

**Senate Amendments to House Bill No. 1399**

**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:**

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.....\$     24,801,175.00.

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 .....\$     210,461,420.00.

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.....	950
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 **SECTION 5.** It is the intention of the Legislature that the  
93 Department of Rehabilitation Services shall maintain complete  
94 accounting and personnel records related to the expenditure of all  
95 funds appropriated under this act and that such records shall be  
96 in the same format and level of detail as maintained for Fiscal  
97 Year 2021. It is further the intention of the Legislature that  
98 the agency's budget request for Fiscal Year 2023 shall be

99 submitted to the Joint Legislative Budget Committee in a format  
100 and level of detail comparable to the format and level of detail  
101 provided during the Fiscal Year 2022 budget request process.

102       **SECTION 6.** Of the funds appropriated herein, the Mississippi  
103 Department of Rehabilitation Services through the Office of  
104 Vocational Rehabilitation for the Blind is authorized to expend an  
105 amount not to exceed One Hundred Thousand Dollars (\$100,000.00)  
106 for the National Federation for the Blind (NFB) News line service  
107 to allow blind and visually impaired persons to access newspapers  
108 through toll-free telephone calls.

109       **SECTION 7.** It is the intention of the Legislature that  
110 whenever two (2) or more bids are received by this agency for the  
111 purchase of commodities or equipment, and whenever all things  
112 stated in such received bids are equal with respect to price,  
113 quality and service, the Mississippi Industries for the Blind  
114 shall be given preference. A similar preference shall be given to  
115 the Mississippi Industries for the Blind whenever purchases are  
116 made without competitive bids.

117       **SECTION 8.** In compliance with the "Mississippi Performance  
118 Budget and Strategic Planning Act of 1994," it is the intent of  
119 the Legislature that the funds provided herein shall be utilized  
120 in the most efficient and effective manner possible to achieve the  
121 intended mission of this agency. Based on the funding authorized,  
122 this agency shall make every effort to attain the targeted  
123 performance measures provided below:

124

FY2022

125	<u>Performance Measures</u>	<u>Target</u>
126	Disability Determination Services	
127	Dispositions (Number of)	89,000
128	Processing Time (Days)	125
129	Special Disability Programs	
130	Clients Served (Number of)	3,054
131	Percentage Change in Persons Receiving	
132	HCBW Services Compared to Waiting List	
133	(%)	56.00
134	Ratio of Cost to HCBW Services per	
135	Person Compared to an Institutional	
136	Setting	38.00
137	Support Services	
138	Percentage of Total Budget (%)	2.00
139	Vocational Rehabilitation	
140	Clients Served (Number of)	19,000
141	Clients Rehabilitated (Number of)	2,800
142	Percentage Change of Persons Employed	
143	Compared to Total Persons Served (%)	14.00
144	Persons Employed with Pay Rate Greater	
145	Than Federal or State Minimum Wage	3,060
146	Persons with Significant Disabilities	
147	Leaving VR with Competitive, Self, or	
148	Bep Employment, Wage = or > Than Minimum	1,400
149	Spinal Cord & Head Injury Program	
150	Clients Served (Number of)	946

151	Percentage Change in Number of Spinal	
152	Cord & Brain Injuries per Year (%)	3.00
153	Voc Rehabilitation For The Blind	
154	Blind & Visually Impaired Served (Persons)	1,800
155	Persons Rehabilitated (Number of)	400
156	Independent Living (Number Served)	840
157	Percentage Change in Persons Employed	
158	Compared to Total Persons Served (%)	18.00

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

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

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

173 **SECTION 11.** It is the intention of the Legislature that the  
174 funds herein appropriated shall be expended in compliance with  
175 Section 27-104-25, Mississippi Code of 1972, that no state agency  
176 shall incur obligations or indebtedness in excess of their

177 appropriation and that the responsible officers, either personally  
178 or upon their official bonds, shall be held responsible for  
179 actions contrary to this provision.

180         **SECTION 12.** The money herein appropriated shall be paid by  
181 the State Treasurer out of any money in the State Treasury to the  
182 credit of the proper fund or funds as set forth in this act, upon  
183 warrants issued by the State Fiscal Officer; and the State Fiscal  
184 Officer shall issue his warrants upon requisitions signed by the  
185 proper person, officer or officers, in the manner provided by law.

186         **SECTION 13.** This act shall take effect and be in force from  
187 and after July 1, 2021, and shall stand repealed 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 THE DEPARTMENT OF  
2 REHABILITATION SERVICES FOR FISCAL YEAR 2022.

SS15\HB1399A.J

Eugene S. Clarke  
Secretary of the Senate