

House Amendments to Senate Bill No. 2626

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:

26 **SECTION 1.** Section 41-99-1, Mississippi Code of 1972, is
27 amended as follows:

28 41-99-1. For purposes of this chapter:

29 (a) "Mississippi qualified health center" means a
30 public or nonprofit entity that provides comprehensive primary
31 care services that:

32 (i) Has a community board of directors, the
33 majority of whom are users of such centers;

34 (ii) Accepts all patients that present themselves
35 despite their ability to pay and uses a sliding-fee-schedule for
36 payments; and

37 (iii) Serves a designated medically underserved
38 area or population, as provided in Section 330 of the Public
39 Health Service Act.

40 (b) "Uninsured or medically indigent patient" means a
41 patient receiving services from a Mississippi qualified health
42 center who is not eligible for Medicaid, Medicare or any other

43 type of governmental reimbursement for health care costs or
44 receiving third-party payments via an employer.

45 (c) "Department" means the State Department of Health.

46 (d) "Primary care" means the basic entry level of
47 health care provided by health care practitioners or nonphysician
48 health care practitioners, which is generally provided in an
49 outpatient setting.

50 (e) "Medically underserved area or population" means an
51 area designated by the Secretary of the United States Department
52 of Health and Human Services as an area with a shortage of
53 professionals, health services or a population group designated by
54 the secretary as having a shortage of those services.

55 (f) "Service grant" means either a care grant or a
56 physician grant, or both, by the department to a Mississippi
57 qualified health center in accordance with this chapter.

58 (g) "Program" means the Mississippi Qualified Health
59 Center Grant Program established in this chapter.

60 (h) "Primary care physician" means a doctor of medicine
61 or doctor of osteopathy who:

62 (i) Is a resident of Mississippi;

63 (ii) Is licensed to practice medicine under
64 Section 73-25-1 et seq.; and

65 (iii) Practices in Family Medicine, Obstetrics and
66 Gynecology, Pediatrics, Internal Medical-Pediatrics or General
67 Internal Medicine.

68 (i) "Care grant" means a service grant awarded under
69 the program in Section 41-99-5(2) to a Mississippi qualified
70 health center for its use in providing care to uninsured or
71 medically indigent patients in Mississippi.

72 (j) "Physician grant" means a service grant awarded
73 under the program in Section 41-99-5(3) to a Mississippi qualified
74 health center for its use in providing salary supplements to
75 recruit and retain primary care physicians in areas where there is
76 the most need, as determined by the advisory council, in order to
77 increase health care access to patients in Mississippi.

78 **SECTION 2.** Section 41-99-3, Mississippi Code of 1972, is
79 amended as follows:

80 41-99-3. (1) The Mississippi Qualified Health Center Grant
81 Program is established, under the direction and administration of
82 the State Department of Health, for the purpose of making service
83 grants to Mississippi qualified health centers for their use in:

84 (a) Providing care to uninsured or medically indigent
85 patients in Mississippi * * *; or

86 (b) Providing salary supplements to recruit and retain
87 new primary care physicians in areas where there is the most need,
88 as determined by the advisory council, in order to increase health
89 care access to patients in Mississippi.

90 (2) The * * * program shall be established with such state
91 funds as may be appropriated by the Legislature.

92 **SECTION 3.** Section 41-99-5, Mississippi Code of 1972, is
93 amended as follows:

94 41-99-5. (1) Any Mississippi qualified health center
95 desiring to participate in the program shall make application for
96 a service grant to the department in a form satisfactory to the
97 department. The department shall receive service grant proposals
98 from Mississippi qualified health centers. All proposals shall be
99 submitted in accordance with the provisions of grant procedures,
100 criteria and standards developed and made public by the
101 department.

102 (2) The department shall use the funds provided by * * *
103 subsection (6)(a) of this section to make care grants until July
104 1, 2024, to Mississippi qualified health centers upon proposals
105 made under subsection (1) of this section. Care grants that are
106 awarded to Mississippi qualified health centers shall only be used
107 by those centers to:

108 (a) Increase access to preventative and primary care
109 services by uninsured or medically indigent patients that are
110 served by those centers; and

111 (b) Create new services or augment existing services
112 provided to uninsured or medically indigent patients, including,
113 but not limited to, primary care medical and preventive services,
114 dental services, optometric services, in-house laboratory
115 services, diagnostic services, pharmacy services, nutritional
116 services and social services.

