

By: Representatives Read, Mims, Arnold,  
Bennett, Bounds, Brown, Currie, Gipson,  
Holland, Mettetal, Myers, Turner, Watson,  
Sykes, Dixon

To: Appropriations

HOUSE BILL NO. 1599  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR  
3 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 State General  
7 Fund not otherwise appropriated, for the purpose of defraying the  
8 expenses of the State Department of Health for the fiscal year  
9 beginning July 1, 2018, and ending June 30, 2019.....  
10 .....\$ 30,155,562.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in any special fund in  
13 the State Treasury to the credit of the State Department of Health  
14 which is comprised of special source funds collected by or  
15 otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2018, and ending June 30, 2019.....  
18 .....\$ 309,095,385.00.



19           **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two  
21 Dollars (\$526,102.00) shall be derived from the State General Fund  
22 and Nine Million One Hundred Seventy-eight Thousand Seven Hundred  
23 Eighty-three Dollars (\$9,178,783.00) shall be derived from the  
24 Health Care Expendable Fund, created in Section 43-13-407,  
25 Mississippi Code of 1972, for the support and maintenance of the  
26 State Department of Health. The funds provided in this section  
27 shall be allocated as follows:

28	Maternal and Child Health Care	
29	Program.....	\$ 1,242,943.00
30	Early Intervention Program and/or Child Therapeutic	
31	Services.....	\$ 188,661.00
32	Health Department Programs.....	\$ 8,273,281.00

33           **SECTION 4.** Of the funds appropriated in this act, Twenty  
34 Million Dollars (\$20,000,000.00) is allocated to the Trauma Care  
35 System. Of the General Fund court assessments provided in Section  
36 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven  
37 Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems  
38 and One Million Eight Hundred Five Thousand Eight Hundred  
39 Fifty-nine Dollars (\$1,805,859.00) shall be allocated for  
40 Emergency Medical Services. All additional funds are appropriated  
41 in Section 2. The State Department of Health may transfer a  
42 portion of Trauma Care System funds to the Division of Medicaid  
43 for the development and implementation of an enhanced



44 reimbursement fee program related to trauma care and services,  
45 used to match federal funds, under a cooperative agreement between  
46 the State Department of Health and the Division of Medicaid.

47 It is the intention of the Legislature that none of the funds  
48 authorized herein for the Trauma Care System shall be expended to  
49 the benefit of any hospital located outside the boundaries of the  
50 State of Mississippi, unless otherwise excepted in this paragraph.  
51 Funds shall be expended by the Mississippi Department of Health  
52 for distribution to the Regional Medical Center or Le Bonheur  
53 Children's Hospital at Memphis, located in Memphis, Tennessee, or  
54 the University of South Alabama Medical Center located in Mobile,  
55 Alabama, or the Joseph M. Still Burn Centers, Inc., located in  
56 Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction  
57 Center at Merit Health Central or any affiliates or any other  
58 Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that  
59 participates in the Mississippi Trauma Care System, as determined  
60 by the Mississippi Department of Health.

61 **SECTION 5.** Of the funds appropriated in Section 2, Twenty  
62 Million Dollars (\$20,000,000.00) shall be derived from the Tobacco  
63 Control Program Fund, created in Section 41-113-11, Mississippi  
64 Code of 1972, and shall be allocated as follows:

65 University of Mississippi Medical Center Cancer  
66 Institute.....\$ 4,250,000.00  
67 Department of Education - Mary Kirkpatrick Haskell -  
68 Mary Sprayberry Public School



69 Nurse Program.....\$ 3,060,000.00  
70 Attorney General's Office - Alcohol and  
71 Tobacco Enforcement Unit.....\$ 680,000.00  
72 University of Mississippi Medical Center -  
73 A Comprehensive Tobacco  
74 Center.....\$ 595,000.00  
75 Mississippi Health Care Alliance - ST Elevated  
76 Myocardial Infarction Program (STEMI).....\$ 382,500.00  
77 SKOOL ADS Program.....\$ 255,000.00  
78 Mississippi Qualified Health  
79 Center Grant Program.....\$ 3,400,000.00  
80 Mississippi Health Care Alliance for the  
81 Stroke System of Care Plan.....\$ 212,500.00  
82 Mississippi Health Department Programs.....\$ 7,165,000.00

83 Of the funds appropriated in this section, the State  
84 Department of Health is authorized to expend funds to create and  
85 administer the Office of Tobacco Control within the department as  
86 outlined and created in Section 41-113-3, Mississippi Code of  
87 1972.

