

By: Representatives Read, Mims, Arnold,
Bounds, Clark, Clarke, Criswell, Currie,
Eubanks, Hines, Hood, Sanford, Watson, Young

To: Appropriations

HOUSE BILL NO. 1399
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
2 REHABILITATION SERVICES FOR FISCAL YEAR 2022.

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

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is appropriated out of any money in the State General
6 Fund not otherwise appropriated, to the Department of
7 Rehabilitation Services for the fiscal year beginning
8 July 1, 2021, and ending June 30, 2022..... \$ 24,893,879.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in any special fund in
11 the State Treasury to the credit of the Department of
12 Rehabilitation Services which is comprised of special source funds
13 collected by or otherwise available to the department for the
14 support of the various offices of the department, for the purpose
15 of defraying the expenses of the department for the fiscal year
16 beginning July 1, 2021, and ending June 30, 2022.....
17 \$ 214,350,624.00.



18 **SECTION 3.** Of the funds appropriated under the provisions of
19 Section 2, Three Million Six Hundred Eighty-one Thousand Eight
20 Hundred Two Dollars (\$3,681,802.00) shall be derived from the
21 Health Care Expendable Fund created in Section 43-13-407,
22 Mississippi Code of 1972. The above funds shall be allocated as
23 follows:

24 Fully match all available federal
25 funds \$ 2,782,590.00.
26 Independent Living Program which
27 includes the State Attendant
28 Care Program \$ 854,903.00.
29 Deaf and hard of hearing \$ 44,309.00.

30 **SECTION 4.** Of the funds appropriated under the provisions of
31 Sections 1, 2 and 3, the following positions are authorized:

32 AUTHORIZED POSITIONS:

33 Permanent: Full Time 960
34 Part Time 8
35 Time-Limited: Full Time 205
36 Part Time 1

37 The Office of Vocational Rehabilitation for the Blind shall
38 remain accredited by using not more than Five Hundred Dollars
39 (\$500.00) of the funds appropriated along with matching funds for
40 payment of fees to an accreditation agency recommended by the
41 Rehabilitation Services Administration.



42 With the funds herein appropriated, it shall be the agency's
43 responsibility to make certain that funds required to be
44 appropriated for "Personal Services" for Fiscal Year 2023 do not
45 exceed Fiscal Year 2022 funds appropriated for that purpose unless
46 programs or positions are added to the agency's Fiscal Year 2022
47 budget by the Mississippi Legislature. Based on data provided by
48 the Legislative Budget Office, the State Personnel Board shall
49 determine and publish the projected annual cost to fully fund all
50 appropriated positions in compliance with the provisions of this
51 act. Absent a special situation or circumstance approved by the
52 State Personnel Board, or unless otherwise authorized by this act,
53 no state agency shall take any action to promote or otherwise
54 award salary increases through reallocation or realignment. If
55 the State Personnel Board determines a special situation or
56 circumstance exists and approves an action, then the agency and
57 the State Personnel Board shall provide a monthly report of each
58 action approved by the State Personnel Board to the chairmen of
59 the Accountability, Efficiency and Transparency Committees of the
60 Senate and House of Representatives and the chairmen of the
61 Appropriations Committees of the Senate and House of
62 Representatives. It shall be the responsibility of the agency
63 head to ensure that no single personnel action increases this
64 projected annual cost and/or the Fiscal Year 2022 appropriations
65 for "Personal Services" when annualized, with the exception of
66 escalated funds and the award of benchmarks. If, at the time the



67 agency takes any action to change "Personal Services," the State
68 Personnel Board determines that the agency has taken an action
69 which would cause the agency to exceed this projected annual cost
70 or the Fiscal Year 2022 "Personal Services" appropriated level,
71 when annualized, then only those actions which reduce the
72 projected annual cost and/or the appropriation requirement will be
73 processed by the State Personnel Board until such time as the
74 requirements of this provision are met.

75 Any transfers or escalations shall be made in accordance with
76 the terms, conditions and procedures established by law or
77 allowable under the terms set forth within this act. The State
78 Personnel Board shall not escalate positions without written
79 approval from the Department of Finance and Administration. The
80 Department of Finance and Administration shall not provide written
81 approval to escalate any funds for salaries and/or positions
82 without proof of availability of new or additional funds above the
83 appropriated level.

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

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



92 Funds have been appropriated herein for the purpose of
93 implementation and funding Project SEC2 of the Colonel Guy Groff
94 State Variable Compensation Plan beginning January 1, 2022, and
95 ending June 30, 2022. It shall be the agency's responsibility to
96 make certain that each person, excluding executive directors,
97 agency heads, and elected judges, shall receive no more than a 3%
98 annual increase in salary which shall not exceed the market rate
99 established by the State Personnel Board pursuant to the Colonel
100 Guy Groff State Variable Compensation Plan for each
101 classification.

102 **SECTION 5.** It is the intention of the Legislature that the
103 Department of Rehabilitation Services shall maintain complete
104 accounting and personnel records related to the expenditure of all
105 funds appropriated under this act and that such records shall be
106 in the same format and level of detail as maintained for Fiscal
107 Year 2021. It is further the intention of the Legislature that
108 the agency's budget request for Fiscal Year 2023 shall be
109 submitted to the Joint Legislative Budget Committee in a format
110 and level of detail comparable to the format and level of detail
111 provided during the Fiscal Year 2022 budget request process.

