

By: Representative Mims

To: Rules

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1813

1 AN ACT MAKING AN APPROPRIATION FROM THE BUDGET CONTINGENCY
2 FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF
3 REIMBURSING MISSISSIPPI LICENSED SPECIALTY HOSPITALS THAT ARE
4 RECOGNIZED AS SUCH BY THE DEPARTMENT FOR THEIR NECESSARY
5 EXPENDITURES INCURRED DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY;
6 AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** The following sum, or so much of it as may be
9 necessary, is appropriated out of any money in the Budget
10 Contingency Fund not otherwise appropriated, to the State
11 Department of Health for the purpose described in Section 2 of
12 this act for the period beginning upon the passage of this act and
13 ending December 30, 2020.....\$ 4,000,000.00.

14 **SECTION 2.** (1) The funds appropriated under Section 1 of
15 this act shall be expended by the State Department of Health for
16 the purpose of reimbursing Mississippi licensed specialty
17 hospitals that are recognized as such by the department, excluding
18 any specialty hospital that is owned by the State of Mississippi,
19 for their necessary expenditures incurred due to the COVID-19
20 public health emergency.



21 (2) The department shall determine the maximum possible
22 amount available to each specialty hospital using a formula based
23 on the number of licensed beds in the hospital. A specialty
24 hospital shall be eligible to receive the amount determined under
25 that formula or the actual amount of the necessary expenditures
26 incurred by the hospital due to the COVID-19 public health
27 emergency, whichever is the lesser amount.

28 (3) As a condition of receiving the funds under this
29 section, each specialty hospital shall provide monthly reports to
30 the department with detailed information about the allowable
31 expenses of the hospital related to treating COVID-19 patients.

32 (4) The department may retain up to Sixty Thousand Dollars
33 (\$60,000.00) of the funds appropriated under Section 1 of this act
34 for the expenses of the department incurred in administering the
35 provisions of this act.

36 **SECTION 3.** (1) As used in this section and Section 4 of
37 this act, the term "agency" means the State Department of Health.

38 (2) The agency shall not disburse any funds appropriated
39 under this act to any recipient without first: (a) making an
40 individualized determination that the reimbursement sought is, in
41 the agency's independent judgment, for necessary expenditures
42 incurred due to the public health emergency with respect to
43 COVID-19 as provided under Section 601(d) of the federal Social
44 Security Act as added by Section 5001 of the federal Coronavirus
45 Aid, Relief, and Economic Security (CARES) Act and its



46 implementing guidelines, guidance, rules, regulations and/or other
47 criteria, as may be amended or supplemented from time to time, by
48 the United States Department of the Treasury; and (b) determining
49 that the recipient has not received and will not receive
50 reimbursement for the expense in question from any source of
51 funds, including insurance proceeds, other than those funds
52 provided under Section 601 of the federal Social Security Act as
53 added by Section 5001 of the CARES Act. In addition, the agency
54 shall ensure that all funds appropriated under this act are
55 disbursed in compliance with the Single Audit Act (31 USC Sections
56 7501-7507) and the related provisions of the Uniform Guidance, 2
57 CFR Section 200.303 regarding internal controls, Sections 200.330
58 through 200.332 regarding subrecipient monitoring and management,
59 and subpart F regarding audit requirements.

60 **SECTION 4.** (1) As a condition of receiving and expending
61 the funds appropriated to the agency under this act, the agency
62 shall certify to the Department of Finance and Administration that
63 each expenditure of the funds appropriated to the agency under
64 this act is in compliance with the guidelines, guidance, rules,
65 regulations and/or other criteria, as may be amended from time to
66 time, of the United States Department of the Treasury regarding
67 the use of monies from the Coronavirus Relief Fund established by
68 the CARES Act.

69 (2) If the Office of Inspector General of the United States
70 Department of the Treasury, or the Office of Inspector General of



71 any other federal agency having oversight over the use of monies
72 from the Coronavirus Relief Fund established by the CARES Act (a)
73 determines that the agency or recipient has expended or otherwise
74 used any of the funds appropriated to the agency under this act
75 for any purpose that is not in compliance with the guidelines,
76 guidance, rules, regulations and/or other criteria, as may be
77 amended from time to time, of the United States Department of the
78 Treasury regarding the use of monies from the Coronavirus Relief
79 Fund established by the CARES Act, and (b) the State of
80 Mississippi is required to repay the federal government for any of
81 those funds that the Office of the Inspector General determined
82 were expended or otherwise used improperly by the agency or
83 recipient, then the agency or recipient that expended or otherwise
84 used those funds improperly shall be required to pay the amount of
85 those funds to the State of Mississippi for repayment to the
86 federal government.

87 **SECTION 5.** The money appropriated by this act shall be paid
88 by the State Treasurer out of any money in the Budget Contingency
89 Fund not otherwise appropriated, upon warrants issued by the State
90 Fiscal Officer; and the State Fiscal Officer shall issue his or
91 her warrants upon requisitions signed by the proper person,
92 officer or officers in the manner provided by law.

93 **SECTION 6.** This act shall take effect and be in force from
94 and after its passage.

