

**Senate Amendments to House Bill No. 1712**

**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 State General  
7 Fund not otherwise appropriated, for the purpose of defraying the  
8 expenses of the State Department of Health for the fiscal year  
9 beginning July 1, 2020, and ending June 30, 2021.....  
10 .....\$       30,414,470.00.

11           **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in any special fund in  
13 the State Treasury to the credit of the State Department of Health  
14 which is comprised of special source funds collected by or  
15 otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2020, and ending June 30, 2021.....  
18 .....\$       337,142,140.00.

19           **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two  
21 Dollars (\$526,102.00) shall be derived from the State General Fund

22 and Nine Million One Hundred Seventy-eight Thousand Seven Hundred  
23 Eighty-three Dollars (\$9,178,783.00) shall be derived from the  
24 Health Care Expendable Fund, created in Section 43-13-407,  
25 Mississippi Code of 1972, for the support and maintenance of the  
26 State Department of Health. The funds provided in this section  
27 shall be allocated as follows:

28	Maternal and Child Health Care	
29	Program.....	\$ 1,242,943.00
30	Early Intervention Program and/or Child Therapeutic	
31	Services.....	\$ 188,661.00
32	Health Department Programs.....	\$ 8,273,281.00

33 **SECTION 4.** Of the funds appropriated in this act,  
34 Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the  
35 Trauma Care System. Of the General Fund court assessments  
36 provided in Section 1, Seven Million Twenty-three Thousand One  
37 Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated  
38 for Trauma Care Systems and One Million Eight Hundred Five  
39 Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be  
40 allocated for Emergency Medical Services. All additional funds  
41 are appropriated in Section 2. The State Department of Health may  
42 transfer a portion of Trauma Care System funds to the Division of  
43 Medicaid for the development and implementation of an enhanced  
44 reimbursement fee program related to trauma care and services,  
45 used to match federal funds, under a cooperative agreement between  
46 the State Department of Health and the Division of Medicaid.

47 It is the intention of the Legislature that none of the funds  
48 authorized herein for the Trauma Care System shall be expended to  
49 the benefit of any hospital located outside the boundaries of the  
50 State of Mississippi, unless otherwise excepted in this paragraph.  
51 Funds shall be expended by the Mississippi Department of Health  
52 for distribution to the Regional Medical Center or Le Bonheur  
53 Children's Hospital at Memphis, located in Memphis, Tennessee, or  
54 the University of South Alabama Medical Center located in Mobile,  
55 Alabama, or the Joseph M. Still Burn Centers, Inc., located in  
56 Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction  
57 Center at Merit Health Central or any affiliates or any other  
58 Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that  
59 participates in the Mississippi Trauma Care System, as determined  
60 by the Mississippi Department of Health.

61 **SECTION 5.** Of the funds appropriated in Section 2, Twenty  
62 Million Dollars (\$20,000,000.00) shall be derived from the Tobacco  
63 Control Program Fund, created in Section 41-113-11, Mississippi  
64 Code of 1972, and shall be allocated as follows:

65 University of Mississippi Medical Center Cancer  
66 Institute.....\$ 4,250,000.00  
67 Department of Education - Mary Kirkpatrick Haskell -  
68 Mary Sprayberry Public School  
69 Nurse Program.....\$ 3,060,000.00  
70 Attorney General's Office - Alcohol and  
71 Tobacco Enforcement Unit.....\$ 680,000.00  
72 University of Mississippi Medical Center -

73           A Comprehensive Tobacco  
74           Center.....\$   595,000.00  
75       Mississippi Health Care Alliance - ST Elevated  
76           Myocardial Infarction Program (STEMI).....\$   382,500.00  
77       Mississippi Qualified Health  
78           Center Grant Program.....\$ 3,400,000.00  
79       Mississippi Health Care Alliance for the  
80           Stroke System of Care Plan.....\$   212,500.00  
81       Mississippi Health Department Programs.....\$ 7,420,000.00

82       Of the funds appropriated in this section, the State  
83       Department of Health is authorized to expend funds to create and  
84       administer the Office of Tobacco Control within the department as  
85       outlined and created in Section 41-113-3, Mississippi Code of  
86       1972.

