

House Amendments to Senate Bill No. 3026

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the purpose of
7 defraying the expenses incurred by the Mississippi Workers'
8 Compensation Commission for the fiscal year beginning
9 July 1, 2019, and ending June 30, 2020.....\$ 5,357,397.00.

10 **SECTION 2.** With the funds appropriated herein, the following
11 positions are authorized:

12 AUTHORIZED POSITIONS:

13	Permanent:	Full Time.....	56
14		Part Time.....	0
15	Time-Limited:	Full Time.....	0
16		Part Time.....	0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required to be
19 appropriated for "Personal Services" for Fiscal Year 2021 do not
20 exceed Fiscal Year 2020 funds appropriated for that purpose,

21 unless programs or positions are added to the agency's Fiscal Year
22 2020 budget by the Mississippi Legislature. Based on data
23 provided by the Legislative Budget Office, the State Personnel
24 Board shall determine and publish the projected annual cost to
25 fully fund all appropriated positions in compliance with the
26 provisions of this act. It shall be the responsibility of the
27 agency head to ensure that no single personnel action increases
28 this projected annual cost and/or the Fiscal Year 2020
29 appropriations for "Personal Services" when annualized, with the
30 exception of escalated funds and the award of benchmarks. If, at
31 the time the agency takes any action to change "Personal
32 Services," the State Personnel Board determines that the agency
33 has taken an action which would cause the agency to exceed this
34 projected annual cost or the Fiscal Year 2020 "Personal Services"
35 appropriated level, when annualized, then only those actions which
36 reduce the projected annual cost and/or the appropriation
37 requirement will be processed by the State Personnel Board until
38 such time as the requirements of this provision are met.

39 Any transfers or escalations shall be made in accordance with
40 the terms, conditions and procedures established by law or
41 allowable under the terms set forth within this act. The State
42 Personnel Board shall not escalate positions without written
43 approval from the Department of Finance and Administration. The
44 Department of Finance and Administration shall not provide written
45 approval to escalate any funds for salaries and/or positions

46 without proof of availability of new or additional funds above the
47 appropriated level.

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

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

56 **SECTION 3.** It is the intention of the Legislature that with
57 the funds appropriated in Section 1, the Mississippi Workers'
58 Compensation Commission shall enter into a contract with the
59 industrial private sector for the purpose of implementing a safety
60 education and training program.

61 **SECTION 4.** 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	Adjudication	

71 Cases Resolved at the Administrative or

72	Commission Level Within 3 Mths (Number	
73	of)	900
74	Cases Resolved at the Administrative or	
75	Commission Level Within 6 Mths (Number	
76	of)	900
77	Cases Resolved at the Administrative or	
78	Commission Level Within 9 Mths (Number	
79	of)	900
80	Cases Resolved at the Administrative or	
81	Commission Level Within 12 Mths (Number	
82	of)	900
83	Self-insurance	
84	Percentage of Individual Self-Insurers	
85	Reviewed in the Past Fiscal Year (%)	34.00
86	Percentage of Individual Self-Insurer	
87	Reviews Conducted in the Past Fiscal	
88	Year Showing that Reserves are	
89	Insufficient to Cover Claims (%)	7.00
90	Percentage of Self-Insurance Groups	
91	Reviewed in the Past Fiscal Year (%)	100.00
92	Percentage of Self-Insurance Group	
93	Reviews Conducted in the Past Fiscal	
94	Year Showing that Reserves are	
95	Insufficient to Cover Claims (%)	0.00
96	Medical Cost Containment	
97	Fee Schedule Adjustments (Cost in Millions)	30.00

98 Medical Cost Savings to Payers (as a %
99 of Total Billings) 46.00

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

104 **SECTION 5.** It is the intention of the Legislature that
105 whenever two (2) or more bids are received by this agency for the
106 purchase of commodities or equipment, and whenever all things
107 stated in such received bids are equal with respect to price,
108 quality and service, the Mississippi Industries for the Blind
109 shall be given preference. A similar preference shall be given to
110 the Mississippi Industries for the Blind whenever purchases are
111 made without competitive bids.

112 **SECTION 6.** It is the intention of the Legislature that the
113 salary of the Workers' Compensation Commission members shall be
114 equal and the salary of the Commission Chairman shall exceed these
115 salaries as approved by the State Personnel Board.

116 **SECTION 7.** The following sum, or so much thereof as may be
117 necessary, is hereby appropriated out of any money in the State
118 Treasury to the credit of the Second Injury Fund (Fund Number
119 3352300000) for the purpose of making payments under the
120 provisions of Section 71-3-73, Mississippi Code of 1972, for the
121 fiscal year beginning July 1, 2019, and ending June 30, 2020.....
122\$ 200,000.00.

123 **SECTION 8.** It is the intention of the Legislature that the
124 funds herein appropriated shall be expended in compliance with
125 Section 27-104-25, Mississippi Code of 1972, that no state agency
126 shall incur obligations or indebtedness in excess of their
127 appropriation and that the responsible officers, either personally
128 or upon their official bonds, shall be held responsible for
129 actions contrary to this provision.

130 **SECTION 9.** The money herein appropriated shall be paid by
131 the State Treasurer out of any money in the State Treasury to the
132 credit of the proper fund or funds as set forth in this act, upon
133 warrants issued by the State Fiscal Officer; and the State Fiscal
134 Officer shall issue his warrants upon requisitions signed by the
135 proper person, officer or officers, in the manner provided by law.

136 **SECTION 10.** This act shall take effect and be in force from
137 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3026A.J

Andrew Ketchings
Clerk of the House of Representatives