

By: Representatives Read, Huddleston (15th), To: Appropriations
Arnold, Baria, Barton, Boyd, Brown,
Cockerham, Denny, Holland, Ladner, Myers,
Staples, Sullivan, Turner, Watson

HOUSE BILL NO. 1580
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2019.

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 appropriated out of any money in the special fund in
7 the State Treasury to the credit of the State Board of Medical
8 Licensure, for the purpose of defraying the expenses of the board
9 for the fiscal year beginning July 1, 2018, and ending
10 June 30, 2019.....\$ 2,987,323.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	25
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required to be
20 appropriated for "Personal Services" for Fiscal Year 2020 do not
21 exceed Fiscal Year 2019 funds appropriated for that purpose,
22 unless programs or positions are added to the agency's Fiscal Year
23 2019 budget by the Mississippi Legislature. Based on data
24 provided by the Legislative Budget Office, the State Personnel
25 Board shall determine and publish the projected annual cost to
26 fully fund all appropriated positions in compliance with the
27 provisions of this act. It shall be the responsibility of the
28 agency head to ensure that no single personnel action increases
29 this projected annual cost and/or the Fiscal Year 2019
30 appropriations for "Personal Services" when annualized, with the
31 exception of escalated funds and the award of benchmarks. If, at
32 the time the agency takes any action to change "Personal
33 Services," the State Personnel Board determines that the agency
34 has taken an action which would cause the agency to exceed this
35 projected annual cost or the Fiscal Year 2019 "Personal Services"
36 appropriated level, when annualized, then only those actions which
37 reduce the projected annual cost and/or the appropriation
38 requirement will be processed by the State Personnel Board until
39 such time as the requirements of this provision are met.

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



43 Personnel Board shall not escalate positions without written
44 approval from the Department of Finance and Administration. The
45 Department of Finance and Administration shall not provide written
46 approval to escalate any funds for salaries and/or positions
47 without proof of availability of new or additional funds above the
48 appropriated level.

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

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

57 **SECTION 3.** In compliance with the "Mississippi Performance
58 Budget and Strategic Planning Act of 1994," it is the intent of
59 the Legislature that the funds provided herein shall be utilized
60 in the most efficient and effective manner possible to achieve the
61 intended mission of this agency. Based on the funding authorized,
62 this agency shall make every effort to attain the targeted
63 performance measures provided below:

	FY2019
<u>Performance Measures</u>	<u>Target</u>
Licensure	
Licensees who Renew Online (%)	100.00



68	Individual License Renewals Issued	
69	Within Seven (7) Business Days (%)	100.00
70	Investigative	
71	Recidivism Rate for Those Receiving	
72	Disciplinary Action	4.10
73	Documented Complaints Received (Number of)	250
74	Documented Complaints Resolved	
75	Within Seven (7) Business Days (%)	50.00

76 A reporting of the degree to which the performance targets
77 set above have been or are being achieved shall be provided in the
78 agency's budget request submitted to the Joint Legislative Budget
79 Committee for Fiscal Year 2020.

80 **SECTION 4.** It is the intention of the Legislature that the
81 State Board of Medical Licensure shall maintain complete
82 accounting and personnel records related to the expenditure of all
83 funds appropriated under this act and that such records shall be
84 in the same format and level of detail as maintained for Fiscal
85 Year 2018. It is further the intention of the Legislature that
86 the agency's budget request for Fiscal Year 2020 shall be
87 submitted to the Joint Legislative Budget Committee in a format
88 and level of detail comparable to the format and level of detail
89 provided during the Fiscal Year 2019 budget request process.

90 **SECTION 5.** It is the intention of the Legislature that
91 whenever two (2) or more bids are received by this agency for the
92 purchase of commodities or equipment, and whenever all things



93 stated in such received bids are equal with respect to price,
94 quality and service, the Mississippi Industries for the Blind
95 shall be given preference. A similar preference shall be given to
96 the Mississippi Industries for the Blind whenever purchases are
97 made without competitive bids.

98 **SECTION 6.** It is the intention of the Legislature that the
99 funds herein appropriated shall be expended in compliance with
100 Section 27-104-25, Mississippi Code of 1972, that no state agency
101 shall incur obligations or indebtedness in excess of their
102 appropriation and that the responsible officers, either personally
103 or upon their official bonds, shall be held responsible for
104 actions contrary to this provision.

105 **SECTION 7.** Of the funds provided under the provisions of
106 this act, an amount not to exceed Three Hundred Fifty Thousand
107 Dollars (\$350,000.00) is provided for the Mississippi
108 Professionals Health Program.

109 **SECTION 8.** Of the funds provided under the provisions of
110 this act, an amount not to exceed One Hundred Thirty Thousand
111 Dollars (\$130,000.00) may be allocated to the Mississippi Board of
112 Pharmacy to defray the expense of the Mississippi Prescription
113 Monitoring Program.

114 **SECTION 9.** It is further the intention of the Legislature
115 that, for the Fiscal Year 2019, the board shall be allowed to
116 recover all costs from a holder of a license who has been found by
117 the board in violation of statute after notice and a hearing as



118 provided by law. The expenses must be direct costs associated with
119 the investigation and conduct of a proceeding for licensure
120 revocation, suspension or restriction.

121 **SECTION 10.** The money herein appropriated shall be paid by
122 the State Treasurer out of any money in the State Treasury to the
123 credit of the proper fund or funds as set forth in this act, upon
124 warrants issued by the State Fiscal Officer; and the State Fiscal
125 Officer shall issue his warrants upon requisitions signed by the
126 proper person, officer or officers, in the manner provided by law.

127 **SECTION 11.** This act shall take effect and be in force from
128 and after July 1, 2018.

