

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

To: Appropriations

HOUSE BILL NO. 1649  
(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 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 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, 2019, and ending June 30, 2020.....  
10 .....\$ 32,783,179.00.

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, 2019, and ending June 30, 2020.....  
18 .....\$ 347,526,435.00.



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,  
34 Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the  
35 Trauma Care System. Of the General Fund court assessments  
36 provided in Section 1, Seven Million Twenty-three Thousand One  
37 Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated  
38 for Trauma Care Systems and One Million Eight Hundred Five  
39 Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be  
40 allocated for Emergency Medical Services. All additional funds  
41 are appropriated in Section 2. The State Department of Health may  
42 transfer a portion of Trauma Care System funds to the Division of  
43 Medicaid 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 in Section 1, Five

89 Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars

90 (\$558,795.00) shall be allocated as follows:

91 Mississippi Health Care Alliance - ST

92 Elevated Myocardial Infarction

93 Program (STEMI).....\$ 139,700.00.



94 Mississippi Health Care Alliance for  
 95 the Stroke System of Care Plan.....\$ 139,700.00.  
 96 Mississippi Qualified Health Center  
 97 Grant Program.....\$ 55,880.00.  
 98 Mississippi Health Department Programs.....\$ 223,515.00

99 **SECTION 7.** Of the funds appropriated under the provisions of  
 100 this act, the following positions are authorized:

101 AUTHORIZED POSITIONS:

102	Permanent:	Full Time.....	1,072
103		Part Time.....	5
104	Time-Limited:	Full Time.....	932
105		Part Time.....	5

106 With the funds herein appropriated, it shall be the agency's  
 107 responsibility to make certain that funds required to be  
 108 appropriated for "Personal Services" for Fiscal Year 2021 do not  
 109 exceed Fiscal Year 2020 funds appropriated for that purpose,  
 110 unless programs or positions are added to the agency's Fiscal Year  
 111 2020 budget by the Mississippi Legislature. Based on data  
 112 provided by the Legislative Budget Office, the State Personnel  
 113 Board shall determine and publish the projected annual cost to  
 114 fully fund all appropriated positions in compliance with the  
 115 provisions of this act. It shall be the responsibility of the  
 116 agency head to ensure that no single personnel action increases  
 117 this projected annual cost and/or the Fiscal Year 2020  
 118 appropriations for "Personal Services" when annualized, with the



119 exception of escalated funds and the award of benchmarks. If, at  
120 the time the agency takes any action to change "Personal  
121 Services," the State Personnel Board determines that the agency  
122 has taken an action which would cause the agency to exceed this  
123 projected annual cost or the Fiscal Year 2020 "Personal Services"  
124 appropriated level, when annualized, then only those actions which  
125 reduce the projected annual cost and/or the appropriation  
126 requirement will be processed by the State Personnel Board until  
127 such time as the requirements of this provision are met.

128 Funds are provided herein for all full-time employees to  
129 receive up to a Three Percent (3%) pay increase to the realignment  
130 component of the Variable Compensation Plan, excluding head of  
131 agencies, board members and commission members.

132 Any transfers or escalations shall be made in accordance with  
133 the terms, conditions and procedures established by law or  
134 allowable under the terms set forth within this act. The State  
135 Personnel Board shall not escalate positions without written  
136 approval from the Department of Finance and Administration. The  
137 Department of Finance and Administration shall not provide written  
138 approval to escalate any funds for salaries and/or positions  
139 without proof of availability of new or additional funds above the  
140 appropriated level.

141 No general funds authorized to be expended herein shall be  
142 used to replace federal funds and/or other special funds which are



143 being used for salaries authorized under the provisions of this  
144 act and which are withdrawn and no longer available.

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

149 **SECTION 8.** It is the intention of the Legislature that the  
150 State Department of Health shall maintain complete accounting and  
151 personnel records related to the expenditure of all funds  
152 appropriated under this act and that such records shall be in the  
153 same format and level of detail as maintained for Fiscal Year  
154 2019. It is further the intention of the Legislature that the  
155 agency's budget request for Fiscal Year 2021 shall be submitted to  
156 the Joint Legislative Budget Committee in a format and level of  
157 detail comparable to the format and level of detail provided  
158 during the Fiscal Year 2020 budget request process.