117 (3) The department shall use the funds provided by
118 subsection (6)(b) of this section to make physician grants until
119 July 1, 2022, to Mississippi qualified health centers upon

120 proposals made under subsection (1) of this section. A physician
121 grant awarded to a Mississippi qualified health center shall only
122 be used by that center to provide a one-time salary supplement to
123 a primary care physician being recruited under the program.

124 (* * *4) Service grants received by Mississippi qualified
125 health centers under this chapter shall not be used:

126 (a) To supplant federal funds traditionally received by
127 those centers, but shall be used to supplement them;

128 (b) For land or real estate investments;

129 (c) To finance or satisfy any existing debt; or

130 (d) Unless the health center specifically complies with
131 the definition of a Mississippi qualified health center contained
132 in Section 41-99-1.

133 (* * *5) The department shall develop regulations,
134 procedures and application forms to govern how service grants will
135 be awarded, shall develop a plan to ensure that * * * care grants
136 are equitably distributed among all Mississippi qualified health
137 centers and that physician grants are distributed to the
138 Mississippi qualified health centers where there is the most need,
139 and shall develop an audit process to assure that grant monies are
140 used to provide and expend care to the uninsured and medically
141 indigent.

142 (* * *6) The department shall establish a fund for the
143 purpose of providing service grants to Mississippi qualified
144 health centers in accordance with this chapter and the following
145 terms and conditions:

146 (a) The total amount of care grants issued under this
147 chapter shall be Four Million Dollars (\$4,000,000.00) per state
148 fiscal year * * *, awarded as follows:

149 (* * *i) No Mississippi qualified health center
150 shall receive * * * care grants under this program in excess of
151 Two Hundred Thousand Dollars (\$200,000.00) per calendar
152 year * * *; and

153 (* * *ii) Each Mississippi qualified health
154 center receiving a * * * care grant shall provide * * * an annual
155 report to the department that details the number of additional
156 uninsured and medically indigent patients that are cared for and
157 the types of services that are provided * * *;

158 (b) The total amount of physician grants issued under
159 this chapter during any fiscal year shall be not more than the
160 amount appropriated to the department for that purpose, awarded as
161 follows:

162 (i) Per fiscal year, a Mississippi qualified
163 health center shall receive only one (1) physician grant under the
164 program, which shall not exceed the amount specified in the
165 appropriation bill for the department;

166 (ii) For the Mississippi qualified health center
167 to be eligible for a physician grant, a primary care physician
168 shall agree to work, full time, for the Mississippi qualified
169 health center for at least three (3) consecutive years from the
170 date of an executed employment contract;

171 (iii) A Mississippi qualified health center shall
172 use a physician grant to supplement a physician's salary within
173 the first one hundred twenty (120) days of employment;

174 (iv) If a physician grant is disbursed to a
175 Mississippi qualified health center and the hiring of the primary
176 care physician does not materialize, the Mississippi qualified
177 health center shall repay the entire physician grant award to the
178 department;

179 (v) If a primary care physician abandons his or
180 her employment at the Mississippi qualified health center before
181 he or she has worked there for three (3) years, the primary care
182 physician shall repay to the department a pro rata share of the
183 physician grant based on the number of unserved months during the
184 three-year period. Under this subparagraph (v), the department
185 shall have a cause of action against the primary care physician to
186 recover grant monies; and

187 (vi) Each Mississippi qualified health center
188 receiving a physician care grant shall provide an annual report to
189 the department that details the following:

190 1. The number of patients treated by the new
191 primary care physician;

192 2. The general types of medical services
193 rendered by the new primary care physician; and

194 (c) On or before January 15 of each year, the
195 department shall provide the reports required by this subsection
196 to the Chair and Vice Chair of the Senate Public Health and

197 Welfare Committee, to the Chair and Vice Chair of the House Public
198 Health and Human Services Committee, to the Lieutenant Governor
199 and to the Speaker of the House.

200 (* * *7) The department shall establish an advisory council
201 to review and make recommendations to the department on the
202 awarding of any grants to Mississippi qualified health centers.
203 Those recommendations by the advisory council shall not be binding
204 upon the department, but when a recommendation by the advisory
205 council is not followed by the department, the department shall
206 place in its minutes reasons for not accepting the advisory
207 council's recommendation, and provide for an appeals process. All
208 approved service grants shall be awarded within thirty (30) days
209 of approval by the department.

