

By: Representatives Frierson, Mims, Arnold, To: Appropriations  
Barker, Bennett, Bounds, Brown, Currie,  
Gipson, Holland, Mettetal, Myers, Read,  
Shows, Turner, Watson, Dixon

## HOUSE BILL NO. 1653

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF  
2 REHABILITATION SERVICES FOR FISCAL YEAR 2017.

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

4 **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is appropriated out of any money in the State General  
6 Fund not otherwise appropriated, to the Department of  
7 Rehabilitation Services for the fiscal year beginning  
8 July 1, 2016, and ending June 30, 2017.....\$ 23,819,680.00.

9 **SECTION 2.** The following sum, or so much thereof as may be  
10 necessary, is appropriated out of any money in any special fund in  
11 the State Treasury to the credit of the Department of  
12 Rehabilitation Services which is comprised of special source funds  
13 collected by or otherwise available to the department for the  
14 support of the various offices of the department, for the purpose  
15 of defraying the expenses of the department for the fiscal year  
16 beginning July 1, 2016, and ending June 30, 2017.....  
17 .....\$ 205,618,517.00.



18       **SECTION 3.** Of the funds appropriated under the provisions of  
19 Section 2, Three Million Six Hundred Eighty-one Thousand Eight  
20 Hundred Two Dollars (\$3,681,802.00) shall be derived from the  
21 Health Care Expendable Fund created in Section 43-13-407,  
22 Mississippi Code of 1972. The above funds shall be allocated as  
23 follows:

24	Fully match all available federal	
25	funds.....\$	2,782,590.00
26	Independent Living Program which	
27	includes the State Attendant	
28	Care Program.....\$	854,903.00
29	Deaf and hard of hearing.....\$	44,309.00

30       **SECTION 4.** Of the funds appropriated under the provisions of  
31 Sections 1, 2 and 3, the following positions are authorized:

32       AUTHORIZED POSITIONS:

33	Permanent:	Full Time.....	874
34		Part Time.....	4
35	Time-Limited:	Full Time.....	163
36		Part Time.....	2

37       The Office of Vocational Rehabilitation for the Blind shall  
38 remain accredited by using not more than Five Hundred Dollars  
39 (\$500.00) of the funds appropriated along with matching funds for  
40 payment of fees to an accreditation agency recommended by the  
41 Rehabilitation Services Administration.



42           With the funds herein appropriated, it shall be the agency's  
43 responsibility to make certain that funds required to be  
44 appropriated for "Personal Services" for Fiscal Year 2018 do not  
45 exceed Fiscal Year 2017 funds appropriated for that purpose,  
46 unless programs or positions are added to the agency's Fiscal Year  
47 2017 budget by the Mississippi Legislature. Based on data  
48 provided by the Legislative Budget Office, the State Personnel  
49 Board shall determine and publish the projected annual cost to  
50 fully fund all appropriated positions in compliance with the  
51 provisions of this act. It shall be the responsibility of the  
52 agency head to ensure that no single personnel action increases  
53 this projected annual cost and/or the Fiscal Year 2017  
54 appropriations for "Personal Services" when annualized, with the  
55 exception of escalated funds and the award of benchmarks. If, at  
56 the time the agency takes any action to change "Personal  
57 Services," the State Personnel Board determines that the agency  
58 has taken an action which would cause the agency to exceed this  
59 projected annual cost or the Fiscal Year 2017 "Personal Services"  
60 appropriated level, when annualized, then only those actions which  
61 reduce the projected annual cost and/or the appropriation  
62 requirement will be processed by the State Personnel Board until  
63 such time as the requirements of this provision are met.

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



67 Personnel Board shall not escalate positions without written  
68 approval from the Department of Finance and Administration. The  
69 Department of Finance and Administration shall not provide written  
70 approval to escalate any funds for salaries and/or positions  
71 without proof of availability of new or additional funds above the  
72 appropriated level.

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

77 None of the funds herein appropriated shall be used in  
78 violation of Internal Revenue Service's Publication 15-A relating  
79 to the reporting of income paid to contract employees, as  
80 interpreted by the Office of the State Auditor.

81 **SECTION 5.** It is the intention of the Legislature that the  
82 Department of Rehabilitation Services shall maintain complete  
83 accounting and personnel records related to the expenditure of all  
84 funds appropriated under this act and that such records shall be  
85 in the same format and level of detail as maintained for Fiscal  
86 Year 2016. It is further the intention of the Legislature that  
87 the agency's budget request for Fiscal Year 2018 shall be  
88 submitted to the Joint Legislative Budget Committee in a format  
89 and level of detail comparable to the format and level of detail  
90 provided during the Fiscal Year 2017 budget request process.



91           **SECTION 6.** Of the funds appropriated herein, the Mississippi  
92 Department of Rehabilitation Services through the Office of  
93 Vocational Rehabilitation for the Blind is authorized to expend an  
94 amount not to exceed One Hundred Thousand Dollars (\$100,000.00)  
95 for the National Federation for the Blind (NFB) News line service  
96 to allow blind and visually impaired persons to access newspapers  
97 through toll-free telephone calls.

