brain Injury and in need  
267 of Cognitive Rehabilitation. The Division shall develop  
268 eligibility criteria for these additional slots.



