

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2926**

**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 support and  
7 maintenance of the Department of Mental Health for the fiscal year  
8 beginning July 1, 2021, and ending June 30, 2022.....  
9 ..... \$ 207,094,040.00.

10           **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby authorized for expenditure out of any special  
12 source funds which are collected by or otherwise become available  
13 for the support and maintenance of the Department of Mental Health



14 for the fiscal year beginning July 1, 2021, and ending  
15 June 30, 2022 ..... \$ 334,060,191.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of  
17 Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight  
18 Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from  
19 the Health Care Expendable Fund created in Section 43-13-407,  
20 Mississippi Code of 1972, for the support and maintenance of the  
21 Department of Mental Health. The funds provided for in this  
22 section shall be allocated as follows:

23	\$ 9,259,790.00	Expenses of the Department of Mental
24		Health.
25	\$ 379,417.00	Alzheimer's disease services development
26		and implementation of Senate Bill No.
27		2100, 1997 Regular Session.
28	\$ 3,896,641.00	Medicaid matching funds.
29	\$ 252,944.00	Psychotropic drugs or Medicaid match.
30	\$ 505,890.00	Alzheimer's Disease Program, prepayment
31		to Medicaid, etc.
32	\$ 2,727,792.00	Holding centers, group homes, substance
33		abuse programs, Children's Programs,
34		Prepayment of Medicaid, etc.
35	\$ 636,374.00	Crisis Centers
36	\$ 1,138,252.00	Physician services at community mental
37		health centers.
38	\$ 50,590.00	Grant for Epilepsy Foundation of



39 Mississippi or Medicaid match.  
 40 \$ 104,196.00 Specialized Treatment Facility.  
 41 \$ 18,951,886.00 TOTAL

42 **SECTION 4.** Of the funds appropriated under the provisions of  
 43 Sections 1 and 2 of this act, the following positions are  
 44 authorized:

45 AUTHORIZED POSITIONS:

46	Permanent:	Full Time .....	5,954
47		Part Time .....	19
48	Time-Limited:	Full Time .....	460
49		Part Time .....	9

50 With the funds herein appropriated, it shall be the agency's  
 51 responsibility to make certain that funds required to be  
 52 appropriated for "Personal Services" for Fiscal Year 2023 do not  
 53 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
 54 programs or positions are added to the agency's Fiscal Year 2022  
 55 budget by the Mississippi Legislature. Based on data provided by  
 56 the Legislative Budget Office, the State Personnel Board shall  
 57 determine and publish the projected annual cost to fully fund all  
 58 appropriated positions in compliance with the provisions of this  
 59 act. Absent a special situation or circumstance approved by the  
 60 State Personnel Board, or unless otherwise authorized by this act,  
 61 no state agency shall take any action to promote or otherwise  
 62 award salary increases through reallocation or realignment. If  
 63 the State Personnel Board determines a special situation or



64 circumstance exists and approves an action, then the agency and  
65 the State Personnel Board shall provide a monthly report of each  
66 action approved by the State Personnel Board to the chairmen of  
67 the Accountability, Efficiency and Transparency Committees of the  
68 Senate and House of Representatives and the chairmen of the  
69 Appropriations Committees of the Senate and House of  
70 Representatives. It shall be the responsibility of the agency  
71 head to ensure that no single personnel action increases this  
72 projected annual cost and/or the Fiscal Year 2022 appropriations  
73 for "Personal Services" when annualized, with the exception of  
74 escalated funds and the award of benchmarks. If, at the time the  
75 agency takes any action to change "Personal Services," the State  
76 Personnel Board determines that the agency has taken an action  
77 which would cause the agency to exceed this projected annual cost  
78 or the Fiscal Year 2022 "Personal Services" appropriated level,  
79 when annualized, then only those actions which reduce the  
80 projected annual cost and/or the appropriation requirement will be  
81 processed by the State Personnel Board until such time as the  
82 requirements of this provision are met.

83 Any transfers or escalations shall be made in accordance with  
84 the terms, conditions and procedures established by law or  
85 allowable under the terms set forth within this act. The State  
86 Personnel Board shall not escalate positions without written  
87 approval from the Department of Finance and Administration. The  
88 Department of Finance and Administration shall not provide written



89 approval to escalate any funds for salaries and/or positions  
90 without proof of availability of new or additional funds above the  
91 appropriated level.