88 **SECTION 6.** Of the funds appropriated under the provisions of  
89 this act, the following positions are authorized:

90 AUTHORIZED POSITIONS:

91 Permanent: Full Time..... 1,079  
92 Part Time..... 5  
93 Time-Limited: Full Time..... 933



95 With the funds herein appropriated, it shall be the agency's  
96 responsibility to make certain that funds required to be  
97 appropriated for "Personal Services" for Fiscal Year 2020 do not  
98 exceed Fiscal Year 2019 funds appropriated for that purpose,  
99 unless programs or positions are added to the agency's Fiscal Year  
100 2019 budget by the Mississippi Legislature. Based on data  
101 provided by the Legislative Budget Office, the State Personnel  
102 Board shall determine and publish the projected annual cost to  
103 fully fund all appropriated positions in compliance with the  
104 provisions of this act. It shall be the responsibility of the  
105 agency head to ensure that no single personnel action increases  
106 this projected annual cost and/or the Fiscal Year 2019  
107 appropriations for "Personal Services" when annualized, with the  
108 exception of escalated funds and the award of benchmarks. If, at  
109 the time the agency takes any action to change "Personal  
110 Services," the State Personnel Board determines that the agency  
111 has taken an action which would cause the agency to exceed this  
112 projected annual cost or the Fiscal Year 2019 "Personal Services"  
113 appropriated level, when annualized, then only those actions which  
114 reduce the projected annual cost and/or the appropriation  
115 requirement will be processed by the State Personnel Board until  
116 such time as the requirements of this provision are met.

117 Any transfers or escalations shall be made in accordance with  
118 the terms, conditions and procedures established by law or



119 allowable under the terms set forth within this act. The State  
120 Personnel Board shall not escalate positions without written  
121 approval from the Department of Finance and Administration. The  
122 Department of Finance and Administration shall not provide written  
123 approval to escalate any funds for salaries and/or positions  
124 without proof of availability of new or additional funds above the  
125 appropriated level.

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

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

134 **SECTION 7.** It is the intention of the Legislature that the  
135 State Department of Health shall maintain complete accounting and  
136 personnel records related to the expenditure of all funds  
137 appropriated under this act and that such records shall be in the  
138 same format and level of detail as maintained for Fiscal Year  
139 2018. It is further the intention of the Legislature that the  
140 agency's budget request for Fiscal Year 2020 shall be submitted to  
141 the Joint Legislative Budget Committee in a format and level of  
142 detail comparable to the format and level of detail provided  
143 during the Fiscal Year 2019 budget request process.



144           **SECTION 8.** In compliance with the "Mississippi Performance  
 145 Budget and Strategic Planning Act of 1994," it is the intent of  
 146 the Legislature that the funds provided herein shall be utilized  
 147 in the most efficient and effective manner possible to achieve the  
 148 intended mission of this agency. Based on the funding authorized,  
 149 this agency shall make every effort to attain the targeted  
 150 performance measures provided below:

151	FY2019
152 <u>Performance Measures</u>	<u>Target</u>
153 Health Services	
154       State Infant Mortality Rate	
155               (per 1,000 Live Births)	9.30
156       Percentage of Women who Received	
157               Prenatal Care in the First Trimester (%)	77.30
158       Percentage of Live Births Delivered	
159               Prior to 37 weeks of Gestation (%)	13.20
160       Teenage Birth Rate Age 15-19 Years	
161               (Live Births per 1,000 Women Age 15-19)	31.70
162       Percentage of Newborns with Positive &	
163               Inconclusive Genetic Screens who	
164               Received Recommended Follow-up (%)	100.00
165       Percentage of Adults who are Obese	
166               (BMI of 30+, regardless of sex) (%)	40.50
167 Health Protection	
168       Percentage of MS Population Receiving	



