

**Senate Amendments to House Bill No. 1683**

**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 special fund in  
7 the State Treasury to the credit of the State Board of Medical  
8 Licensure, for the purpose of defraying the expenses of the board  
9 for the fiscal year beginning July 1, 2020, and ending  
10 June 30, 2021.....\$           2,900,574.00.

11           **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized:

13           AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	25
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18           With the funds herein appropriated, it shall be the agency's  
19 responsibility to make certain that funds required to be  
20 appropriated for "Personal Services" for Fiscal Year 2022 do not  
21 exceed Fiscal Year 2021 funds appropriated for that purpose,

22 unless programs or positions are added to the agency's Fiscal Year  
23 2021 budget by the Mississippi Legislature. Based on data  
24 provided by the Legislative Budget Office, the State Personnel  
25 Board shall determine and publish the projected annual cost to  
26 fully fund all appropriated positions in compliance with the  
27 provisions of this act. It shall be the responsibility of the  
28 agency head to ensure that no single personnel action increases  
29 this projected annual cost and/or the Fiscal Year 2021  
30 appropriations for "Personal Services" when annualized, with the  
31 exception of escalated funds and the award of benchmarks. If, at  
32 the time the agency takes any action to change "Personal  
33 Services," the State Personnel Board determines that the agency  
34 has taken an action which would cause the agency to exceed this  
35 projected annual cost or the Fiscal Year 2021 "Personal Services"  
36 appropriated level, when annualized, then only those actions which  
37 reduce the projected annual cost and/or the appropriation  
38 requirement will be processed by the State Personnel Board until  
39 such time as the requirements of this provision are met.

40 Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 allowable under the terms set forth within this act. The State  
43 Personnel Board shall not escalate positions without written  
44 approval from the Department of Finance and Administration. The  
45 Department of Finance and Administration shall not provide written  
46 approval to escalate any funds for salaries and/or positions

47 without proof of availability of new or additional funds above the  
48 appropriated level.

49 No general funds authorized to be expended herein shall be  
50 used to replace federal funds and/or other special funds which are  
51 being used for salaries authorized under the provisions of this  
52 act and which are withdrawn and no longer available.

53 None of the funds herein appropriated shall be used in  
54 violation of Internal Revenue Service's Publication 15-A relating  
55 to the reporting of income paid to contract employees, as  
56 interpreted by the Office of the State Auditor.

57 **SECTION 3.** In compliance with the "Mississippi Performance  
58 Budget and Strategic Planning Act of 1994," it is the intent of  
59 the Legislature that the funds provided herein shall be utilized  
60 in the most efficient and effective manner possible to achieve the  
61 intended mission of this agency. Based on the funding authorized,  
62 this agency shall make every effort to attain the targeted  
63 performance measures provided below:

	FY2021
<u>Performance Measures</u>	<u>Target</u>
Licensure	
Licensees Who Renew Online (%)	100.00
Individual License Renewals Issued	
Within Seven (7) Business Days (%)	100.00
Investigative	
Recidivism Rate for Those Receiving	
Disciplinary Actions (%)	4.00

73	Documented Complaints Received (Number of)	300
74	Documented Complaints Resolved Within	
75	Seven (7) Business Days (%)	15.00

76       A reporting of the degree to which the performance targets  
77 set above have been or are being achieved shall be provided in the  
78 agency's budget request submitted to the Joint Legislative Budget  
79 Committee for Fiscal Year 2022.

80       **SECTION 4.** It is the intention of the Legislature that the  
81 State Board of Medical Licensure shall maintain complete  
82 accounting and personnel records related to the expenditure of all  
83 funds appropriated under this act and that such records shall be  
84 in the same format and level of detail as maintained for Fiscal  
85 Year 2020. It is further the intention of the Legislature that  
86 the agency's budget request for Fiscal Year 2022 shall be  
87 submitted to the Joint Legislative Budget Committee in a format  
88 and level of detail comparable to the format and level of detail  
89 provided during the Fiscal Year 2021 budget request process.

90       **SECTION 5.** It is the intention of the Legislature that  
91 whenever two (2) or more bids are received by this agency for the  
92 purchase of commodities or equipment, and whenever all things  
93 stated in such received bids are equal with respect to price,  
94 quality and service, the Mississippi Industries for the Blind  
95 shall be given preference. A similar preference shall be given to  
96 the Mississippi Industries for the Blind whenever purchases are  
97 made without competitive bids.

98           **SECTION 6.** It is the intention of the Legislature that the  
99 funds herein appropriated shall be expended in compliance with  
100 Section 27-104-25, Mississippi Code of 1972, that no state agency  
101 shall incur obligations or indebtedness in excess of their  
102 appropriation and that the responsible officers, either personally  
103 or upon their official bonds, shall be held responsible for  
104 actions contrary to this provision.

105           **SECTION 7.** Of the funds provided under the provisions of  
106 this act, an amount not to exceed Four Hundred Thousand Dollars  
107 (\$400,000.00) is provided for the Mississippi Physician Health  
108 Program.

109           **SECTION 8.** Of the funds provided under the provisions of  
110 this act, an amount not to exceed One Hundred Thirty Thousand  
111 Dollars (\$130,000.00) may be allocated to the Mississippi Board of  
112 Pharmacy to defray the expense of the Mississippi Prescription  
113 Monitoring Program.

114           **SECTION 9.** It is further the intention of the Legislature  
115 that, for Fiscal Year 2021, the board shall be allowed to recover  
116 all costs from a holder of a license who has been found by the  
117 board in violation of statute after notice and a hearing as  
118 provided by law. The expenses must be direct costs associated with  
119 the investigation and conduct of a proceeding for licensure  
120 revocation, suspension or restriction.

121           **SECTION 10.** The money herein appropriated shall be paid by  
122 the State Treasurer out of any money in the State Treasury to the  
123 credit of the proper fund or funds as set forth in this act, upon

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

127         **SECTION 11.** This act shall take effect and be in force from  
128 and after July 1, 2020, and shall stand repealed June 30, 2020.

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Eugene S. Clarke  
Secretary of the Senate