159 **SECTION 9.** In compliance with the "Mississippi Performance  
160 Budget and Strategic Planning Act of 1994," it is the intent of  
161 the Legislature that the funds provided herein shall be utilized  
162 in the most efficient and effective manner possible to achieve the  
163 intended mission of this agency. Based on the funding authorized,  
164 this agency shall make every effort to attain the targeted  
165 performance measures provided below:

166		FY2020
167	<u>Performance Measures</u>	<u>Target</u>



168	Health Services	
169	State infant mortality rate (per 1,000	
170	live births)	8.90
171	Percentage of women who received	
172	prenatal care in first trimester	75.60
173	Percentage of live births delivered	
174	prior to 37 weeks of gestation	13.80
175	Teenage birth rate age 15-19 years (live	
176	births per 1,000 women age 15-19)	27.40
177	Percentage of newborns with positive and	
178	inconclusive genetic screens who	
179	received recommended follow-up	100.00
180	Percentage of adults who are obese (Body	
181	Mass Index of 30 or more, regardless of	
182	sex)	40.20
183	Health Protection	
184	Percentage of Mississippi population	
185	receiving water from a public water	
186	supply	93.00
187	Percentage of Mississippi population	
188	receiving optimally fluoridated water	57.00
189	Transfer time of Level III and IV trauma	
190	centers to appropriate facilities for	
191	treatment (minutes)	114.00
192	Communicable Disease	





193	Primary and Secondary Syphilis: Case	
194	rate per 100,000	11.70
195	Tuberculosis: Number of cases	70.00
196	Tuberculosis: Case rate per 100,000	2.35
197	HIV Disease: Number of cases	425.00
198	HIV Disease: Case rate per 100,000	14.20
199	Rate of two year old children fully	
200	immunized (National Immunization Survey:	
201	4:3:1:3:3:1:4 series - 19 to 35 months)	77.00
202	Tobacco Control	
203	Percentage of current smokers among	
204	public middle school students	1.20
205	Percentage of current smokers among	
206	public high school students	6.80
207	Percentage of current smokers among	
208	adults 18 years and older	21.40
209	Public Health Emerg Prep/Resp	
210	Time required for command staff to	
211	report to Emergency Operations Center in	
212	response to a national or man-made	
213	disaster (minutes)	20.00
214	Admin & Support Services	
215	Percentage of Mississippi population	
216	living in an area designated as a Health	
217	Professional Shortage Area: Primary	



218	Care	59.00
219	Percentage of Mississippi population	
220	living in an area designated as a Health	
221	Professional Shortage Area: Dental	54.00
222	Percentage of Mississippi population	
223	living in an area designated as a Health	
224	Professional Shortage Area: Mental	
225	Health	76.00

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

230 **SECTION 10.** It is the intention of the Legislature that with  
231 the funds provided herein, the State Department of Health may  
232 provide and administer without charge, Hepatitis B vaccinations to  
233 Emergency Medical Services (EMS) personnel who are in need of such  
234 vaccinations through job related exposure.

235 **SECTION 11.** In addition to all other sums heretofore  
236 appropriated, the following sum, or so much thereof as may be  
237 necessary, is appropriated out of any money in the State Treasury  
238 to the credit of the Local Governments and Rural Water Systems  
239 Emergency Loan Fund, and the Local Governments and Rural Water  
240 System Improvements Revolving Loan Fund as authorized in Chapter  
241 521, Laws of 1995, to the State Department of Health for the  
242 purpose of defraying the expenses of the Local Governments and



243 Rural Water Systems Improvements Board, for the fiscal year  
244 beginning July 1, 2019, and ending June 30, 2020.....  
245 .....\$ 35,016,019.00.

246 **SECTION 12.** Of the funds appropriated in Section 2, One  
247 Million Dollars (\$1,000,000.00) shall come from the Department of  
248 Human Services, Child Care Development Fund or other appropriate  
249 special funds for the purpose of child care licensure. These  
250 funds are to be transferred to the State Department of Health no  
251 later than July 31, 2019. The State Department of Health shall  
252 make a complete accounting of the uses of these funds to the  
253 Department of Human Services.

254 **SECTION 13.** It is the intention of the Legislature that the  
255 State Department of Health shall expend not more than Fifty  
256 Thousand Dollars (\$50,000.00) of the funds appropriated herein for  
257 providing the oil known as "Lorenzo's Oil" for the treatment of  
258 the genetic disorder adrenoleukodystrophy (ALD), to children and  
259 Mississippi residents over the age of twenty-one (21) who have the  
260 genetic disorder adrenoleukodystrophy and for whom Medicaid does  
261 not reimburse the cost of providing the oil. The department may  
262 also provide needed pathology and biannual MRI exams.