169	Water from a Public Water Supply which	
170	has had No Water Quality Violations of	
171	the Safe Drinking Water Act in the Past	
172	Year (%)	94.00
173	Percentage of MS Population Receiving	
174	Optimally Flouridated Water (%)	23.00
175	Transfer Time of Level III & IV Trauma	
176	Centers to Appropriate Facilities for	
177	Treatment (Minutes)	112.00
178	Communicable Disease	
179	Primary & Secondary Syphilis Cases	
180	Rate (per 100,000)	9.60
181	Number of Tuberculosis (TB) Cases	51
182	TB Case Rate (per 100,000)	2.00
183	Number of HIV Cases	300.00
184	HIV Case Rate (per 100,000)	13.90
185	Children Fully Immunized by 2 Years	
186	of Age (%)	74.00
187	Tobacco Control	
188	Current Smokers among Public Middle	
189	School Students (Prevalence)	2.60
190	Current Smokers among Public High	
191	School Students (Prevalence)	9.20
192	Current Smokers among Adults	
193	18 Years & Older (Prevalence)	21.20





194 Pub Health Emerg Prep/resp  
 195 Time Required for Command Staff to  
 196 Report to Emergency Operations Center  
 197 in Response to a Natural or Man-made  
 198 Disaster (Minutes) 59.00

199 Admin & Support Services  
 200 Percentage of MS Population Living  
 201 in an Area Designated as a Health  
 202 Professional Shortage Area (%)  
 203 Primary Care 58.00  
 204 Dental 79.00  
 205 Mental Health 116.00

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

210 **SECTION 9.** It is the intention of the Legislature that with  
 211 the funds provided herein, the State Department of Health may  
 212 provide and administer without charge, Hepatitis B vaccinations to  
 213 Emergency Medical Services (EMS) personnel who are in need of such  
 214 vaccinations through job related exposure.

215 **SECTION 10.** In addition to all other sums heretofore  
 216 appropriated, the following sum, or so much thereof as may be  
 217 necessary, is appropriated out of any money in the State Treasury  
 218 to the credit of the Local Governments and Rural Water Systems



219 Emergency Loan Fund, and the Local Governments and Rural Water  
220 System Improvements Revolving Loan Fund as authorized in Chapter  
221 521, Laws of 1995, to the State Department of Health for the  
222 purpose of defraying the expenses of the Local Governments and  
223 Rural Water Systems Improvements Board, for the fiscal year  
224 beginning July 1, 2018, and ending June 30, 2019.....  
225 .....\$ 35,016,019.00.

226 **SECTION 11.** Of the funds appropriated in Section 2, One  
227 Million Dollars (\$1,000,000.00) shall come from the Department of  
228 Human Services, Child Care Development Fund or other appropriate  
229 special funds for the purpose of child care licensure. These  
230 funds are to be transferred to the State Department of Health no  
231 later than July 31, 2018. The State Department of Health shall  
232 make a complete accounting of the uses of these funds to the  
233 Department of Human Services.

234 **SECTION 12.** It is the intention of the Legislature that the  
235 State Department of Health shall expend not more than Fifty  
236 Thousand Dollars (\$50,000.00) of the funds appropriated herein for  
237 providing the oil known as "Lorenzo's Oil" for the treatment of  
238 the genetic disorder adrenoleukodystrophy (ALD), to children and  
239 Mississippi residents over the age of twenty-one (21) who have the  
240 genetic disorder adrenoleukodystrophy and for whom Medicaid does  
241 not reimburse the cost of providing the oil. The department may  
242 also provide needed pathology and biannual MRI exams.



243           **SECTION 13.** Of the funds appropriated in Section 1, Seven  
244 Hundred Thousand Dollars (\$700,000.00) are provided for the  
245 purpose of purchasing AIDS drugs and other necessary AIDS related  
246 medical services.

247           **SECTION 14.** Of the funds appropriated herein, Twenty-one  
248 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
249 to the Southern AIDS Commission, Inc., for the purpose of  
250 providing technical assistance, and providing for the expansion of  
251 education on causes and prevention of HIV/AIDS, and providing  
252 delivery services to persons infected with HIV. The Southern AIDS  
253 Commission, Inc., shall report by February 1, 2019, to the Board  
254 of Health and the Chairmen of the House and Senate Public Health  
255 Committees the status of the project and all services provided.