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

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

100 **SECTION 5.** In compliance with the "Mississippi Performance  
101 Budget and Strategic Planning Act of 1994," it is the intent of  
102 the Legislature that the funds provided herein shall be utilized  
103 in the most efficient and effective manner possible to achieve the  
104 intended mission of this agency. Based on the funding authorized,  
105 this agency shall make every effort to attain the targeted  
106 performance measures provided below:

	FY2022
<u>Performance Measures</u>	<u>Target</u>
109 Services Management	
110 Number of on-site reviews conducted by	
111 the Division of Audit	58
112 Number of on-site reviews conducted for	
113 DMH certified provider agencies	190



114	Mental Health Services	
115	Percentage of population lacking access	
116	to community-based mental health care	31.00
117	Percentage of DMH clients served in the	
118	community versus in an institutional	
119	setting	98.00
120	Increase by at least 25% the utilization	
121	of alternative placement/treatment	
122	options for individuals who have had	
123	multiple hospitalizations and do not	
124	respond to traditional treatment	25.00
125	Number served by the Program of	
126	Assertive Community Treatment (PACT),	
127	Intensive Community Outreach and	
128	Recovery Teams (ICORT), and Intensive	
129	Community Support Services (ICSS)	4,100
130	Number of individuals employed through	
131	supported employment	300
132	Increase access to crisis services by	
133	tracking the number of calls to Mobile	
134	Crisis Response Teams	37,663
135	Number referred from Mobile Crisis	
136	Response Teams to a Community Mental	
137	Health Center and scheduled an	
138	appointment	8,813



139	Number diverted from a more restrictive	
140	environment due to Mobile Crisis	
141	Response Teams	31,327
142	Increase the number of Certified Peer	
143	Support Specialists in the State	311
144	IDD Services	
145	Number of individuals on planning list	
146	for home and community-based services	2,800
147	Percentage of DMH institutionalized	
148	clients who could be served in the	
149	community	86.00
150	Percentage of DMH clients served in the	
151	community versus in an institutional	
152	setting	86.00
153	Number of people added from planning	
154	list to ID/DD Waiver services	50
155	Children & Youth Services	
156	Percentage of children with serious	
157	mental illness served by local	
158	Multidisciplinary Assessment and	
159	Planning (MAP) teams	1.20
160	Number served by MAP teams	550
161	Number of children and youth that are	
162	served by Wraparound Facilitation	2,288
163	3% Alcohol Tax-alcohol/drug Prg	



164	Number of residential beds made	
165	available statewide due to the Three	
166	Percent Tax supplements	226
167	Number receiving residential substance	
168	use disorder treatment	1,589
169	Crisis Stabilization Units	
170	Average length of time from mental	
171	health crisis to receipt of community	
172	mental health crisis service	1.50
173	Percentage of people receiving mental	
174	health crisis services who were treated	
175	at community mental health centers vs.	
176	institutions	98.00
177	Diversion rate of admissions to state	
178	hospitals (% of people)	90.00
179	Number of involuntary admissions	1,726
180	Number of voluntary admissions	1,804
181	MI - Institutional Care	
182	Number served adult acute psychiatric	1,985
183	Maintain readmission rates within	
184	national trends (%)	3.30
185	MI - Support Services	
186	Support as an overall percent of total	
187	budget	6.40
188	IDD - Institutional Care	





189	Number of people served in residential	
190	IID programs	791
191	Number of people transitioned from	
192	facility to ICF/IID community home	26
193	IDD - Group Homes	
194	Number of people served in the 10-bed	
195	ICF/IID community homes	609
196	Percentage of people served in the	
197	community versus in an institutional	
198	setting	86.00
199	IDD - Community Programs	
200	Number of people added from planning	
201	list to ID/DD Waiver Services	53
202	Number of people enrolled in the 1915i	955
203	IDD - Support Services	
204	Support as a percentage of total budget	3.70
205	A reporting of the degree to which the performance targets	
206	set above have been or are being achieved shall be provided in the	
207	agency's budget request submitted to the Joint Legislative Budget	
208	Committee for Fiscal Year 2023.	
209	<b>SECTION 6.</b> The Department of Mental Health and its	
210	facilities shall have the authority, within funding and spending	
211	authority appropriated under the provisions of this act to	
212	transfer funds to the Division of Medicaid in payment of Medicaid	
213	match and designate that the funds thus transferred shall be	



214 applied to Medicaid match obligations arising in the subsequent  
215 fiscal year.

216         **SECTION 7.** Any person within the Department of Mental Health  
217 who must work on a statutory holiday or any holiday proclaimed by  
218 the Governor may, at the discretion of the Director of the  
219 Institution and the Executive Director of the Department of Mental  
220 Health and within available personnel funds, be paid "call-back  
221 pay" in lieu of "compensatory time credit."

