

**House Amendments to Senate Bill No. 3027**

**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 support and  
7 maintenance of the Department of Mental Health for the fiscal year  
8 beginning July 1, 2019, and ending June 30, 2020.....  
9 .....\$     209,249,071.00.

10           **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby authorized for expenditure out of any special  
12 source funds which are collected by or otherwise become available  
13 for the support and maintenance of the Department of Mental Health  
14 for the fiscal year beginning July 1, 2019, and ending  
15 June 30, 2020.....\$     379,323,354.00.

16           **SECTION 3.** Of the funds appropriated under the provisions of  
17 Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight  
18 Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from  
19 the Health Care Expendable Fund created in Section 43-13-407,  
20 Mississippi Code of 1972, for the support and maintenance of the

21 Department of Mental Health. The funds provided for in this  
22 section shall be allocated as follows:

23	\$ 9,259,790.00	Expenses of the Department of Mental
24		Health.
25	\$ 379,417.00	Alzheimer's disease services development
26		and implementation of Senate Bill No.
27		2100, 1997 Regular Session.
28	\$ 3,896,641.00	Medicaid matching funds.
29	\$ 252,944.00	Psychotropic drugs or Medicaid match.
30	\$ 505,890.00	Alzheimer's Disease Program, prepayment
31		to Medicaid, etc.
32	\$ 2,727,792.00	Holding centers, group homes, substance
33		abuse programs, Children's Programs,
34		Prepayment of Medicaid, etc.
35	\$ 636,374.00	Crisis Centers
36	\$ 1,138,252.00	Physician services at community mental
37		health centers.
38	\$ 50,590.00	Grant for Epilepsy Foundation of
39		Mississippi or Medicaid match.
40	<u>\$ 104,196.00</u>	Specialized Treatment Facility.
41	\$ 18,951,886.00	TOTAL

42 **SECTION 4.** Of the funds appropriated under the provisions of  
43 Sections 1 and 2 of this act, the following positions are  
44 authorized:

45 AUTHORIZED POSITIONS:

46 Permanent: Full Time..... 7,112

47	Part Time.....	40
48	Time-Limited: Full Time.....	600
49	Part Time.....	18

50 With the funds herein appropriated, it shall be the agency's  
51 responsibility to make certain that funds required to be  
52 appropriated for "Personal Services" for Fiscal Year 2021 do not  
53 exceed Fiscal Year 2020 funds appropriated for that purpose,  
54 unless programs or positions are added to the agency's Fiscal Year  
55 2020 budget by the Mississippi Legislature. Based on data  
56 provided by the Legislative Budget Office, the State Personnel  
57 Board shall determine and publish the projected annual cost to  
58 fully fund all appropriated positions in compliance with the  
59 provisions of this act. It shall be the responsibility of the  
60 agency head to ensure that no single personnel action increases  
61 this projected annual cost and/or the Fiscal Year 2020  
62 appropriations for "Personal Services" when annualized, with the  
63 exception of escalated funds and the award of benchmarks. If, at  
64 the time the agency takes any action to change "Personal  
65 Services," the State Personnel Board determines that the agency  
66 has taken an action which would cause the agency to exceed this  
67 projected annual cost or the Fiscal Year 2020 "Personal Services"  
68 appropriated level, when annualized, then only those actions which  
69 reduce the projected annual cost and/or the appropriation  
70 requirement will be processed by the State Personnel Board until  
71 such time as the requirements of this provision are met.

72 Any transfers or escalations shall be made in accordance with  
73 the terms, conditions and procedures established by law or  
74 allowable under the terms set forth within this act. The State  
75 Personnel Board shall not escalate positions without written  
76 approval from the Department of Finance and Administration. The  
77 Department of Finance and Administration shall not provide written  
78 approval to escalate any funds for salaries and/or positions  
79 without proof of availability of new or additional funds above the  
80 appropriated level.