256           **SECTION 15.** Of the funds appropriated herein, Twenty-one  
257 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
258 to the North Mississippi Health Care Foundation Restricted Fund,  
259 for the purpose of providing technical assistance, providing for  
260 the expansion of education on causes and prevention of HIV/AIDS,  
261 and providing delivery services to persons infected with HIV. The  
262 North Mississippi Health Care Foundation shall report by February  
263 1, 2019, to the Board of Health and the Chairmen of the House and  
264 Senate Public Health Committees the status of the project and all  
265 services provided.

266           **SECTION 16.** Of the funds appropriated herein, Eight  
267 Thousand Five Hundred Dollars (\$8,500.00) shall be provided to the



268 AIDS Services Coalition, Inc., for the purpose of providing  
269 housing assistance, outreach, prevention services and supportive  
270 services to persons infected with HIV. The AIDS Service  
271 Coalition, Inc. shall report by February 1, 2019, to the Board of  
272 Health and the Chairmen of the House and Senate Public Health  
273 Committees the status of the project and all services provided.

274 **SECTION 17.** Of the funds appropriated herein, the amounts of  
275 Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00)  
276 shall be allocated to the T.K. Martin Center at Mississippi State  
277 University and Ninety-four Thousand Three Hundred Thirty Dollars  
278 (\$94,330.00) shall be allocated to the Regional Rehabilitation  
279 Center in Tupelo for the Early Intervention Program and/or Child  
280 Therapeutic Services.

281 **SECTION 18.** Of the funds appropriated herein, Two Hundred  
282 Thousand Dollars (\$200,000.00) is provided for the Breast and  
283 Cervical Cancer Program.

284 **SECTION 19.** In addition to all other funds heretofore  
285 appropriated, the following sum, or so much thereof as may be  
286 necessary, is appropriated out of any money in the State Treasury  
287 to the credit of the Mississippi Burn Care Fund which is comprised  
288 of special source funds collected by or otherwise available to the  
289 department, for the purpose of funding reimbursement for  
290 uncompensated medical care to Mississippi burn victims through the  
291 trauma care system at in-state burn facilities including the  
292 Joseph M. Still Burn and Reconstruction Center at Merit Health



293 Central or for uncompensated aero medical transportation to  
294 out-of-state qualified United States Burn Care facilities, and  
295 such other provisions necessary to provide burn care for  
296 Mississippi residents, including reimbursement for travel,  
297 lodgings, meals and other reasonable travel-related expenses  
298 incurred by burn victims, family members and/or caregivers, for  
299 the fiscal year beginning July 1, 2018, and ending June 30, 2019..  
300 .....\$ 500,000.00.

301 **SECTION 20.** Of the funds appropriated in Section 19, the  
302 Mississippi Department of Health may provide upon mutual agreement  
303 Twenty-five Thousand Dollars (\$25,000.00) for the Mississippi  
304 Firefighters Memorial Burn Association. These funds are to be  
305 used for monetary support of Mississippi burn victims for travel  
306 and other expenses to the Joseph M. Still Burn Center in Georgia,  
307 or the Joseph M. Still Burn and Reconstruction Center at Merit  
308 Health Central.

309 **SECTION 21.** It is the intention of the Legislature that  
310 whenever two (2) or more bids are received by this agency for the  
311 purchase of commodities or equipment, and whenever all things  
312 stated in such received bids are equal with respect to price,  
313 quality and service, the Mississippi Industries for the Blind  
314 shall be given preference. A similar preference shall be given to  
315 the Mississippi Industries for the Blind whenever purchases are  
316 made without competitive bids.



317           **SECTION 22.** It is the intention of the Legislature that the  
318 Mississippi Department of Health shall implement same day service  
319 to receive birth and death certificates.

320           **SECTION 23.** It is the intention of the Legislature that the  
321 Mississippi State Department of Health shall provide the Joint  
322 Legislative Budget Committee a report of all grants received by  
323 September 15, 2018. This notification will consist of the name of  
324 the grant and agency or nonprofit making the award, the award  
325 amount, and a short list of goals to be achieved.

326           **SECTION 24.** It is the intention of the Legislature that the  
327 Mississippi State Department of Health shall be the fiscal agent  
328 in all allowable grants awarded.

329           **SECTION 25.** Of the funds appropriated in Section 2, Seven  
330 Hundred Thousand Dollars (\$700,000.00) shall come from the  
331 Department of Education for the purpose of maintenance of effort  
332 for the Early Intervention Program. These funds are to be  
333 transferred to the State Department of Health no later than  
334 December 31, 2018. The State Department of Health shall make a  
335 complete accounting of the uses of these funds to the Department  
336 of Education.

