

**House Amendments to Senate Bill No. 2925**

**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 purpose of  
7 defraying the expenses incurred by the Mississippi Workers'  
8 Compensation Commission for the fiscal year beginning  
9 July 1, 2021, and ending June 30, 2022.....\$           4,935,956.00.

10           **SECTION 2.** With the funds appropriated herein, the following  
11 positions are authorized:

12           AUTHORIZED POSITIONS:

13	Permanent:	Full Time.....	55
14		Part Time.....	0
15	Time-Limited:	Full Time.....	0
16		Part Time.....	0

17           With the funds herein appropriated, it shall be the agency's  
18 responsibility to make certain that funds required to be  
19 appropriated for "Personal Services" for Fiscal Year 2023 do not  
20 exceed Fiscal Year 2022 funds appropriated for that purpose unless

21 programs or positions are added to the agency's Fiscal Year 2022  
22 budget by the Mississippi Legislature. Based on data provided by  
23 the Legislative Budget Office, the State Personnel Board shall  
24 determine and publish the projected annual cost to fully fund all  
25 appropriated positions in compliance with the provisions of this  
26 act. Absent a special situation or circumstance approved by the  
27 State Personnel Board, or unless otherwise authorized by this act,  
28 no state agency shall take any action to promote or otherwise  
29 award salary increases through reallocation or realignment. If  
30 the State Personnel Board determines a special situation or  
31 circumstance exists and approves an action, then the agency and  
32 the State Personnel Board shall provide a monthly report of each  
33 action approved by the State Personnel Board to the chairmen of  
34 the Accountability, Efficiency and Transparency Committees of the  
35 Senate and House of Representatives and the chairmen of the  
36 Appropriations Committees of the Senate and House of  
37 Representatives. It shall be the responsibility of the agency  
38 head to ensure that no single personnel action increases this  
39 projected annual cost and/or the Fiscal Year 2022 appropriations  
40 for "Personal Services" when annualized, with the exception of  
41 escalated funds and the award of benchmarks. If, at the time the  
42 agency takes any action to change "Personal Services," the State  
43 Personnel Board determines that the agency has taken an action  
44 which would cause the agency to exceed this projected annual cost  
45 or the Fiscal Year 2022 "Personal Services" appropriated level,  
46 when annualized, then only those actions which reduce the

47 projected annual cost and/or the appropriation requirement will be  
48 processed by the State Personnel Board until such time as the  
49 requirements of this provision are met.

50 Any transfers or escalations shall be made in accordance with  
51 the terms, conditions and procedures established by law or  
52 allowable under the terms set forth within this act. The State  
53 Personnel Board shall not escalate positions without written  
54 approval from the Department of Finance and Administration. The  
55 Department of Finance and Administration shall not provide written  
56 approval to escalate any funds for salaries and/or positions  
57 without proof of availability of new or additional funds above the  
58 appropriated level.

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

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

67 **SECTION 3.** It is the intention of the Legislature that with  
68 the funds appropriated in Section 1, the Mississippi Workers'  
69 Compensation Commission shall enter into a contract with the  
70 industrial private sector for the purpose of implementing a safety  
71 education and training program.

72           **SECTION 4.** In compliance with the "Mississippi Performance  
 73 Budget and Strategic Planning Act of 1994," it is the intent of  
 74 the Legislature that the funds provided herein shall be utilized  
 75 in the most efficient and effective manner possible to achieve the  
 76 intended mission of this agency. Based on the funding authorized,  
 77 this agency shall make every effort to attain the targeted  
 78 performance measures provided below:

79		FY2022
80	<u>Performance Measures</u>	<u>Target</u>
81	Adjudication	
82	Cases Resolved at the Administrative or	
83	Commission Level Within 3 Months (Number	
84	of)	900
85	Cases Resolved at the Administrative or	
86	Commission Level Within 6 Months (Number	
87	of)	950
88	Cases Resolved at the Administrative or	
89	Commission Level Within 9 Months (Number	
90	of)	900
91	Cases Resolved at the Administrative or	
92	Commission Level Within 1 Year (Number	
93	of)	900
94	Self-insurance	
95	Percentage of Individual Self-Insurers	
96	Reviewed in the Past Fiscal Year (%)	34.00
97	Percentage of Individual Self-Insurer	

98	Reviews Conducted in the past Fiscal	
99	Year Showing That Reserves Are	
100	Insufficient to Cover Claims (%)	5.00
101	Percentage of Self-Insurance Groups	
102	Reviewed in the Past Fiscal Year (%)	100.00
103	Percentage of Self-Insurance Group	
104	Reviews Conducted in the past Fiscal	
105	Year Showing That Reserves Are	
106	Insufficient to Cover Claims (%)	0.00
107	Medical Cost Containment	
108	Fee Schedule Adjustments (Cost in Millions)	35.00
109	Medical Cost Savings to Payers (as a %	
110	of Total Billings)	46.00

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

115 **SECTION 5.** It is the intention of the Legislature that  
116 whenever two (2) or more bids are received by this agency for the  
117 purchase of commodities or equipment, and whenever all things  
118 stated in such received bids are equal with respect to price,  
119 quality and service, the Mississippi Industries for the Blind  
120 shall be given preference. A similar preference shall be given to  
121 the Mississippi Industries for the Blind whenever purchases are  
122 made without competitive bids.

123           **SECTION 6.** It is the intention of the Legislature that the  
124 salary of the Workers' Compensation Commission members shall be  
125 equal and the salary of the Commission Chairman shall exceed these  
126 salaries as approved by the State Personnel Board.

127           **SECTION 7.** The following sum, or so much thereof as may be  
128 necessary, is hereby appropriated out of any money in the State  
129 Treasury to the credit of the Second Injury Fund (Fund Number  
130 3352300000) for the purpose of making payments under the  
131 provisions of Section 71-3-73, Mississippi Code of 1972, for the  
132 fiscal year beginning July 1, 2021, and ending  
133 June 30, 2022.....\$    200,000.00.

134           **SECTION 8.** It is the intention of the Legislature that the  
135 funds herein appropriated shall be expended in compliance with  
136 Section 27-104-25, Mississippi Code of 1972, that no state agency  
137 shall incur obligations or indebtedness in excess of their  
138 appropriation and that the responsible officers, either personally  
139 or upon their official bonds, shall be held responsible for  
140 actions contrary to this provision.

141           **SECTION 9.** The money herein appropriated shall be paid by  
142 the State Treasurer out of any money in the State Treasury to the  
143 credit of the proper fund or funds as set forth in this act, upon  
144 warrants issued by the State Fiscal Officer; and the State Fiscal  
145 Officer shall issue his warrants upon requisitions signed by the  
146 proper person, officer or officers, in the manner provided by law.

147           **SECTION 10.** This act shall take effect and be in force from  
148 and after July 1, 2021, and shall stand repealed from and after  
149 June 29, 2021.

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

1           AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2022.

HR13\SB2925A.J

Andrew Ketchings  
Clerk of the House of Representatives