87       **SECTION 6.** Of the funds appropriated in Section 1, Five  
88       Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars  
89       (\$558,795.00) shall be allocated as follows:

90       Mississippi Health Care Alliance - ST  
91           Elevated Myocardial Infarction  
92           Program (STEMI).....\$   139,700.00.  
93       Mississippi Health Care Alliance for  
94           the Stroke System of Care Plan.....\$   139,700.00.  
95       Mississippi Qualified Health Center  
96           Grant Program.....\$   55,880.00.  
97       Mississippi Health Department Programs.....\$   223,515.00

98           **SECTION 7.** Of the funds appropriated under the provisions of  
99 this act, the following positions are authorized:

100       AUTHORIZED POSITIONS:

101	Permanent:	Full Time.....	885
102		Part Time.....	4
103	Time-Limited:	Full Time.....	1,121
104		Part Time.....	4

105       With the funds herein appropriated, it shall be the agency's  
106 responsibility to make certain that funds required to be  
107 appropriated for "Personal Services" for Fiscal Year 2022 do not  
108 exceed Fiscal Year 2021 funds appropriated for that purpose,  
109 unless programs or positions are added to the agency's Fiscal Year  
110 2021 budget by the Mississippi Legislature. Based on data  
111 provided by the Legislative Budget Office, the State Personnel  
112 Board shall determine and publish the projected annual cost to  
113 fully fund all appropriated positions in compliance with the  
114 provisions of this act. It shall be the responsibility of the  
115 agency head to ensure that no single personnel action increases  
116 this projected annual cost and/or the Fiscal Year 2021  
117 appropriations for "Personal Services" when annualized, with the  
118 exception of escalated funds and the award of benchmarks. If, at  
119 the time the agency takes any action to change "Personal  
120 Services," the State Personnel Board determines that the agency  
121 has taken an action which would cause the agency to exceed this  
122 projected annual cost or the Fiscal Year 2021 "Personal Services"  
123 appropriated level, when annualized, then only those actions which

124 reduce the projected annual cost and/or the appropriation  
125 requirement will be processed by the State Personnel Board until  
126 such time as the requirements of this provision are met.

127 Any transfers or escalations shall be made in accordance with  
128 the terms, conditions and procedures established by law or  
129 allowable under the terms set forth within this act. The State  
130 Personnel Board shall not escalate positions without written  
131 approval from the Department of Finance and Administration. The  
132 Department of Finance and Administration shall not provide written  
133 approval to escalate any funds for salaries and/or positions  
134 without proof of availability of new or additional funds above the  
135 appropriated level.

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

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

144 **SECTION 8.** It is the intention of the Legislature that the  
145 State Department of Health shall maintain complete accounting and  
146 personnel records related to the expenditure of all funds  
147 appropriated under this act and that such records shall be in the  
148 same format and level of detail as maintained for Fiscal Year  
149 2020. It is further the intention of the Legislature that the

150 agency's budget request for Fiscal Year 2022 shall be submitted to  
151 the Joint Legislative Budget Committee in a format and level of  
152 detail comparable to the format and level of detail provided  
153 during the Fiscal Year 2021 budget request process.

154 **SECTION 9.** In compliance with the "Mississippi Performance  
155 Budget and Strategic Planning Act of 1994," it is the intent of  
156 the Legislature that the funds provided herein shall be utilized  
157 in the most efficient and effective manner possible to achieve the  
158 intended mission of this agency. Based on the funding authorized,  
159 this agency shall make every effort to attain the targeted  
160 performance measures provided below:

	FY2021
<u>Performance Measures</u>	<u>Target</u>
163 Health Services	
164 State infant mortality rate (per 1,000	
165 live births)	8.20
166 Percentage of women who received	
167 prenatal care in first trimester	73.40
168 Percentage of live births delivered	
169 prior to 37 weeks of gestation	11.70
170 Teenage birth rate age 15-19 years (live	
171 births per 1,000 women age 15-19)	24.90
172 Percentage of newborns with positive and	
173 inconclusive genetic screens who	
174 received recommended follow-up	100.00
175 Percentage of adults who are obese (Body	