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

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

89 **SECTION 5.** In compliance with the "Mississippi Performance  
90 Budget and Strategic Planning Act of 1994," it is the intent of  
91 the Legislature that the funds provided herein shall be utilized  
92 in the most efficient and effective manner possible to achieve the  
93 intended mission of this agency. Based on the funding authorized,  
94 this agency shall make every effort to attain the targeted  
95 performance measures provided below:

96		FY2020
97	<u>Performance Measures</u>	<u>Target</u>

98	Services Management	
99	Number of on-site reviews conducted by	
100	the Division of Audit	73.00
101	Number of on-site reviews conducted for	
102	DMH certified provider agencies	210.00
103	Mental Health Services	
104	Percentage of population lacking access	
105	to community-based mental health care	35.00
106	Percentage of DMH clients served in the	
107	community versus in an institutional	
108	setting	96.00
109	Increase by at least 25% the utilization	
110	of alternative placement/treatment	
111	options for individuals who have had	
112	multiple hospitalizations and do not	
113	respond to traditional treatment	25.00
114	Number served by PACT Teams	450.00
115	Number of individuals employed through	
116	supported employment	350.00
117	Increase access to crisis services by	
118	tracking the number of calls to Mobile	
119	Crisis Response Teams	28,000.00
120	Number referred from Mobile Crisis	
121	Response Teams to a Community Mental	
122	Health Center and scheduled an	
123	appointment	9,700.00

124	Number diverted from a more restrictive	
125	environment due to Mobile Crisis	
126	Response Teams	22,000.00
127	Increase the number of Certified Peer	
128	Support Specialists in the State	325.00
129	Idd Services	
130	Number of individuals on planning list	
131	for home and community-based services	2,358.00
132	Percentage of DMH institutionalized	
133	clients who could be served in the	
134	community	79.00
135	Percentage of DMH clients served in the	
136	community versus in an institutional	
137	setting	81.70
138	Number of people added from planning	
139	list to ID/DD Waiver services	100.00
140	Children & Youth Services	
141	Percentage of children with serious	
142	mental illness served by local	
143	Multidisciplinary Assessment and	
144	Planning (MAP) teams	3.50
145	Number served by MAP teams	915.00
146	Number of children and youth that are	
147	served by Wraparound Facilitation	1,464.00
148	3% Alcohol Tax-alcohol/Drug Prg	
149	Number of residential beds made	

150	available statewide due to the Three	
151	Percent Tax supplements	248.00
152	Number receiving residential substance	
153	use disorder treatment	430.00
154	Crisis Stabilization Units	
155	Average length of time from mental	
156	health crisis to receipt of community	
157	mental health crisis service	1.50
158	Percentage of people receiving mental	
159	health crisis services who were treated	
160	at community mental health centers vs.	
161	institutions	92.50
162	Diversion rate of admissions to state	
163	hospitals (% of people)	92.50
164	Number of involuntary admissions	1,175.00
165	Number of voluntary admissions	1,475.00
166	Mi - Institutional Care	
167	Number served adult acute psychiatric	2,160.00
168	Maintain readmission rates within	
169	national trends (%)	5.40
170	Mi - Pre/post Inst Care (Comm Svs)	
171	Total individuals Served	235.00
172	Mi - Support Services	
173	Support as an overall percent of total	
174	budget	6.00
175	Idd - Institutional Care	

176	Number of people served in residential	
177	IID programs.	889.00
178	Number of people transitioned from	
179	facility to ICF/IID community home	37.00
180	Idd - Group Homes	
181	Number of people served in the 10-bed	
182	ICF/IID community homes	596.00
183	Percentage of people served in the	
184	community versus in an institutional	
185	setting	83.70
186	Idd - Community Programs	
187	Number of people added from planning	
188	list to ID/DD Waiver Services	100.00
189	Number of people enrolled in the 1915i	1,150.00
190	Idd - Support Services	
191	Support as a percentage of total budget	3.60
192	A reporting of the degree to which the performance targets	
193	set above have been or are being achieved shall be provided in the	
194	agency's budget request submitted to the Joint Legislative Budget	
195	Committee for Fiscal Year 2021.	

196       **SECTION 6.** The Department of Mental Health and its  
197 facilities shall have the authority, within funding and spending  
198 authority appropriated under the provisions of this act to  
199 transfer funds to the Division of Medicaid in payment of Medicaid  
200 match and designate that the funds thus transferred shall be



201 applied to Medicaid match obligations arising in the subsequent  
202 fiscal year.

203         **SECTION 7.** Any person within the Department of Mental Health  
204 who must work on a statutory holiday or any holiday proclaimed by  
205 the Governor may, at the discretion of the Director of the  
206 Institution and the Executive Director of the Department of Mental  
207 Health and within available personnel funds, be paid "call-back  
208 pay" in lieu of "compensatory time credit."

209         **SECTION 8.** Of the funds appropriated to the "Service  
210 Budget," funds are included for the support of community mental  
211 health services for Fiscal Year 2020.