222         **SECTION 8.** Of the funds appropriated to the "Service  
223 Budget," funds are included for the support of community mental  
224 health services for Fiscal Year 2022.

225         Provided, however, that none of the funds appropriated for  
226 the support of community mental health services shall be made  
227 available to any Regional Mental Health/Intellectual Disability  
228 Center which does not receive from each of its participating  
229 counties a dollar amount equivalent to what the proceeds of a  
230 three-fourths (3/4) mill tax on all taxable property in the county  
231 in Fiscal Year 1982 would have been or the amount of funds  
232 contributed to the center by the county in Fiscal Year 1984,  
233 whichever shall be greater. By means of performance contracts,  
234 the Department of Mental Health shall disburse the funds  
235 appropriated in this section for services for the mentally ill,  
236 intellectually disabled and alcohol/drug abusers. The State Board  
237 of Mental Health and the Department of Mental Health shall be  
238 responsible for selecting the types of services which shall be



239 provided with the funds appropriated in this section, for  
240 developing and monitoring performance contracts and for holding  
241 contractors accountable for utilization of funds.

242       **SECTION 9.** Ellisville State School is authorized to draw up  
243 to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest  
244 earned on funds invested in Ellisville State School Client's Trust  
245 Fund for the purpose of supplementing the cost related to  
246 supplies, property, and equipment in direct care.

247       **SECTION 10.** The Department of Mental Health and its  
248 facilities shall have the express legal authority, within funding  
249 and spending authority appropriated under the provisions of this  
250 act to purchase land for use by residential facilities operated by  
251 the department, either directly or by means of transferring funds  
252 to the Bureau of Building, Grounds and Real Property Management,  
253 and to transfer such funds to the Bureau of Building, Grounds, and  
254 Real Property Management for the purposes of constructing and  
255 equipping group homes for persons with mental illness,  
256 intellectual disability, and/or substance abuse; constructing and  
257 equipping such other buildings as may be required for treatment of  
258 persons with mental illness, intellectual disability, and/or  
259 substance abuse; repair and renovate existing buildings; and to  
260 construct, repair and/or renovate employee housing. Any  
261 intermediate care facilities for individuals with intellectual  
262 disabilities (ICF/IID) constructed with funds authorized in this



263 section shall be authorized to participate in Medicaid funding  
264 available for such services.

265       **SECTION 11.** It is the intention of the Legislature that the  
266 Department of Mental Health shall maintain complete accounting and  
267 personnel records related to the expenditure of all funds  
268 appropriated under this act and that such records shall be in the  
269 same format and level of detail as maintained for Fiscal Year  
270 2021. It is further the intention of the Legislature that the  
271 agency's budget request for Fiscal Year 2023 shall be submitted to  
272 the Joint Legislative Budget Committee in a format and level of  
273 detail comparable to the format and level of detail provided  
274 during the Fiscal Year 2022 budget request process.

275       **SECTION 12.** It is the intention of the Legislature that none  
276 of the funds provided herein shall be used to pay certain  
277 utilities for state-furnished housing for any employees. Such  
278 utilities shall include electricity, natural gas, butane, propane,  
279 cable and phone services. Where actual cost cannot be determined,  
280 the agency shall be required to provide meters to be in compliance  
281 with legislative intent. Such state-furnished housing shall  
282 include single-family and multifamily residences but shall not  
283 include any dormitory residences. Allowances for such utilities  
284 shall be prohibited.

285       **SECTION 13.** It is the intention of the Legislature that the  
286 Executive Director of the Department of Mental Health shall have  
287 authority to transfer cash from one special fund treasury fund to



288 another special fund treasury fund under the control of the  
289 Department of Mental Health. The purpose of this authority is to  
290 more efficiently use available cash reserves. It is further the  
291 intention of the Legislature that the Executive Director of the  
292 Department of Mental Health shall submit written justification for  
293 the transfer to the Legislative Budget Office and the Department  
294 of Finance and Administration. None of the funds transferred with  
295 this section may be transferred to the Central Office for Personal  
296 Services.

