

By: Representatives Roberson, Stamps

To: Public Health and Human
Services

HOUSE BILL NO. 477

1 AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE BY WHICH THE STATE DEPARTMENT OF HEALTH MAY AWARD
3 PHYSICIAN GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS TO
4 PROVIDE A ONE-TIME SALARY SUPPLEMENT TO PRIMARY CARE PHYSICIANS
5 BEING RECRUITED UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 41-99-5, Mississippi Code of 1972, is
8 amended as follows:

9 41-99-5. (1) Any Mississippi qualified health center
10 desiring to participate in the program shall make application for
11 a service grant to the department in a form satisfactory to the
12 department. The department shall receive service grant proposals
13 from Mississippi qualified health centers. All proposals shall be
14 submitted in accordance with the provisions of grant procedures,
15 criteria and standards developed and made public by the
16 department.

17 (2) The department shall use the funds provided by
18 subsection (6) (a) of this section to make care grants until July
19 1, 2024, to Mississippi qualified health centers upon proposals



20 made under subsection (1) of this section. Care grants that are
21 awarded to Mississippi qualified health centers shall only be used
22 by those centers to:

23 (a) Increase access to preventative and primary care
24 services by uninsured or medically indigent patients that are
25 served by those centers; and

26 (b) Create new services or augment existing services
27 provided to uninsured or medically indigent patients, including,
28 but not limited to, primary care medical and preventive services,
29 dental services, optometric services, in-house laboratory
30 services, diagnostic services, pharmacy services, nutritional
31 services and social services.

32 (3) The department shall use the funds provided by
33 subsection (6)(b) of this section to make physician grants until
34 July 1, * * * 2025, to Mississippi qualified health centers upon
35 proposals made under subsection (1) of this section. A physician
36 grant awarded to a Mississippi qualified health center shall only
37 be used by that center to provide a one-time salary supplement to
38 a primary care physician being recruited under the program.

39 (4) Service grants received by Mississippi qualified health
40 centers under this chapter shall not be used:

41 (a) To supplant federal funds traditionally received by
42 those centers, but shall be used to supplement them;

43 (b) For land or real estate investments;

44 (c) To finance or satisfy any existing debt; or



45 (d) Unless the health center specifically complies with
46 the definition of a Mississippi qualified health center contained
47 in Section 41-99-1.

48 (5) The department shall develop regulations, procedures and
49 application forms to govern how service grants will be awarded,
50 shall develop a plan to ensure that care grants are equitably
51 distributed among all Mississippi qualified health centers and
52 that physician grants are distributed to the Mississippi qualified
53 health centers where there is the most need, and shall develop an
54 audit process to assure that grant monies are used to provide and
55 expend care to the uninsured and medically indigent.

56 (6) The department shall establish a fund for the purpose of
57 providing service grants to Mississippi qualified health centers
58 in accordance with this chapter and the following terms and
59 conditions:

60 (a) The total amount of care grants issued under this
61 chapter shall be Four Million Dollars (\$4,000,000.00) per state
62 fiscal year, awarded as follows:

63 (i) No Mississippi qualified health center shall
64 receive care grants under this program in excess of Two Hundred
65 Thousand Dollars (\$200,000.00) per calendar year; and

66 (ii) Each Mississippi qualified health center
67 receiving a care grant shall provide an annual report to the
68 department that details the number of additional uninsured and



69 medically indigent patients that are cared for and the types of
70 services that are provided;

71 (b) The total amount of physician grants issued under
72 this chapter during any fiscal year shall not be more than the
73 amount appropriated to the department for that purpose, awarded as
74 follows:

75 (i) Per fiscal year, a Mississippi qualified
76 health center shall receive only one (1) physician grant under the
77 program, which shall not exceed the amount specified in the
78 appropriation bill for the department;

79 (ii) For the Mississippi qualified health center
80 to be eligible for a physician grant, a primary care physician
81 shall agree to work, full time, for the Mississippi qualified
82 health center for at least three (3) consecutive years from the
83 date of an executed employment contract;

84 (iii) A Mississippi qualified health center shall
85 use a physician grant to supplement a physician's salary within
86 the first one hundred twenty (120) days of employment;

87 (iv) If a physician grant is disbursed to a
88 Mississippi qualified health center and the hiring of the primary
89 care physician does not materialize, the Mississippi qualified
90 health center shall repay the entire physician grant award to the
91 department;

92 (v) If a primary care physician abandons his or
93 her employment at the Mississippi qualified health center before



94 he or she has worked there for three (3) years, the primary care
95 physician shall repay to the department a pro rata share of the
96 physician grant based on the number of unserved months during the
97 three-year period. Under this subparagraph (v), the department
98 shall have a cause of action against the primary care physician to
99 recover grant monies; and

100 (vi) Each Mississippi qualified health center
101 receiving a physician care grant shall provide an annual report to
102 the department that details the following:

103 1. The number of patients treated by the new
104 primary care physician; and

105 2. The general types of medical services
106 rendered by the new primary care physician; and

107 (c) On or before January 15 of each year, the
108 department shall provide the reports required by this subsection
109 to the Chair and Vice Chair of the Senate Public Health and
110 Welfare Committee, to the Chair and Vice Chair of the House Public
111 Health and Human Services Committee, to the Lieutenant Governor
112 and to the Speaker of the House.

113 (7) The department shall establish an advisory council to
114 review and make recommendations to the department on the awarding
115 of any grants to Mississippi qualified health centers. Those
116 recommendations by the advisory council shall not be binding upon
117 the department, but when a recommendation by the advisory council
118 is not followed by the department, the department shall place in



119 its minutes reasons for not accepting the advisory council's
120 recommendation, and provide for an appeals process. All approved
121 service grants shall be awarded within thirty (30) days of
122 approval by the department.

123 (8) The composition of the advisory council shall be the
124 following:

125 (a) Two (2) employees of the department, one (1) of
126 whom must have experience in reviewing and writing grant
127 proposals;

128 (b) Two (2) executive employees of Mississippi
129 qualified health centers, one (1) of whom must be a chief
130 financial officer;

131 (c) Two (2) health care providers who are affiliated
132 with a Mississippi qualified health center, one (1) of whom must
133 be a physician; and

134 (d) One (1) health care provider who is not affiliated
135 with a Mississippi qualified health center or the department but
136 has training and experience in primary care.

137 (9) The department may use a portion of any grant monies
138 received under this chapter to administer the program and to pay
139 reasonable expenses incurred by the advisory council; however, in
140 no case shall more than one and one-half percent (1-1/2%) or Sixty
141 Thousand Dollars (\$60,000.00) annually, whichever is greater, be
142 used for program expenses.



143 (10) No assistance shall be provided to a Mississippi
144 qualified health center under this chapter unless the Mississippi
145 qualified health center certifies to the department that it will
146 not discriminate against any employee or against any applicant for
147 employment because of race, religion, color, national origin, sex
148 or age.

149 **SECTION 2.** This act shall take effect and be in force from
150 and after July 1, 2022.