176	Mass Index of 30 or more, regardless of	
177	sex)	39.90
178	Health Protection	
179	Percentage of Mississippi population	
180	receiving water from a public water	
181	supply	92.00
182	Percentage of Mississippi population	
183	receiving optimally fluoridated water	59.00
184	Transfer time of Level III and IV trauma	
185	centers to appropriate facilities for	
186	treatment (minutes)	130
187	Communicable Disease	
188	Primary and Secondary Syphilis: Case	
189	rate per 100,000	16.20
190	Tuberculosis: Number of cases	60
191	Tuberculosis: Case rate per 100,000	2.01
192	HIV Disease: Number of cases	475
193	HIV Disease: Case rate per 100,000	15.90
194	Rate of two year old children fully	
195	immunized (National Immunization Survey:	
196	4:3:1:3:3:1:4 series - 19 to 35 months)	76.00
197	Tobacco Control	
198	Percentage of current smokers among	
199	public middle school students	2.20
200	Percentage of current smokers among	
201	public high school students	6.30

202 Percentage of current smokers among  
 203 adults 18 years and older 21.40  
 204 Public Health Emerg Prep/Resp  
 205 Time required for command staff to  
 206 report to Emergency Operations Center in  
 207 response to a national or man-made  
 208 disaster (minutes) 20

209 Admin & Support Services

210 Percentage of Mississippi population  
 211 living in an area designated as a Health  
 212 Professional Shortage Area: Mental  
 213 Health 79.00

214 Percentage of Mississippi population  
 215 living in an area designated as a Health  
 216 Professional Shortage Area: Dental 55.00

217 Percentage of Mississippi population  
 218 living in an area designated as a Health  
 219 Professional Shortage Area: Primary  
 220 Care 59.00

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

225 **SECTION 10.** It is the intention of the Legislature that with  
 226 the funds provided herein, the State Department of Health may  
 227 provide and administer without charge, Hepatitis B vaccinations to

228 Emergency Medical Services (EMS) personnel who are in need of such  
229 vaccinations through job related exposure.

230       **SECTION 11.** In addition to all other sums heretofore  
231 appropriated, the following sum, or so much thereof as may be  
232 necessary, is appropriated out of any money in the State Treasury  
233 to the credit of the Local Governments and Rural Water Systems  
234 Emergency Loan Fund, and the Local Governments and Rural Water  
235 System Improvements Revolving Loan Fund as authorized in Chapter  
236 521, Laws of 1995, to the State Department of Health for the  
237 purpose of defraying the expenses of the Local Governments and  
238 Rural Water Systems Improvements Board, for the fiscal year  
239 beginning July 1, 2020, and ending June 30, 2021.....  
240 .....\$           35,016,019.00.

241       **SECTION 12.** Of the funds appropriated in Section 2, One  
242 Million Dollars (\$1,000,000.00) shall come from the Department of  
243 Human Services, Child Care Development Fund or other appropriate  
244 special funds for the purpose of child care licensure. These  
245 funds are to be transferred to the State Department of Health no  
246 later than July 31, 2020. The State Department of Health shall  
247 make a complete accounting of the uses of these funds to the  
248 Department of Human Services.

249       **SECTION 13.** It is the intention of the Legislature that the  
250 State Department of Health shall expend not more than Fifty  
251 Thousand Dollars (\$50,000.00) of the funds appropriated herein for  
252 providing the oil known as "Lorenzo's Oil" for the treatment of  
253 the genetic disorder adrenoleukodystrophy (ALD), to children and

254 Mississippi residents over the age of twenty-one (21) who have the  
255 genetic disorder adrenoleukodystrophy and for whom Medicaid does  
256 not reimburse the cost of providing the oil. The department may  
257 also provide needed pathology and biannual MRI exams.

258       **SECTION 14.** Of the funds appropriated in Section 1, Seven  
259 Hundred Thousand Dollars (\$700,000.00) are provided for the  
260 purpose of purchasing AIDS drugs and other necessary AIDS related  
261 medical services.