297       **SECTION 14.** Of the funds appropriated under the provisions  
298 of this act, Twenty Million One Hundred Thousand Dollars  
299 (\$20,100,000.00) is provided to the Department of Mental Health to  
300 expand those community-based services that will improve the State  
301 of Mississippi's compliance with the Olmstead decision of the  
302 United States Supreme Court. Further, it is the intention of the  
303 Legislature that the Department of Mental Health shall have the  
304 authority to transfer such sums from this source as are necessary  
305 to implement or improve those community services that are more  
306 appropriately addressed by the Mississippi Department of Education  
307 and/or the Mississippi Department of Rehabilitation Services to  
308 those agencies for that purpose. Further, it is the intention of  
309 the Legislature that any sums received from this source that are  
310 not expended during the fiscal year ending June 30, 2021, by the  
311 Mississippi Department of Mental Health shall be reappropriated  
312 for the same purpose during the fiscal year ending June 30, 2022.



313 Further, it is the intention of the Legislature that the  
314 Department of Mental Health shall account for the expenditure of  
315 these funds in sufficient detail to clearly show the purposes for  
316 which such funds were expended. The Executive Director of the  
317 Department of Mental Health shall report any such reappropriation  
318 to the Legislative Budget Office no later than fifteen (15) days  
319 after the effective date of the reappropriation.

320 **SECTION 15.** Of the funds appropriated in this act, the  
321 Department of Mental Health, with approval by the board, may  
322 contract with a Community Mental Health Center, or suitable  
323 entities, for the purpose of operating the Crisis Intervention  
324 Center at Grenada.

325 Of the funds appropriated in this act, the Department of  
326 Mental Health, with approval by the board, may contract with a  
327 community health center to allow Region 14 to be served at the  
328 Crisis Stabilization Unit at Gulfport.

329 The Department of Mental Health, with approval by the board,  
330 may also contract with suitable entities for the purpose of  
331 operating the crisis intervention centers in Batesville,  
332 Brookhaven, Cleveland, Corinth, Laurel and Newton. The department  
333 shall provide quarterly progress reports on the operation of the  
334 crisis intervention centers to the Chairmen of the Senate and  
335 House Public Health and Appropriations Committees.

336 **SECTION 16.** It is the intention of the Legislature that  
337 whenever two (2) or more bids are received by this agency for the



338 purchase of commodities or equipment, and whenever all things  
339 stated in such received bids are equal with respect to price,  
340 quality and service, the Mississippi Industries for the Blind  
341 shall be given preference. A similar preference shall be given to  
342 the Mississippi Industries for the Blind whenever purchases are  
343 made without competitive bids.

344         **SECTION 17.** The Department of Finance and Administration  
345 (DFA) shall transfer funds back to the Department of Mental  
346 Health, upon the request of the Department of Mental Health, where  
347 the funds received by DFA from the Department of Mental Health  
348 were special funds (neither general funds or bond funds) and where  
349 those funds are not required for the payment of costs already  
350 incurred on a building or repair project. For the purposes of  
351 this section, the term "special funds" includes any state source  
352 special funds including, but not limited to, funds from the Health  
353 Care Expendable Fund. The duty of DFA to transfer funds back to  
354 the Department of Mental Health under this section applies to any  
355 funds described in this section that were transferred to DFA,  
356 regardless of the year that the transfer was made by the  
357 Department of Mental Health.

358         **SECTION 18.** It is the intention of the Legislature that the  
359 Department of Mental Health may provide, upon the availability of  
360 funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope  
361 Village for Children Program.



362           **SECTION 19.** None of the funds provided in Section 1, 2, or 3  
363 of this act shall be used to pay Medicaid match for the fourteen  
364 (14) Community Mental Health Centers.

365           **SECTION 20.** Of the funds appropriated under the provisions  
366 of this act, an amount not to exceed Two Hundred Fifty Thousand  
367 Dollars (\$250,000.00) is provided for community-based mental  
368 health services for juveniles in detention.

369           **SECTION 21.** Of the funds appropriated in Section 1, it is  
370 the intention of the Legislature that Three Million Nine Hundred  
371 Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be  
372 allocated to the Crisis Intervention Mental Health Fund supported  
373 by General Fund court assessments.

374           **SECTION 22.** Of the funds appropriated in this act, the  
375 Department of Mental Health shall fund four (4) Programs of  
376 Assertive Community Treatment (PACT) Teams and provide supportive  
377 employment for individuals with intellectual and developmental  
378 disabilities.

379           **SECTION 23.** The money herein appropriated shall be paid by  
380 the State Treasurer out of any money in the State Treasury to the  
381 credit of the proper fund or funds as set forth in this act, upon  
382 warrants issued by the State Fiscal Officer; and the State Fiscal  
383 Officer shall issue his warrants upon requisitions signed by the  
384 proper person, officer or officers in the manner provided by law.





385           **SECTION 24.** This act shall take effect and be in force from  
386 and after July 1, 2021, and shall stand repealed from and after  
387 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 DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2022.