212         Provided, however, that none of the funds appropriated for  
213 the support of community mental health services shall be made  
214 available to any Regional Mental Health/Intellectual Disability  
215 Center which does not receive from each of its participating  
216 counties a dollar amount equivalent to what the proceeds of a  
217 three-fourths (3/4) mill tax on all taxable property in the county  
218 in Fiscal Year 1982 would have been or the amount of funds  
219 contributed to the center by the county in Fiscal Year 1984,  
220 whichever shall be greater. By means of performance contracts,  
221 the Department of Mental Health shall disburse the funds  
222 appropriated in this section for services for the mentally ill,  
223 intellectually disabled and alcohol/drug abusers. The State Board  
224 of Mental Health and the Department of Mental Health shall be  
225 responsible for selecting the types of services which shall be  
226 provided with the funds appropriated in this section, for

227 developing and monitoring performance contracts and for holding  
228 contractors accountable for utilization of funds.

229         **SECTION 9.** Ellisville State School is authorized to draw up  
230 to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest  
231 earned on funds invested in Ellisville State School Client's Trust  
232 Fund for the purpose of supplementing the cost related to  
233 supplies, property, and equipment in direct care.

234         **SECTION 10.** The Department of Mental Health and its  
235 facilities shall have the express legal authority, within funding  
236 and spending authority appropriated under the provisions of this  
237 act to purchase land for use by residential facilities operated by  
238 the department, either directly or by means of transferring funds  
239 to the Bureau of Building, Grounds and Real Property Management,  
240 and to transfer such funds to the Bureau of Building, Grounds, and  
241 Real Property Management for the purposes of constructing and  
242 equipping group homes for persons with mental illness,  
243 intellectual disability, and/or substance abuse; constructing and  
244 equipping such other buildings as may be required for treatment of  
245 persons with mental illness, intellectual disability, and/or  
246 substance abuse; repair and renovate existing buildings; and to  
247 construct, repair and/or renovate employee housing. Any  
248 intermediate care facilities for individuals with intellectual  
249 disabilities (ICF/IID) constructed with funds authorized in this  
250 section shall be authorized to participate in Medicaid funding  
251 available for such services.

252           **SECTION 11.** It is the intention of the Legislature that the  
253 Department of Mental Health shall maintain complete accounting and  
254 personnel records related to the expenditure of all funds  
255 appropriated under this act and that such records shall be in the  
256 same format and level of detail as maintained for Fiscal Year  
257 2019. It is further the intention of the Legislature that the  
258 agency's budget request for Fiscal Year 2021 shall be submitted to  
259 the Joint Legislative Budget Committee in a format and level of  
260 detail comparable to the format and level of detail provided  
261 during the Fiscal Year 2020 budget request process.

262           **SECTION 12.** It is the intention of the Legislature that none  
263 of the funds provided herein shall be used to pay certain  
264 utilities for state-furnished housing for any employees. Such  
265 utilities shall include electricity, natural gas, butane, propane,  
266 cable and phone services. Where actual cost cannot be determined,  
267 the agency shall be required to provide meters to be in compliance  
268 with legislative intent. Such state-furnished housing shall  
269 include single-family and multifamily residences but shall not  
270 include any dormitory residences. Allowances for such utilities  
271 shall be prohibited.

272           **SECTION 13.** It is the intention of the Legislature that the  
273 Executive Director of the Department of Mental Health shall have  
274 authority to transfer cash from one special fund treasury fund to  
275 another special fund treasury fund under the control of the  
276 Department of Mental Health. The purpose of this authority is to  
277 more efficiently use available cash reserves. It is further the

278 intention of the Legislature that the Executive Director of the  
279 Department of Mental Health shall submit written justification for  
280 the transfer to the Legislative Budget Office and the Department  
281 of Finance and Administration. None of the funds transferred with  
282 this section may be transferred to the Central Office for Personal  
283 Services.