263 **SECTION 14.** Of the funds appropriated in Section 1, Seven  
264 Hundred Thousand Dollars (\$700,000.00) are provided for the  
265 purpose of purchasing AIDS drugs and other necessary AIDS related  
266 medical services.



267           **SECTION 15.** Of the funds appropriated herein, Twenty-one  
268 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
269 to the Southern AIDS Commission, Inc., for the purpose of  
270 providing technical assistance, and providing for the expansion of  
271 education on causes and prevention of HIV/AIDS, and providing  
272 delivery services to persons infected with HIV. The Southern AIDS  
273 Commission, Inc., shall report by February 1, 2020, to the Board  
274 of Health and the Chairmen of the House and Senate Public Health  
275 Committees the status of the project and all services provided.

276           **SECTION 16.** Of the funds appropriated herein, Twenty-one  
277 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
278 to the North Mississippi Health Care Foundation Restricted Fund,  
279 for the purpose of providing technical assistance, providing for  
280 the expansion of education on causes and prevention of HIV/AIDS,  
281 and providing delivery services to persons infected with HIV. The  
282 North Mississippi Health Care Foundation shall report by February  
283 1, 2020, to the Board of Health and the Chairmen of the House and  
284 Senate Public Health Committees the status of the project and all  
285 services provided.

286           **SECTION 17.** Of the funds appropriated herein, Eight Thousand  
287 Five Hundred Dollars (\$8,500.00) shall be provided to the AIDS  
288 Services Coalition, Inc., for the purpose of providing housing  
289 assistance, outreach, prevention services and supportive services  
290 to persons infected with HIV. The AIDS Service Coalition, Inc.,  
291 shall report by February 1, 2020, to the Board of Health and the



292 Chairmen of the House and Senate Public Health Committees the  
293 status of the project and all services provided.

294       **SECTION 18.** Of the funds appropriated herein, the amounts of  
295 Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00)  
296 shall be allocated to the T.K. Martin Center at Mississippi State  
297 University and Ninety-four Thousand Three Hundred Thirty Dollars  
298 (\$94,330.00) shall be allocated to the Regional Rehabilitation  
299 Center in Tupelo for the Early Intervention Program and/or Child  
300 Therapeutic Services.

301       **SECTION 19.** Of the funds appropriated herein, Two Hundred  
302 Thousand Dollars (\$200,000.00) is provided for the Breast and  
303 Cervical Cancer Program.

304       **SECTION 20.** In addition to all other funds heretofore  
305 appropriated, the following sum, or so much thereof as may be  
306 necessary, is appropriated out of any money in the State Treasury  
307 to the credit of the Mississippi Burn Care Fund which is comprised  
308 of special source funds collected by or otherwise available to the  
309 department, for the purpose of funding reimbursement for  
310 uncompensated medical care to Mississippi burn victims through the  
311 trauma care system at in-state burn facilities including the  
312 Joseph M. Still Burn and Reconstruction Center at Merit Health  
313 Central or for uncompensated aero medical transportation to  
314 out-of-state qualified United States Burn Care facilities, and  
315 such other provisions necessary to provide burn care for  
316 Mississippi residents, including reimbursement for travel,



317 lodgings, meals and other reasonable travel-related expenses  
318 incurred by burn victims, family members and/or caregivers, for  
319 the fiscal year beginning July 1, 2019, and ending June 30, 2020..  
320 .....\$ 500,000.00.

321 **SECTION 21.** Of the funds appropriated in Section 20, the  
322 Mississippi Department of Health may provide upon mutual agreement  
323 Twenty-five Thousand Dollars (\$25,000.00) for the Mississippi  
324 Firefighters Memorial Burn Association. These funds are to be  
325 used for monetary support of Mississippi burn victims for travel  
326 and other expenses to the Joseph M. Still Burn Center in Georgia,  
327 or the Joseph M. Still Burn and Reconstruction Center at Merit  
328 Health Central.