262       **SECTION 15.** Of the funds appropriated herein, Twenty-one  
263 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
264 to the Southern AIDS Commission, Inc., for the purpose of  
265 providing technical assistance, and providing for the expansion of  
266 education on causes and prevention of HIV/AIDS, and providing  
267 delivery services to persons infected with HIV. The Southern AIDS  
268 Commission, Inc., shall report by February 1, 2021, to the Board  
269 of Health and the Chairmen of the House and Senate Public Health  
270 Committees the status of the project and all services provided.

271       **SECTION 16.** Of the funds appropriated herein, Twenty-one  
272 Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided  
273 to the North Mississippi Health Care Foundation Restricted Fund,  
274 for the purpose of providing technical assistance, providing for  
275 the expansion of education on causes and prevention of HIV/AIDS,  
276 and providing delivery services to persons infected with HIV. The  
277 North Mississippi Health Care Foundation shall report by February  
278 1, 2021, to the Board of Health and the Chairmen of the House and

279 Senate Public Health Committees the status of the project and all  
280 services provided.

281       **SECTION 17.** Of the funds appropriated herein, Eight Thousand  
282 Five Hundred Dollars (\$8,500.00) shall be provided to the AIDS  
283 Services Coalition, Inc., for the purpose of providing housing  
284 assistance, outreach, prevention services and supportive services  
285 to persons infected with HIV. The AIDS Service Coalition, Inc.,  
286 shall report by February 1, 2021, to the Board of Health and the  
287 Chairmen of the House and Senate Public Health Committees the  
288 status of the project and all services provided.

289       **SECTION 18.** Of the funds appropriated herein, the amounts of  
290 Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00)  
291 shall be allocated to the T.K. Martin Center at Mississippi State  
292 University and Ninety-four Thousand Three Hundred Thirty Dollars  
293 (\$94,330.00) shall be allocated to the Regional Rehabilitation  
294 Center in Tupelo for the Early Intervention Program and/or Child  
295 Therapeutic Services.

296       **SECTION 19.** Of the funds appropriated herein, Two Hundred  
297 Thousand Dollars (\$200,000.00) is provided for the Breast and  
298 Cervical Cancer Program.

299       **SECTION 20.** In addition to all other funds heretofore  
300 appropriated, the following sum, or so much thereof as may be  
301 necessary, is appropriated out of any money in the State Treasury  
302 to the credit of the Mississippi Burn Care Fund which is comprised  
303 of special source funds collected by or otherwise available to the  
304 department, for the purpose of funding reimbursement for

305 uncompensated medical care to Mississippi burn victims through the  
306 trauma care system at in-state burn facilities including the  
307 Joseph M. Still Burn and Reconstruction Center at Merit Health  
308 Central or for uncompensated aero medical transportation to  
309 out-of-state qualified United States Burn Care facilities, and  
310 such other provisions necessary to provide burn care for  
311 Mississippi residents, including reimbursement for travel,  
312 lodgings, meals and other reasonable travel-related expenses  
313 incurred by burn victims, family members and/or caregivers, for  
314 the fiscal year beginning July 1, 2020, and ending June 30, 2021..  
315 .....\$ 500,000.00.

316 **SECTION 21.** Of the funds appropriated in Section 20, the  
317 Mississippi Department of Health may provide upon mutual agreement  
318 Twenty-five Thousand Dollars (\$25,000.00) for the Mississippi  
319 Firefighters Memorial Burn Association. These funds are to be  
320 used for monetary support of Mississippi burn victims for travel  
321 and other expenses to the Joseph M. Still Burn Center in Georgia,  
322 or the Joseph M. Still Burn and Reconstruction Center at Merit  
323 Health Central.

324 **SECTION 22.** It is the intention of the Legislature that  
325 whenever two (2) or more bids are received by this agency for the  
326 purchase of commodities or equipment, and whenever all things  
327 stated in such received bids are equal with respect to price,  
328 quality and service, the Mississippi Industries for the Blind  
329 shall be given preference. A similar preference shall be given to

330 the Mississippi Industries for the Blind whenever purchases are  
331 made without competitive bids.

