

House Amendments to Senate Bill No. 2947

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, 2020, and ending June 30, 2021.....
9\$ 213,548,099.00.

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, 2020, and ending
15 June 30, 2021.....\$ 365,874,874.00.

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..... 6,364

47	Part Time.....	19
48	Time-Limited: Full Time.....	497
49	Part Time.....	14

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 2022 do not
53 exceed Fiscal Year 2021 funds appropriated for that purpose,
54 unless programs or positions are added to the agency's Fiscal Year
55 2021 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 2021
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 2021 "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		FY2021
97	<u>Performance Measures</u>	<u>Target</u>

98	Services Management	
99	Number of on-site reviews conducted by	
100	the Division of Audit	75
101	Number of on-site reviews conducted for	
102	DMH certified provider agencies	160
103	Mental Health Services	
104	Percentage of population lacking access	
105	to community-based mental health care	30.00
106	Percentage of DMH clients served in the	
107	community versus in an institutional	
108	setting	98.00
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	780
115	Number of individuals employed through	
116	supported employment	325
117	Increase access to crisis services by	
118	tracking the number of calls to Mobile	
119	Crisis Response Teams	30,152
120	Number referred from Mobile Crisis	
121	Response Teams to a Community Mental	
122	Health Center and scheduled an	
123	appointment	10,597

124	Number diverted from a more restrictive	
125	environment due to Mobile Crisis	
126	Response Teams	23,556
127	Increase the number of Certified Peer	
128	Support Specialists in the State	242
129	IDD Services	
130	Number of individuals on planning list	
131	for home and community-based services	2,500
132	Percentage of DMH institutionalized	
133	clients who could be served in the	
134	community	81.00
135	Percentage of DMH clients served in the	
136	community versus in an institutional	
137	setting	81.00
138	Number of people added from planning	
139	list to ID/DD Waiver services	100
140	Children & Youth Services	
141	Percentage of children with serious	
142	mental illness served by local	
143	Multidisciplinary Assessment and	
144	Planning (MAP) teams	3.00
145	Number served by MAP teams	872
146	Number of children and youth that are	
147	served by Wraparound Facilitation	2,043
148	3% Alcohol Tax-Alcohol/Drug Prg	
149	Number of residential beds made	

150	available statewide due to the Three	
151	Percent Tax supplements	223
152	Number receiving residential substance	
153	use disorder treatment	2,237
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	98.00
162	Diversion rate of admissions to state	
163	hospitals (%) of people	90.00
164	Number of involuntary admissions	1,650
165	Number of voluntary admissions	1,770
166	MI - Institutional Care	
167	Number served adult acute psychiatric	2,425
168	Maintain readmission rates within	
169	national trends (%)	5.70
170	MI - Support Services	
171	Support as an overall percent of total	
172	budget	6.40
173	IDD - Institutional Care	
174	Number of people served in residential	
175	IID programs	900

176	Number of people transitioned from	
177	facility to ICF/IID community home	33
178	IDD - Group Homes	
179	Number of people served in the 10-bed	
180	ICF/IID community homes	661
181	Percentage of people served in the	
182	community versus in an institutional	
183	setting	81.00
184	IDD - Community Programs	
185	Number of people added from planning	
186	list to ID/DD Waiver Services	74
187	Number of people enrolled in the 1915i	
188	Medicaid Waiver	907
189	IDD - Support Services	
190	Support as a percentage of total budget	3.70
191	A reporting of the degree to which the performance targets	
192	set above have been or are being achieved shall be provided in the	
193	agency's budget request submitted to the Joint Legislative Budget	
194	Committee for Fiscal Year 2022.	

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

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

208 **SECTION 8.** Of the funds appropriated to the "Service
209 Budget," funds are included for the support of community mental
210 health services for Fiscal Year 2021.

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

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

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

251 **SECTION 11.** It is the intention of the Legislature that the
252 Department of Mental Health shall maintain complete accounting and
253 personnel records related to the expenditure of all funds

254 appropriated under this act and that such records shall be in the
255 same format and level of detail as maintained for Fiscal Year
256 2020. It is further the intention of the Legislature that the
257 agency's budget request for Fiscal Year 2022 shall be submitted to
258 the Joint Legislative Budget Committee in a format and level of
259 detail comparable to the format and level of detail provided
260 during the Fiscal Year 2021 budget request process.

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

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

280 of Finance and Administration. None of the funds transferred with
281 this section may be transferred to the Central Office for Personal
282 Services.

283 **SECTION 14.** Of the funds appropriated under the provisions
284 of this act, Sixteen Million One Hundred Thousand Dollars
285 (\$16,100,000.00) is provided to the Department of Mental Health to
286 expand those community-based services that will improve the State
287 of Mississippi's compliance with the Olmstead decision of the
288 United States Supreme Court. Further, it is the intention of the
289 Legislature that the Department of Mental Health shall have the
290 authority to transfer such sums from this source as are necessary
291 to implement or improve those community services that are more
292 appropriately addressed by the Mississippi Department of Education
293 and/or the Mississippi Department of Rehabilitation Services to
294 those agencies for that purpose. Further, it is the intention of
295 the Legislature that any sums received from this source that are
296 not expended during the fiscal year ending June 30, 2020, by the
297 Mississippi Department of Mental Health shall be reappropriated
298 for the same purpose during the fiscal year ending June 30, 2021.
299 Further, it is the intention of the Legislature that the
300 Department of Mental Health shall account for the expenditure of
301 these funds in sufficient detail to clearly show the purposes for
302 which such funds were expended. The Executive Director of the
303 Department of Mental Health shall report any such reappropriation
304 to the Legislative Budget Office no later than fifteen (15) days
305 after the effective date of the reappropriation.

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

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

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

322 **SECTION 16.** It is the intention of the Legislature that
323 whenever two (2) or more bids are received by this agency for the
324 purchase of commodities or equipment, and whenever all things
325 stated in such received bids are equal with respect to price,
326 quality and service, the Mississippi Industries for the Blind
327 shall be given preference. A similar preference shall be given to
328 the Mississippi Industries for the Blind whenever purchases are
329 made without competitive bids.

330 **SECTION 17.** The Department of Finance and Administration
331 (DFA) shall transfer funds back to the Department of Mental

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

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

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

351 **SECTION 20.** Of the funds appropriated under the provisions
352 of this act, an amount not to exceed Two Hundred Fifty Thousand
353 Dollars (\$250,000.00) is provided for community-based mental
354 health services for juveniles in detention.

355 **SECTION 21.** Of the funds appropriated in Section 1, it is
356 the intention of the Legislature that Three Million Nine Hundred
357 Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be

358 allocated to the Crisis Intervention Mental Health Fund supported
359 by General Fund court assessments.

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

365 **SECTION 23.** It is the intention of the Legislature that the
366 Department of Mental Health is hereby authorized to pay invoices
367 submitted by Cspire for services in fiscal year 2018 in an amount
368 not to exceed Eighteen Thousand Four Hundred Eighty-Nine Dollars
369 and Seventy-Seven Cents (\$18,489.77).

370 **SECTION 24.** The money herein appropriated shall be paid by
371 the State Treasurer out of any money in the State Treasury to the
372 credit of the proper fund or funds as set forth in this act, upon
373 warrants issued by the State Fiscal Officer; and the State Fiscal
374 Officer shall issue his warrants upon requisitions signed by the
375 proper person, officer or officers in the manner provided by law.

376 **SECTION 25.** This act shall take effect and be in force from
377 and after July 1, 2020, and shall stand repealed from and after
378 June 30, 2020.

HR13\SB2947A.J

Andrew Ketchings
Clerk of the House of Representatives