

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 3060

1 AN ACT MAKING AN APPROPRIATION FROM THE "ICU INFRASTRUCTURE
2 FUND" TO THE STATE DEPARTMENT OF HEALTH TO ADMINISTER THE
3 "MISSISSIPPI INTENSIVE CARE INFRASTRUCTURE ACT" CREATED TO
4 INCREASE HOSPITAL CAPACITY RELATED TO THE COVID-19 PANDEMIC; AND
5 FOR RELATED PURPOSES.

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

7 **SECTION 1.** The following sum, or so much of it as may be
8 necessary, is appropriated out of any money in the "ICU
9 Infrastructure Fund", to the State Department of Health for
10 purposes of administering the "Mississippi Intensive Care
11 Infrastructure Act," established in Senate Bill No. 3055, 2020
12 Regular Session, for the period beginning upon passage of this act
13 and ending December 30, 2020.....\$ 10,000,000.00.

14 **SECTION 2.** (1) As used in this section and Section 3 of
15 this act, the term "agency" means the State Department of Health,
16 as the case may be.

17 (2) The agency shall not disburse any funds appropriated
18 under this act to any recipient without first: (a) making an
19 individualized determination that the reimbursement sought is, in



20 the agency's independent judgment, for necessary expenditures
21 incurred due to the public health emergency with respect to COVID-
22 19 as provided under Section 601(d) of the federal Social Security
23 Act as added by Section 5001 of the federal Coronavirus Aid,
24 Relief, and Economic Security (CARES) Act and its implementing
25 guidelines, guidance, rules, regulations and/or other criteria, as
26 may be amended or supplemented from time to time, by the United
27 States Department of the Treasury; and (b) determining that the
28 recipient has not received and will not receive reimbursement for
29 the expense in question from any source of funds, including
30 insurance proceeds, other than those funds provided under Section
31 601 of the federal Social Security Act as added by Section 5001 of
32 the CARES Act. In addition, the agency shall ensure that all
33 funds appropriated under Section 1 of this act are disbursed in
34 compliance with the Single Audit Act (31 USC Sections 7501-7507)
35 and the related provisions of the Uniform Guidance, 2 CFR Section
36 200.303 regarding internal controls, Sections 200.330 through
37 200.332 regarding subrecipient monitoring and management, and
38 subpart F regarding audit requirements.

39 **SECTION 3.** (1) As a condition of receiving and expending
40 the funds appropriated to the agency under this act, the agency
41 shall certify to the Department of Finance and Administration that
42 each expenditure of the funds appropriated to the agency under
43 Section 1 of this act is in compliance with the guidelines,
44 guidance, rules, regulations and/or other criteria, as may be



45 amended or supplemented from time to time, by the United States
46 Department of the Treasury regarding the use of monies from the
47 Coronavirus Relief Fund established by the federal Coronavirus
48 Aid, Relief, and Economic Security (CARES) Act.

49 (2) If the Office of Inspector General of the United States
50 Department of the Treasury, or the Office of Inspector General of
51 any other federal agency having oversight over the use of monies
52 from the Coronavirus Relief Fund established by the federal CARES
53 Act (a) determines that the agency has expended or otherwise used
54 any of the funds appropriated to the board under this act for any
55 purpose that is not in compliance with the guidelines, guidance,
56 rules, regulations and/or other criteria, as may be amended or
57 supplemented from time to time, by the United States Department of
58 the Treasury regarding the use of monies from the Coronavirus
59 Relief Fund established by the federal CARES Act, and (b) the
60 State of Mississippi is required to repay the federal government
61 for any of those funds that the Office of the Inspector General
62 determined were expended or otherwise used improperly by the
63 agency, then the agency, which expended or otherwise used those
64 funds improperly, shall be required to pay the amount of those
65 funds to the State of Mississippi for repayment to the federal
66 government.

67 **SECTION 4.** The money appropriated by this act shall be paid
68 by the State Treasurer out of any money in the " ICU
69 Infrastructure Fund," not otherwise appropriated, upon warrants



70 issued by the State Fiscal Officer; and the State Fiscal Officer
71 shall issue his warrants upon requisitions signed by the proper
72 person, officer or officers in the manner provided by law.

73 **SECTION 5.** This act shall take effect and be in force from
74 and after its passage.

