

By: Representatives Read, Huddleston, Arnold, Baria, Barton, Boyd, Brown, Cockerham, Denny, Hines, Holland, Ladner, Myers, Staples, Sullivan, Turner, Watson, Willis, Sykes, Dixon

To: Appropriations

HOUSE BILL NO. 1624
(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 2020.

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, 2019, and ending June 30,
10 2020.....\$ 3,405,584.00.

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..... | 27 |
| 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 2021 do not
21 exceed Fiscal Year 2020 funds appropriated for that purpose,
22 unless programs or positions are added to the agency's Fiscal Year
23 2020 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 2020
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 2020 "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 Funds are provided herein for all full-time employees to
41 receive up to a Three Percent (3%) pay increase to the realignment



42 component of the Variable Compensation Plan, excluding head of
43 agencies, board members and commission members.

44 Any transfers or escalations shall be made in accordance with
45 the terms, conditions and procedures established by law or
46 allowable under the terms set forth within this act. The State
47 Personnel Board shall not escalate positions without written
48 approval from the Department of Finance and Administration. The
49 Department of Finance and Administration shall not provide written
50 approval to escalate any funds for salaries and/or positions
51 without proof of availability of new or additional funds above the
52 appropriated level.

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56 act and which are withdrawn and no longer available.

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

61 **SECTION 3.** In compliance with the "Mississippi Performance
62 Budget and Strategic Planning Act of 1994," it is the intent of
63 the Legislature that the funds provided herein shall be utilized
64 in the most efficient and effective manner possible to achieve the
65 intended mission of this agency. Based on the funding authorized,



66 this agency shall make every effort to attain the targeted
67 performance measures provided below:

| 68 | | FY2020 |
|----|--|---------------|
| 69 | <u>Performance Measures</u> | <u>Target</u> |
| 70 | Licensure | |
| 71 | Licensees Who Renew Online (%) | 100.00 |
| 72 | Individual License Renewals Issued | |
| 73 | within Seven (7) Business Days (%) | 100.00 |
| 74 | Investigative | |
| 75 | Recidivism Rate for Those Receiving | |
| 76 | Disciplinary Actions (%) | 4.00 |
| 77 | Documented Complaints Received (Number of) | 300.00 |
| 78 | Percent of Documented Complaints | |
| 79 | Resolved within Seven (7) Business Days | 15.00 |

80 A reporting of the degree to which the performance targets
81 set above have been or are being achieved shall be provided in the
82 agency's budget request submitted to the Joint Legislative Budget
83 Committee for Fiscal Year 2021.

84 **SECTION 4.** It is the intention of the Legislature that the
85 State Board of Medical Licensure shall maintain complete
86 accounting and personnel records related to the expenditure of all
87 funds appropriated under this act and that such records shall be
88 in the same format and level of detail as maintained for Fiscal
89 Year 2019. It is further the intention of the Legislature that
90 the agency's budget request for Fiscal Year 2021 shall be



91 submitted to the Joint Legislative Budget Committee in a format
92 and level of detail comparable to the format and level of detail
93 provided during the Fiscal Year 2020 budget request process.

94 **SECTION 5.** It is the intention of the Legislature that
95 whenever two (2) or more bids are received by this agency for the
96 purchase of commodities or equipment, and whenever all things
97 stated in such received bids are equal with respect to price,
98 quality and service, the Mississippi Industries for the Blind
99 shall be given preference. A similar preference shall be given to
100 the Mississippi Industries for the Blind whenever purchases are
101 made without competitive bids.

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

109 **SECTION 7.** Of the funds provided under the provisions of
110 this act, an amount not to exceed Four Hundred Thousand Dollars
111 (\$400,000.00) is provided for the Mississippi Physician Health
112 Program.

113 **SECTION 8.** Of the funds provided under the provisions of
114 this act, an amount not to exceed One Hundred Thirty Thousand
115 Dollars (\$130,000.00) may be allocated to the Mississippi Board of



116 Pharmacy to defray the expense of the Mississippi Prescription
117 Monitoring Program.

118 **SECTION 9.** It is further the intention of the Legislature
119 that, for Fiscal Year 2020, the board shall be allowed to recover
120 all costs from a holder of a license who has been found by the
121 board in violation of statute after notice and a hearing as
122 provided by law. The expenses must be direct costs associated with
123 the investigation and conduct of a proceeding for licensure
124 revocation, suspension or restriction.

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

131 **SECTION 11.** This act shall take effect and be in force from
132 and after July 1, 2019.

