

By: Representatives Read, Oliver, Bounds,  
Busby, Cockerham, Hale, Haney, Hines,  
Huddleston, Jackson, Ladner, Turner, Watson,  
Young

To: Appropriations

HOUSE BILL NO. 1586

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the special fund in  
7 the State Treasury to the credit of the State Board of Medical  
8 Licensure, for the purpose of defraying the expenses of the board  
9 for the fiscal year beginning July 1, 2022, and ending  
10 June 30, 2023.....\$ 3,290,753.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	24
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



18 With the funds herein appropriated, it shall be the agency's  
19 responsibility to make certain that funds required for "Personal  
20 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023  
21 funds appropriated for that purpose unless programs or positions  
22 are added to the agency's Fiscal Year 2023 budget by the  
23 Mississippi Legislature. The Legislature shall determine the  
24 agency's personal services appropriation, which shall be published  
25 by the State Personnel Board. Additionally, the State Personnel  
26 Board shall determine and publish the projected annualized payroll  
27 costs based on current employees. It shall be the responsibility  
28 of the agency head to ensure that actual personnel expenditures  
29 for Fiscal Year 2023 do not exceed the data provided by the  
30 Legislative Budget Office. If the agency's Fiscal Year 2023  
31 projected cost exceeds the annualized costs, no salary actions  
32 shall be processed by the State Personnel Board with the exception  
33 of new hires that are determined to be essential for the agency.

34 Any transfers or escalations shall be made in accordance with  
35 the terms, conditions and procedures established by law or  
36 allowable under the terms set forth within this act. The State  
37 Personnel Board shall not escalate positions without written  
38 approval from the Department of Finance and Administration. The  
39 Department of Finance and Administration shall not provide written  
40 approval to escalate any funds for salaries and/or positions  
41 without proof of availability of new or additional funds above the  
42 appropriated level.



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

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

51 Funds have been appropriated herein for the purpose of  
52 funding Project SEC2 minimum salaries for all employees covered  
53 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
54 Plan. It shall be the agency's responsibility to ensure that the  
55 funds are used to increase all employees' salaries up to the  
56 minimum level as determined by the State Personnel Board.

57 **SECTION 3.** In compliance with the "Mississippi Performance  
58 Budget and Strategic Planning Act of 1994," it is the intent of  
59 the Legislature that the funds provided herein shall be utilized  
60 in the most efficient and effective manner possible to achieve the  
61 intended mission of this agency. Based on the funding authorized,  
62 this agency shall make every effort to attain the targeted  
63 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Licensure	
Percent of Licensees who Renew Online	100.00



68	Percent of Individual License Renewals	
69	Issued within Seven Business Days	100.00
70	Investigative	
71	Recidivism Rate for Those Receiving	
72	Disciplinary Actions (%)	4.00
73	Number of Documented Complaints Received	300
74	Percent of Documented Complaints	
75	Resolved within Seven Business Days	15.00

76 A reporting of the degree to which the performance targets  
77 set above have been or are being achieved shall be provided in the  
78 agency's budget request submitted to the Joint Legislative Budget  
79 Committee for Fiscal Year 2024.

80 **SECTION 4.** It is the intention of the Legislature that the  
81 State Board of Medical Licensure shall maintain complete  
82 accounting and personnel records related to the expenditure of all  
83 funds appropriated under this act and that such records shall be  
84 in the same format and level of detail as maintained for Fiscal  
85 Year 2022. It is further the intention of the Legislature that  
86 the agency's budget request for Fiscal Year 2024 shall be  
87 submitted to the Joint Legislative Budget Committee in a format  
88 and level of detail comparable to the format and level of detail  
89 provided during the Fiscal Year 2023 budget request process.

90 **SECTION 5.** It is the intention of the Legislature that  
91 whenever two (2) or more bids are received by this agency for the  
92 purchase of commodities or equipment, and whenever all things



93 stated in such received bids are equal with respect to price,  
94 quality and service, the Mississippi Industries for the Blind  
95 shall be given preference. A similar preference shall be given to  
96 the Mississippi Industries for the Blind whenever purchases are  
97 made without competitive bids.

98 **SECTION 6.** It is the intention of the Legislature that the  
99 funds herein appropriated shall be expended in compliance with  
100 Section 27-104-25, Mississippi Code of 1972, that no state agency  
101 shall incur obligations or indebtedness in excess of their  
102 appropriation and that the responsible officers, either personally  
103 or upon their official bonds, shall be held responsible for  
104 actions contrary to this provision.

105 **SECTION 7.** Of the funds provided under the provisions of  
106 this act, an amount not to exceed Five Hundred Thousand Dollars  
107 (\$500,000.00) is provided for the Mississippi Physician Health  
108 Program.

109 **SECTION 8.** Of the funds provided under the provisions of  
110 this act, an amount not to exceed One Hundred Thirty Thousand  
111 Dollars (\$130,000.00) may be allocated to the Mississippi Board of  
112 Pharmacy to defray the expense of the Mississippi Prescription  
113 Monitoring Program.

114 **SECTION 9.** It is further the intention of the Legislature  
115 that, for Fiscal Year 2023, the board shall be allowed to recover  
116 all costs from a holder of a license who has been found by the  
117 board in violation of statute after notice and a hearing as



118 provided by law. The expenses must be direct costs associated  
119 with the investigation and conduct of a proceeding for licensure  
120 revocation, suspension or restriction.

121 **SECTION 10.** The money herein appropriated shall be paid by  
122 the State Treasurer out of any money in the State Treasury to the  
123 credit of the proper fund or funds as set forth in this act, upon  
124 warrants issued by the State Fiscal Officer; and the State Fiscal  
125 Officer shall issue his warrants upon requisitions signed by the  
126 proper person, officer or officers, in the manner provided by law.

127 **SECTION 11.** This act shall take effect and be in force from  
128 and after July 1, 2022, and shall stand repealed June 30, 2022.