210 (* * *8) The composition of the advisory council shall be
211 the following:

212 (a) Two (2) employees of the department, one (1) of
213 whom must have experience in reviewing and writing grant
214 proposals;

215 (b) Two (2) executive employees of Mississippi
216 qualified health centers, one (1) of whom must be a chief
217 financial officer;

218 (c) Two (2) health care providers who are affiliated
219 with a Mississippi qualified health center, one (1) of whom must
220 be a physician; and

221 (d) One (1) health care provider who is not affiliated
222 with a Mississippi qualified health center or the department but
223 has training and experience in primary care.

224 (* * *9) The department may use a portion of any grant
225 monies received under this chapter to administer the program and
226 to pay reasonable expenses incurred by the advisory council;
227 however, in no case shall more than one and one-half percent
228 (1-1/2%) or Sixty Thousand Dollars (\$60,000.00) annually,
229 whichever is greater, be used for program expenses.

230 (* * *10) No assistance shall be provided to a Mississippi
231 qualified health center under this chapter unless the Mississippi
232 qualified health center certifies to the department that it will
233 not discriminate against any employee or against any applicant for
234 employment because of race, religion, color, national origin, sex
235 or age.

236 **SECTION 4.** Section 41-99-7, Mississippi Code of 1972, is
237 amended as follows:

238 41-99-7. There is created a special fund in the State
239 Treasury to be known as the Mississippi Qualified Health Center
240 Grant Program Fund, from which service grants and expenditures
241 authorized in connection with the program shall be disbursed. All
242 monies received by legislative appropriation to carry out the
243 purposes of this chapter shall be deposited into the Mississippi
244 Qualified Health Center Grant Program Fund.

245 **SECTION 5.** This act shall take effect and be in force from
246 and after July 1, 2020.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 41-99-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF "SERVICE GRANT"; TO DEFINE "PRIMARY CARE
3 PHYSICIAN," "CARE GRANT" AND "PHYSICIAN GRANT"; TO AMEND SECTION
4 41-99-3, MISSISSIPPI CODE OF 1972, TO EXPAND THE PURPOSE OF THE
5 MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM TO INCLUDE THE
6 USE OF SERVICE GRANTS TO PROVIDE SALARY SUPPLEMENTS TO RECRUIT AND
7 RETAIN NEW PRIMARY CARE PHYSICIANS IN ORDER TO INCREASE HEALTH
8 CARE ACCESS TO PATIENTS IN MISSISSIPPI; TO AMEND SECTION 41-99-5,
9 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PHYSICIAN GRANT
10 AWARDED TO A MISSISSIPPI QUALIFIED HEALTH CENTER SHALL ONLY BE
11 USED BY THAT CENTER TO PROVIDE A ONE-TIME SALARY SUPPLEMENT TO A
12 PRIMARY CARE PHYSICIAN BEING RECRUITED AND RETAINED UNDER THE
13 PROGRAM; TO PROVIDE THAT A MISSISSIPPI QUALIFIED HEALTH CENTER MAY
14 ONLY RECEIVE ONE PHYSICIAN GRANT UNDER THE PROGRAM PER FISCAL
15 YEAR; TO PROVIDE THAT A PRIMARY CARE PHYSICIAN IN RECEIPT OF A
16 PHYSICIAN GRANT SHALL WORK AT LEAST THREE CONSECUTIVE YEARS AT THE
17 MISSISSIPPI QUALIFIED HEALTH CENTER; TO REQUIRE THE MISSISSIPPI
18 QUALIFIED HEALTH CENTER TO PROVIDE AN ANNUAL REPORT TO THE
19 DEPARTMENT; TO REQUIRE THE DEPARTMENT TO SUBMIT THOSE REPORTS
20 ANNUALLY TO THE CHAIR AND VICE CHAIR OF THE SENATE PUBLIC HEALTH
21 AND WELFARE COMMITTEE, TO THE CHAIR AND VICE CHAIR OF THE HOUSE
22 PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE AND TO THE LIEUTENANT
23 GOVERNOR; TO AMEND SECTION 41-99-7, MISSISSIPPI CODE OF 1972, TO
24 CONFORM; AND FOR RELATED PURPOSES.

HR12\SB2626A.J

Andrew Ketchings
Clerk of the House of Representatives