284       **SECTION 14.** Of the funds appropriated under the provisions  
285 of this act, Sixteen Million One Hundred Thousand Dollars  
286 (\$16,100,000.00) is provided to the Department of Mental Health to  
287 expand those community-based services that will improve the State  
288 of Mississippi's compliance with the Olmstead decision of the  
289 United States Supreme Court. Further, it is the intention of the  
290 Legislature that the Department of Mental Health shall have the  
291 authority to transfer such sums from this source as are necessary  
292 to implement or improve those community services that are more  
293 appropriately addressed by the Mississippi Department of Education  
294 and/or the Mississippi Department of Rehabilitation Services to  
295 those agencies for that purpose. Further, it is the intention of  
296 the Legislature that any sums received from this source that are  
297 not expended during the fiscal year ending June 30, 2020, by the  
298 Mississippi Department of Mental Health shall be reappropriated  
299 for the same purpose during the fiscal year ending June 30, 2021.  
300 Further, it is the intention of the Legislature that the  
301 Department of Mental Health shall account for the expenditure of  
302 these funds in sufficient detail to clearly show the purposes for  
303 which such funds were expended. The Executive Director of the

304 Department of Mental Health shall report any such reappropriation  
305 to the Legislative Budget Office no later than fifteen (15) days  
306 after the effective date of the reappropriation.

307         **SECTION 15.** Of the funds appropriated in this act, the  
308 Department of Mental Health, with approval by the board, may  
309 contract with a Community Mental Health Center, or suitable  
310 entities, for the purpose of operating the Crisis Intervention  
311 Center at Grenada.

312         Of the funds appropriated in this act, the Department of  
313 Mental Health, with approval by the board, may contract with a  
314 community health center to allow Region 14 to be served at the  
315 Crisis Stabilization Unit at Gulfport.

316         The Department of Mental Health, with approval by the board,  
317 may also contract with suitable entities for the purpose of  
318 operating the crisis intervention centers in Batesville,  
319 Brookhaven, Cleveland, Corinth, Laurel and Newton. The department  
320 shall provide quarterly progress reports on the operation of the  
321 crisis intervention centers to the Chairmen of the Senate and  
322 House Public Health and Appropriations Committees.

323         **SECTION 16.** It is the intention of the Legislature that  
324 whenever two (2) or more bids are received by this agency for the  
325 purchase of commodities or equipment, and whenever all things  
326 stated in such received bids are equal with respect to price,  
327 quality and service, the Mississippi Industries for the Blind  
328 shall be given preference. A similar preference shall be given to

329 the Mississippi Industries for the Blind whenever purchases are  
330 made without competitive bids.

331         **SECTION 17.** The Department of Finance and Administration  
332 (DFA) shall transfer funds back to the Department of Mental  
333 Health, upon the request of the Department of Mental Health, where  
334 the funds received by DFA from the Department of Mental Health  
335 were special funds (neither general funds or bond funds) and where  
336 those funds are not required for the payment of costs already  
337 incurred on a building or repair project. For the purposes of  
338 this section, the term "special funds" includes any state source  
339 special funds including, but not limited to, funds from the Health  
340 Care Expendable Fund. The duty of DFA to transfer funds back to  
341 the Department of Mental Health under this section applies to any  
342 funds described in this section that were transferred to DFA,  
343 regardless of the year that the transfer was made by the  
344 Department of Mental Health.

345         **SECTION 18.** It is the intention of the Legislature that the  
346 Department of Mental Health may provide, upon the availability of  
347 funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope  
348 Village for Children Program.

349         **SECTION 19.** None of the funds provided in Section 1, 2, or 3  
350 of this act shall be used to pay Medicaid match for the fourteen  
351 (14) Community Mental Health Centers.

352         **SECTION 20.** Of the funds appropriated under the provisions  
353 of this act, an amount not to exceed Two Hundred Fifty Thousand

354 Dollars (\$250,000.00) is provided for community-based mental  
355 health services for juveniles in detention.

356         **SECTION 21.** Of the funds appropriated in Section 1, it is  
357 the intention of the Legislature that Three Million Nine Hundred  
358 Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be  
359 allocated to the Crisis Intervention Mental Health Fund supported  
360 by General Fund court assessments.

361         **SECTION 22.** Of the funds appropriated in this act, the  
362 Department of Mental Health shall fund four (4) Programs of  
363 Assertive Community Treatment (PACT) Teams and provide supportive  
364 employment for individuals with intellectual and developmental  
365 disabilities.

366         **SECTION 23.** The money herein appropriated shall be paid by  
367 the State Treasurer out of any money in the State Treasury to the  
368 credit of the proper fund or funds as set forth in this act, upon  
369 warrants issued by the State Fiscal Officer; and the State Fiscal  
370 Officer shall issue his warrants upon requisitions signed by the  
371 proper person, officer or officers in the manner provided by law.

372         **SECTION 24.** This act shall take effect and be in force from  
373 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3027A.J

Andrew Ketchings  
Clerk of the House of Representatives