329 **SECTION 22.** It is the intention of the Legislature that  
330 whenever two (2) or more bids are received by this agency for the  
331 purchase of commodities or equipment, and whenever all things  
332 stated in such received bids are equal with respect to price,  
333 quality and service, the Mississippi Industries for the Blind  
334 shall be given preference. A similar preference shall be given to  
335 the Mississippi Industries for the Blind whenever purchases are  
336 made without competitive bids.

337 **SECTION 23.** It is the intention of the Legislature that the  
338 Mississippi Department of Health shall implement same day service  
339 to receive birth and death certificates.

340 **SECTION 24.** It is the intention of the Legislature that the  
341 Mississippi State Department of Health shall provide the Joint



342 Legislative Budget Committee a report of all grants received by  
343 September 15, 2019. This notification will consist of the name of  
344 the grant and agency or nonprofit making the award, the award  
345 amount, and a short list of goals to be achieved.

346 **SECTION 25.** It is the intention of the Legislature that the  
347 Mississippi State Department of Health shall be the fiscal agent  
348 in all allowable grants awarded.

349 **SECTION 26.** Of the funds appropriated in Section 2, Seven  
350 Hundred Thousand Dollars (\$700,000.00) shall come from the  
351 Department of Education for the purpose of maintenance of effort  
352 for the Early Intervention Program. These funds are to be  
353 transferred to the State Department of Health no later than  
354 December 31, 2019. The State Department of Health shall make a  
355 complete accounting of the uses of these funds to the Department  
356 of Education.

357 **SECTION 27.** The Mississippi Department of Health is  
358 authorized to obtain a line of credit through the State Treasurer  
359 from the Working Cash-Stabilization Fund or any other special  
360 source funds maintained in the State Treasury in an amount not  
361 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls  
362 which, from time to time, may occur due to insufficient working  
363 cash spent in anticipation of receiving federal reimbursement.  
364 The length of indebtedness under this provision shall not carry  
365 past the end of the quarter following the loan origination. Loan  
366 proceeds shall be received by the State Treasurer and shall be



367 placed in a Mississippi Department of Health designated special  
368 fund account. The division may pledge as security for such  
369 interim financing future funds that will be received by the  
370 division. Any such loans shall be repaid from the first available  
371 funds received by the department in the manner of and subject to  
372 the same terms provided in this section.

373 **SECTION 28.** It is the intention of the Legislature that the  
374 funds herein appropriated shall be expended in compliance with  
375 Section 27-104-25, Mississippi Code of 1972, that no state agency  
376 shall incur obligations or indebtedness in excess of their  
377 appropriation and that the responsible officers, either personally  
378 or upon their official bonds, shall be held responsible for  
379 actions contrary to this provision.

380 **SECTION 29.** With the funds appropriated herein, it is the  
381 intention of the Legislature that the Mississippi Department of  
382 Health is authorized to set the compensation of all nurse PINs  
383 based on the education and experience of the incumbent not to  
384 exceed the end salary as established by the State Personnel Board.

385 **SECTION 30.** It is the intent of the Legislature that the  
386 Chairman of the Board of Health may appoint an official  
387 replacement or representative with voting privileges to the  
388 Advisory Board of the Office of Mississippi Physician Workforce.

389 **SECTION 31.** It is the intention of the Legislature that the  
390 State Health Officer shall have the authority to transfer cash  
391 from one special fund treasury fund to another special fund





392 treasury fund under the control of the Department of Health. It  
393 is further the intention of the Legislature that the State Health  
394 Officer shall submit written justification for the transfer to the  
395 Legislative Budget Office and the Department of Finance and  
396 Administration on or before the fifteenth of the month prior to  
397 the effective date of the transfer.

398       **SECTION 32.** Of the funds appropriated in Section 1, it is  
399 the intention of the Legislature that Eight Hundred Fifty-nine  
400 Thousand Nine Hundred Three Dollars (\$859,903.00) shall be  
401 allocated to the Domestic Violence program that is supported from  
402 General Fund court assessments.

403       **SECTION 33.** The money herein appropriated shall be paid by  
404 the State Treasurer out of any money in the State Treasury to the  
405 credit of the proper fund or funds as set forth in this act, upon  
406 warrants issued by the State Fiscal Officer; and the State Fiscal  
407 Officer shall issue his warrants upon requisitions signed by the  
408 proper person, officer or officers, in the manner provided by law.

409       **SECTION 34.** This act shall take effect and be in force from  
410 and after July 1, 2019.