337           **SECTION 26.** In addition to all other funds appropriated  
338 herein, the following sum, or so much thereof as may be necessary,  
339 is appropriated out of any money in the State General Fund not  
340 otherwise appropriated, for the purpose of defraying the expenses



341 of the Mississippi Health Information Network for the fiscal year  
342 beginning July 1, 2018, and ending June 30, 2019.....  
343 .....\$ 499,114.00.

344 **SECTION 27.** In addition to all other funds herein  
345 appropriated, the following sum, or so much thereof as may be  
346 necessary, is appropriated out of any money in any special fund in  
347 the State Treasury to the credit of the Mississippi Health  
348 Information Network, for the purpose of defraying the expenses for  
349 the fiscal year beginning July 1, 2018, and ending June 30, 2019..  
350 .....\$ 3,408,969.00.

351 **SECTION 28.** Of the funds appropriated under the provisions  
352 of this section, the following positions are authorized:

353 AUTHORIZED POSITIONS:

354	Permanent:	Full Time.....	0
355		Part Time.....	0
356	Time-Limited:	Full Time.....	1
357		Part Time.....	0

358 The Mississippi Health Information Network is authorized to  
359 escalate federal funds and other special funds in accordance with  
360 the rules and regulations of the Department of Finance and  
361 Administration, in order to provide services prescribed by  
362 Sections 41-119-1 through 41-119-21, Mississippi Code of 1972.

363 **SECTION 29.** The Mississippi Department of Health is  
364 authorized to obtain a line of credit through the State Treasurer  
365 from the Working Cash-Stabilization Fund or any other special



366 source funds maintained in the State Treasury in an amount not  
367 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls  
368 which, from time to time, may occur due to insufficient working  
369 cash spent in anticipation of receiving federal reimbursement.  
370 The length of indebtedness under this provision shall not carry  
371 past the end of the quarter following the loan origination. Loan  
372 proceeds shall be received by the State Treasurer and shall be  
373 placed in a Mississippi Department of Health designated special  
374 fund account. The division may pledge as security for such  
375 interim financing future funds that will be received by the  
376 division. Any such loans shall be repaid from the first available  
377 funds received by the department in the manner of and subject to  
378 the same terms provided in this section.

379       **SECTION 30.** It is the intention of the Legislature that the  
380 funds herein appropriated shall be expended in compliance with  
381 Section 27-104-25, Mississippi Code of 1972, that no state agency  
382 shall incur obligations or indebtedness in excess of their  
383 appropriation and that the responsible officers, either personally  
384 or upon their official bonds, shall be held responsible for  
385 actions contrary to this provision.

386       **SECTION 31.** With the funds appropriated herein, it is the  
387 intention of the Legislature that the Mississippi Department of  
388 Health is authorized to set the compensation of all nurse PINs  
389 based on the education and experience of the incumbent not to  
390 exceed the end salary as established by the State Personnel Board.





391           **SECTION 32.** It is the intention of the Legislature that the  
392 State Health Officer shall have the authority to transfer cash  
393 from one special fund treasury fund to another special fund  
394 treasury fund under the control of the Department of Health. It  
395 is further the intention of the Legislature that the State Health  
396 Officer shall submit written justification for the transfer to the  
397 Legislative Budget Office and the Department of Finance and  
398 Administration on or before the fifteenth of the month prior to  
399 the effective date of the transfer.

400           **SECTION 33.** Of the funds appropriated in Section 1, it is the  
401 intention of the Legislature that Eight Hundred Fifty-nine  
402 Thousand Nine Hundred and Three Dollars (\$859,903.00) shall be  
403 allocated to the Domestic Violence program that is supported from  
404 General Fund court assessments.

405           **SECTION 34.** The money herein appropriated shall be paid by  
406 the State Treasurer out of any money in the State Treasury to the  
407 credit of the proper fund or funds as set forth in this act, upon  
408 warrants issued by the State Fiscal Officer; and the State Fiscal  
409 Officer shall issue his warrants upon requisitions signed by the  
410 proper person, officer or officers, in the manner provided by law.

411           **SECTION 35.** This act shall take effect and be in force from  
412 and after July 1, 2018.

