

Senate Amendments to House Bill No. 1649

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

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\$ 31,856,335.00.

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\$ 310,534,287.00.

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.....	1,072
92	Part Time.....	5
93 Time-Limited:	Full Time.....	932
94	Part Time.....	5

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 2021 do not
98 exceed Fiscal Year 2020 funds appropriated for that purpose,

99 unless programs or positions are added to the agency's Fiscal Year
100 2020 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 2020
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 2020 "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 2019. It is further the intention of the Legislature that the
140 agency's budget request for Fiscal Year 2021 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 2020 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		FY2020
152	<u>Performance Measures</u>	<u>Target</u>
153	Health Services	
154	State infant mortality rate (per 1,000	
155	live births)	8.90
156	Percentage of women who received	
157	prenatal care in first trimester	75.60
158	Percentage of live births delivered	
159	prior to 37 weeks of gestation	13.80
160	Teenage birth rate age 15-19 years (live	
161	births per 1,000 women age 15-19)	27.40
162	Percentage of newborns with positive and	
163	inconclusive genetic screens who	
164	received recommended follow-up	100.00
165	Percentage of adults who are obese (Body	
166	Mass Index of 30 or more, regardless of	
167	sex)	40.20
168	Health Protection	
169	Percentage of Mississippi population	
170	receiving water from a public water	
171	supply	93.00
172	Percentage of Mississippi population	
173	receiving optimally fluoridated water	57.00
174	Transfer time of Level III and IV trauma	

175	centers to appropriate facilities for	
176	treatment (minutes)	114.00
177	Communicable Disease	
178	Primary and Secondary Syphilis: Case	
179	rate per 100,000	11.70
180	Tuberculosis: Number of cases	70.00
181	Tuberculosis: Case rate per 100,000	2.35
182	HIV Disease: Number of cases	425.00
183	HIV Disease: Case rate per 100,000	14.20
184	Rate of two year old children fully	
185	immunized (National Immunization Survey:	
186	4:3:1:3:3:1:4 series - 19 to 35 months)	77.00
187	Tobacco Control	
188	Percentage of current smokers among	
189	public middle school students	1.20
190	Percentage of current smokers among	
191	public high school students	6.80
192	Percentage of current smokers among	
193	adults 18 years and older	21.40
194	Public Health Emerg Prep/resp	
195	Time required for command staff to	
196	report to Emergency Operations Center in	
197	response to a national or man-made	
198	disaster (minutes)	20.00
199	Admin & Support Services	
200	Percentage of Mississippi population	

201 living in an area designated as a Health
 202 Professional Shortage Area: Primary
 203 Care 59.00
 204 Percentage of Mississippi population
 205 living in an area designated as a Health
 206 Professional Shortage Area: Dental 54.00
 207 Percentage of Mississippi population
 208 living in an area designated as a Health
 209 Professional Shortage Area: Mental
 210 Health 76.00

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

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

220 **SECTION 10.** In addition to all other sums heretofore
 221 appropriated, the following sum, or so much thereof as may be
 222 necessary, is appropriated out of any money in the State Treasury
 223 to the credit of the Local Governments and Rural Water Systems
 224 Emergency Loan Fund, and the Local Governments and Rural Water
 225 System Improvements Revolving Loan Fund as authorized in Chapter
 226 521, Laws of 1995, to the State Department of Health for the

227 purpose of defraying the expenses of the Local Governments and
228 Rural Water Systems Improvements Board, for the fiscal year
229 beginning July 1, 2019, and ending June 30, 2020.....
230\$ 35,016,019.00.

231 **SECTION 11.** Of the funds appropriated in Section 2, One
232 Million Dollars (\$1,000,000.00) shall come from the Department of
233 Human Services, Child Care Development Fund or other appropriate
234 special funds for the purpose of child care licensure. These
235 funds are to be transferred to the State Department of Health no
236 later than July 31, 2019. The State Department of Health shall
237 make a complete accounting of the uses of these funds to the
238 Department of Human Services.

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

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

252 **SECTION 14.** Of the funds appropriated herein, Twenty-one
253 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided
254 to the Southern AIDS Commission, Inc., for the purpose of
255 providing technical assistance, and providing for the expansion of
256 education on causes and prevention of HIV/AIDS, and providing
257 delivery services to persons infected with HIV. The Southern AIDS
258 Commission, Inc., shall report by February 1, 2020, to the Board
259 of Health and the Chairmen of the House and Senate Public Health
260 Committees the status of the project and all services provided.

261 **SECTION 15.** Of the funds appropriated herein, Twenty-one
262 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided
263 to the North Mississippi Health Care Foundation Restricted Fund,
264 for the purpose of providing technical assistance, providing for
265 the expansion of education on causes and prevention of HIV/AIDS,
266 and providing delivery services to persons infected with HIV. The
267 North Mississippi Health Care Foundation shall report by February
268 1, 2020, to the Board of Health and the Chairmen of the House and
269 Senate Public Health Committees the status of the project and all
270 services provided.

