

By: Representative Mims

To: Public Health and Human Services

HOUSE BILL NO. 911  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 43-1-4, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT BACKGROUND  
3 INVESTIGATIONS ON PERSONS WHO ARE IN A POSITION WITH ACCESS TO  
4 FEDERAL TAX INFORMATION OR WHO ARE OTHERWISE REQUIRED BY FEDERAL  
5 LAW OR REGULATIONS TO UNDERGO A BACKGROUND INVESTIGATION; TO  
6 AUTHORIZE THE DEPARTMENT TO CONDUCT BACKGROUND INVESTIGATIONS ON  
7 CONTRACTORS AND SUBCONTRACTORS AS WELL AS EMPLOYEES AND  
8 VOLUNTEERS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 43-1-4, Mississippi Code of 1972, is  
11 amended as follows:

12 43-1-4. The Department of Human Services shall have the  
13 following powers and duties:

14 (a) To provide basic services and assistance statewide  
15 to needy and disadvantaged individuals and families.

16 (b) To promote integration of the many services and  
17 programs within its jurisdiction at the client level thus  
18 improving the efficiency and effectiveness of service delivery and  
19 providing easier access to clients.

20 (c) To develop a statewide comprehensive service  
21 delivery plan in coordination with the Board of Health, the Board



22 of Mental Health, and the Department of Finance and  
23 Administration. Such plan shall be developed and presented to the  
24 Governor by January 1, 1990.

25 (d) To employ personnel and expend funds appropriated  
26 to the department to carry out the duties and responsibilities  
27 assigned to the department by law.

28 (e) To fingerprint and \* \* \* conduct a background  
29 investigation on every employee \* \* \*, contractor, subcontractor  
30 and volunteer (i) who has direct access to clients of the  
31 department who are children or vulnerable adults, \* \* \* (ii) who  
32 is in a position of fiduciary responsibility, (iii) who is in a  
33 position with access to Federal Tax Information (FTI), or (iv) who  
34 is otherwise required by federal law or regulations to undergo a  
35 background investigation. Every such employee, contractor,  
36 subcontractor and volunteer shall provide a valid current social  
37 security number and/or driver's license number which shall be  
38 furnished to conduct the \* \* \* background investigation for  
39 determination as to good moral character and to ensure that no  
40 person placed in any position referenced in this paragraph has a  
41 felony conviction that would prevent employment or access to  
42 Federal Tax Information according to department policy. If no  
43 disqualifying record is identified at the state level, the  
44 fingerprints shall be forwarded to the Federal Bureau of  
45 Investigation for a fingerprint-based national criminal history  
46 record check. The department shall be the recipient of the



47 results of any background investigation and/or criminal history  
48 record check performed in accordance with this paragraph.

49         **SECTION 2.** This act shall take effect and be in force from  
50 and after July 1, 2018.