98           **SECTION 7.** It is the intention of the Legislature that  
99 whenever two (2) or more bids are received by this agency for the  
100 purchase of commodities or equipment, and whenever all things  
101 stated in such received bids are equal with respect to price,  
102 quality and service, the Mississippi Industries for the Blind  
103 shall be given preference. A similar preference shall be given to  
104 the Mississippi Industries for the Blind whenever purchases are  
105 made without competitive bids.

106           **SECTION 8.** In compliance with the "Mississippi Performance  
107 Budget and Strategic Planning Act of 1994," it is the intent of  
108 the Legislature that the funds provided herein shall be utilized  
109 in the most efficient and effective manner possible to achieve the  
110 intended mission of this agency. Based on the funding authorized,  
111 this agency shall make every effort to attain the targeted  
112 performance measures provided below:

113		FY2017
114	<u>Performance Measures</u>	<u>Target</u>
115	Disability Determination Svcs	



116	Dispositions (Number of)	91,000
117	Processing Time (Days)	98.00
118	Voc Rehab For The Blind	
119	Blind & Visually Impaired Served (Persons)	1,685
120	Persons Rehabilitated (Number of)	475
121	Number Served, Independent Living	764
122	Percentage Change of Persons Employed	
123	Compared to Total Persons Served	2.00
124	Vocational Rehabilitation	
125	Clients Served (Number of)	18,000
126	Clients Rehabilitated (Number of)	3,425
127	Percentage Change of Persons Employed	
128	Compared to Total Persons Served	3.50
129	Persons Employed with Pay Rate Greater	
130	Than Federal or State Minimum Wage	2,600
131	Persons With Significant Disabilities Leaving	
132	VR with Competitive, Self, or BEP	
133	Employment, Wages = or > than Minimum	62.40
134	Spinal Cord & Head Injury Prg	
135	Clients Served (Number of)	1,378
136	Percentage Change in Number of Spinal Cord	
137	and Brain Injuries per Year	3.00
138	Establishment & Const Grants	
139	Number of Grants Awarded	0
140	Special Disability Programs	



141 Clients Served (Number of) 3,971  
142 Percentage Change in Persons Receiving  
143 HCBW Services Compared to Waiting List 56.00  
144 Ratio of Cost of HCBW Services per Person  
145 Compared to an Institutional Setting 38.00

146 Support Services

147 Percentage of Total Budget 1.44

148 A reporting of the degree to which the performance targets  
149 set above have been or are being achieved shall be provided in the  
150 agency's budget request submitted to the Joint Legislative Budget  
151 Committee for Fiscal Year 2018.

152 **SECTION 9.** Of the funds appropriated herein, an additional  
153 One Million Dollars (\$1,000,000.00) of Special Funds to be  
154 transferred from the Division of Medicaid are provided to fund the  
155 Independent Living, Home and Community Based Medicaid Waiver  
156 Program in the Office of Special Disability Programs.

157 **SECTION 10.** Of the funds herein appropriated, an amount not  
158 to exceed One Hundred Eighty-seven Thousand Dollars (\$187,000.00)  
159 shall fund the AmeriCorp Northtown Family Readiness Program.

160 **SECTION 11.** It is the intention of the Legislature that the  
161 funds herein appropriated shall be expended in compliance with  
162 Section 27-104-25, Mississippi Code of 1972, that no state agency  
163 shall incur obligations or indebtedness in excess of their  
164 appropriation and that the responsible officers, either personally



or upon their official bonds, shall be held responsible for actions contrary to this provision.

**SECTION 12.** The amount of funds appropriated from the State General Fund in this bill are conditioned upon the availability for appropriation of the full amount of the state general funds that were projected in the general fund revenue estimate for fiscal year 2017 that was determined under the provision of Section 27-103-125.

If the amount of general funds projected to be available for appropriation for fiscal year 2017 would be reduced by the enactment into law of any revenue bills, as defined in Joint Rule 40, that have been passed by the House of Representatives by March 17, 2016, then the amount of funds appropriated from the State General Fund in this bill shall be reduced by the same percentage reduction in the amount of general funds that would be available for appropriation for fiscal year 2017, and the reduced amount shall be engrossed into this bill before it is transmitted to Senate.

The determination of whether the House has passed any such revenue bills by March 17, 2016, and the amount and percentage of the resulting reduction in the amount of general funds projected to be available for appropriation for fiscal year 2017, shall be determined by the Legislative Budget Office and certified in writing to the Chairman of the House Appropriations Committee by the Director of the Legislative Budget Office.





190           **SECTION 13.** The money herein appropriated shall be paid by  
191 the State Treasurer out of any money in the State Treasury to the  
192 credit of the proper fund or funds as set forth in this act, upon  
193 warrants issued by the State Fiscal Officer; and the State Fiscal  
194 Officer shall issue his warrants upon requisitions signed by the  
195 proper person, officer or officers, in the manner provided by law.

196           **SECTION 14.** This act shall take effect and be in force from  
197 and after July 1, 2016; and shall stand repealed from and after  
198 June 30, 2016.