271 **SECTION 16.** Of the funds appropriated herein, Eight
272 Thousand Five Hundred Dollars (\$8,500.00) shall be provided to the
273 AIDS Services Coalition, Inc., for the purpose of providing
274 housing assistance, outreach, prevention services and supportive
275 services to persons infected with HIV. The AIDS Service
276 Coalition, Inc. shall report by February 1, 2020, to the Board of

277 Health and the Chairmen of the House and Senate Public Health
278 Committees the status of the project and all services provided.

279 **SECTION 17.** Of the funds appropriated herein, the amounts of
280 Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00)
281 shall be allocated to the T.K. Martin Center at Mississippi State
282 University and Ninety-four Thousand Three Hundred Thirty Dollars
283 (\$94,330.00) shall be allocated to the Regional Rehabilitation
284 Center in Tupelo for the Early Intervention Program and/or Child
285 Therapeutic Services.

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

289 **SECTION 19.** In addition to all other funds heretofore
290 appropriated, the following sum, or so much thereof as may be
291 necessary, is appropriated out of any money in the State Treasury
292 to the credit of the Mississippi Burn Care Fund which is comprised
293 of special source funds collected by or otherwise available to the
294 department, for the purpose of funding reimbursement for
295 uncompensated medical care to Mississippi burn victims through the
296 trauma care system at in-state burn facilities including the
297 Joseph M. Still Burn and Reconstruction Center at Merit Health
298 Central or for uncompensated aero medical transportation to
299 out-of-state qualified United States Burn Care facilities, and
300 such other provisions necessary to provide burn care for
301 Mississippi residents, including reimbursement for travel,
302 lodgings, meals and other reasonable travel-related expenses

303 incurred by burn victims, family members and/or caregivers, for
304 the fiscal year beginning July 1, 2019, and ending June 30, 2020..
305\$ 500,000.00.

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

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

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

325 **SECTION 23.** It is the intention of the Legislature that the
326 Mississippi State Department of Health shall provide the Joint
327 Legislative Budget Committee a report of all grants received by
328 September 15, 2019. This notification will consist of the name of

329 the grant and agency or nonprofit making the award, the award
330 amount, and a short list of goals to be achieved.

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

334 **SECTION 25.** Of the funds appropriated in Section 2, Seven
335 Hundred Thousand Dollars (\$700,000.00) shall come from the
336 Department of Education for the purpose of maintenance of effort
337 for the Early Intervention Program. These funds are to be
338 transferred to the State Department of Health no later than
339 December 31, 2019. The State Department of Health shall make a
340 complete accounting of the uses of these funds to the Department
341 of Education.

342 **SECTION 26.** In addition to all other funds appropriated
343 herein, the following sum, or so much thereof as may be necessary,
344 is appropriated out of any money in the State General Fund not
345 otherwise appropriated, for the purpose of defraying the expenses
346 of the Mississippi Health Information Network for the fiscal year
347 beginning July 1, 2019, and ending June 30, 2020.....
348\$ 558,795.00.

349 **SECTION 27.** In addition to all other funds herein
350 appropriated, the following sum, or so much thereof as may be
351 necessary, is appropriated out of any money in any special fund in
352 the State Treasury to the credit of the Mississippi Health
353 Information Network, for the purpose of defraying the expenses for
354 the fiscal year beginning July 1, 2019, and ending June 30, 2020..

355\$ 1,250,000.00.

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

358 AUTHORIZED POSITIONS:

359	Permanent:	Full Time.....	0
360		Part Time.....	0
361	Time-Limited:	Full Time.....	1
362		Part Time.....	0

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

368 **SECTION 29.** The Mississippi Department of Health is
369 authorized to obtain a line of credit through the State Treasurer
370 from the Working Cash-Stabilization Fund or any other special
371 source funds maintained in the State Treasury in an amount not
372 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls
373 which, from time to time, may occur due to insufficient working
374 cash spent in anticipation of receiving federal reimbursement.
375 The length of indebtedness under this provision shall not carry
376 past the end of the quarter following the loan origination. Loan
377 proceeds shall be received by the State Treasurer and shall be
378 placed in a Mississippi Department of Health designated special
379 fund account. The division may pledge as security for such
380 interim financing future funds that will be received by the

381 division. Any such loans shall be repaid from the first available
382 funds received by the department in the manner of and subject to
383 the same terms provided in this section.

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

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

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

405 **SECTION 33.** Of the funds appropriated in Section 1, it is the
406 intention of the Legislature that Eight Hundred Fifty-nine

407 Thousand Nine Hundred and Three Dollars (\$859,903.00) shall be
408 allocated to the Domestic Violence program that is supported from
409 General Fund court assessments.

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

416 **SECTION 35.** This act shall take effect and be in force from
417 and after July 1, 2019.

SS05\HB1649A.J

Liz Welch
Secretary of the Senate