332 **SECTION 23.** It is the intention of the Legislature that the  
333 Mississippi Department of Health shall implement same day service  
334 to receive birth and death certificates.

335 **SECTION 24.** It is the intention of the Legislature that the  
336 Mississippi State Department of Health shall provide the Joint  
337 Legislative Budget Committee a report of all grants received by  
338 September 15, 2020. This notification will consist of the name of  
339 the grant and agency or nonprofit making the award, the award  
340 amount, and a short list of goals to be achieved.

341 **SECTION 25.** It is the intention of the Legislature that the  
342 Mississippi State Department of Health shall be the fiscal agent  
343 in all allowable grants awarded.

344 **SECTION 26.** Of the funds appropriated in Section 2, Seven  
345 Hundred Thousand Dollars (\$700,000.00) shall come from the  
346 Department of Education for the purpose of maintenance of effort  
347 for the Early Intervention Program. These funds are to be  
348 transferred to the State Department of Health no later than  
349 December 31, 2020. The State Department of Health shall make a  
350 complete accounting of the uses of these funds to the Department  
351 of Education.

352 **SECTION 27.** The Mississippi Department of Health is  
353 authorized to obtain a line of credit through the State Treasurer  
354 from the Working Cash-Stabilization Fund or any other special  
355 source funds maintained in the State Treasury in an amount not

356 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls  
357 which, from time to time, may occur due to insufficient working  
358 cash spent in anticipation of receiving federal reimbursement.  
359 The length of indebtedness under this provision shall not carry  
360 past the end of the quarter following the loan origination. Loan  
361 proceeds shall be received by the State Treasurer and shall be  
362 placed in a Mississippi Department of Health designated special  
363 fund account. The division may pledge as security for such  
364 interim financing future funds that will be received by the  
365 division. Any such loans shall be repaid from the first available  
366 funds received by the department in the manner of and subject to  
367 the same terms provided in this section.

368       **SECTION 28.** It is the intention of the Legislature that the  
369 funds herein appropriated shall be expended in compliance with  
370 Section 27-104-25, Mississippi Code of 1972, that no state agency  
371 shall incur obligations or indebtedness in excess of their  
372 appropriation and that the responsible officers, either personally  
373 or upon their official bonds, shall be held responsible for  
374 actions contrary to this provision.

375       **SECTION 29.** With the funds appropriated herein, it is the  
376 intention of the Legislature that the Mississippi Department of  
377 Health is authorized to set the compensation of all nurse PINs  
378 based on the education and experience of the incumbent not to  
379 exceed the end salary as established by the State Personnel Board.

380       **SECTION 30.** It is the intent of the Legislature that the  
381 Chairman of the Board of Health may appoint an official

382 replacement or representative with voting privileges to the  
383 Advisory Board of the Office of Mississippi Physician Workforce.

384       **SECTION 31.** It is the intention of the Legislature that the  
385 State Health Officer shall have the authority to transfer cash  
386 from one special fund treasury fund to another special fund  
387 treasury fund under the control of the Department of Health. It  
388 is further the intention of the Legislature that the State Health  
389 Officer shall submit written justification for the transfer to the  
390 Legislative Budget Office and the Department of Finance and  
391 Administration on or before the fifteenth of the month prior to  
392 the effective date of the transfer.

393       **SECTION 32.** Of the funds appropriated in Section 1, it is  
394 the intention of the Legislature that Eight Hundred Fifty-nine  
395 Thousand Nine Hundred Three Dollars (\$859,903.00) shall be  
396 allocated to the Domestic Violence program that is supported from  
397 General Fund court assessments.

398       **SECTION 33.** The money herein appropriated shall be paid by  
399 the State Treasurer out of any money in the State Treasury to the  
400 credit of the proper fund or funds as set forth in this act, upon  
401 warrants issued by the State Fiscal Officer; and the State Fiscal  
402 Officer shall issue his warrants upon requisitions signed by the  
403 proper person, officer or officers, in the manner provided by law.

404       **SECTION 34.** This act shall take effect and be in force from  
405 and after July 1, 2020, and shall stand repealed June 30, 2020.

Eugene S. Clarke  
Secretary of the Senate