

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2925

BY: Committee

**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:

	FY2022
<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.