112 **SECTION 6.** Of the funds appropriated herein, the Mississippi
113 Department of Rehabilitation Services through the Office of
114 Vocational Rehabilitation for the Blind is authorized to expend an
115 amount not to exceed One Hundred Thousand Dollars (\$100,000.00)
116 for the National Federation for the Blind (NFB) News line service



117 to allow blind and visually impaired persons to access newspapers
118 through toll-free telephone calls.

119 **SECTION 7.** It is the intention of the Legislature that
120 whenever two (2) or more bids are received by this agency for the
121 purchase of commodities or equipment, and whenever all things
122 stated in such received bids are equal with respect to price,
123 quality and service, the Mississippi Industries for the Blind
124 shall be given preference. A similar preference shall be given to
125 the Mississippi Industries for the Blind whenever purchases are
126 made without competitive bids.

127 **SECTION 8.** In compliance with the "Mississippi Performance
128 Budget and Strategic Planning Act of 1994," it is the intent of
129 the Legislature that the funds provided herein shall be utilized
130 in the most efficient and effective manner possible to achieve the
131 intended mission of this agency. Based on the funding authorized,
132 this agency shall make every effort to attain the targeted
133 performance measures provided below:

134		FY2022
135	<u>Performance Measures</u>	<u>Target</u>
136	Disability Determination Services	
137	Dispositions (Number of)	89,000
138	Processing Time (Days)	125
139	Special Disability Programs	
140	Clients Served (Number of)	3,054
141	Percentage Change in Persons Receiving	



142	HCBW Services Compared to Waiting List	
143	(%)	56.00
144	Ratio of Cost to HCBW Services per	
145	Person Compared to an Institutional	
146	Setting	38.00
147	Support Services	
148	Percentage of Total Budget (%)	2.00
149	Vocational Rehabilitation	
150	Clients Served (Number of)	19,000
151	Clients Rehabilitated (Number of)	2,800
152	Percentage Change of Persons Employed	
153	Compared to Total Persons Served (%)	14.00
154	Persons Employed with Pay Rate Greater	
155	Than Federal or State Minimum Wage	3,060
156	Persons with Significant Disabilities	
157	Leaving VR with Competitive, Self, or	
158	Bep Employment, Wage = or > Than Minimum	1,400
159	Spinal Cord & Head Injury Program	
160	Clients Served (Number of)	946
161	Percentage Change in Number of Spinal	
162	Cord & Brain Injuries per Year (%)	3.00
163	Voc Rehabilitation For The Blind	
164	Blind & Visually Impaired Served (Persons)	1,800
165	Persons Rehabilitated (Number of)	400
166	Independent Living (Number Served)	840



167 Percentage Change in Persons Employed
168 Compared to Total Persons Served (%) 18.00

169 A reporting of the degree to which the performance targets
170 set above have been or are being achieved shall be provided in the
171 agency's budget request submitted to the Joint Legislative Budget
172 Committee for Fiscal Year 2023.

173 **SECTION 9.** Of the funds appropriated in Section 1, it is the
174 intention of the Legislature that One Million Five Hundred
175 Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be
176 allocated to the Spinal Cord & Head Injury Trust supported from
177 General Fund court assessments.

178 **SECTION 10.** Of the funds appropriated in Section 1, One
179 Million Dollars (\$1,000,000.00) is provided for the support of the
180 Independent Living Home and Community Based Waiver programs along
181 with any additional funds that may be appropriated to these
182 programs.

183 **SECTION 11.** The following sum, or so much thereof as may be
184 necessary, is reappropriated out of any money in the General Fund
185 not otherwise appropriated for the Department of Rehabilitation
186 Services, for the purpose of reauthorizing the expenditure of
187 General Funds, as authorized in HB 1714, 2020 Regular Session to
188 provide for agency operations for the fiscal year beginning July
189 1, 2021, and ending June 30, 2022\$ 1,584,164.00.



190 Notwithstanding the amount reappropriated under the
191 provisions of this section, in no event shall the amount expended
192 exceed the unexpended balance as of June 30, 2021.

193 **SECTION 12.** It is the intention of the Legislature that the
194 funds herein appropriated shall be expended in compliance with
195 Section 27-104-25, Mississippi Code of 1972, that no state agency
196 shall incur obligations or indebtedness in excess of their
197 appropriation and that the responsible officers, either personally
198 or upon their official bonds, shall be held responsible for
199 actions contrary to this provision.

200 **SECTION 13.** The money herein appropriated shall be paid by
201 the State Treasurer out of any money in the State Treasury to the
202 credit of the proper fund or funds as set forth in this act, upon
203 warrants issued by the State Fiscal Officer; and the State Fiscal
204 Officer shall issue his warrants upon requisitions signed by the
205 proper person, officer or officers, in the manner provided by law.

206 **SECTION 14.** This act shall take effect and be in force from
207 and after July 1, 2021.

