

By: Representatives Read, Mims, Arnold,  
Bounds, Clark, Clarke, Currie, Hines, Hood,  
Horan, Sanford, Watson, Young

To: Appropriations

HOUSE BILL NO. 1614  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR  
3 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 State General  
7 Fund not otherwise appropriated, for the purpose of defraying the  
8 expenses of the State Department of Health for the fiscal year  
9 beginning July 1, 2022, and ending June 30, 2023.....  
10 .....\$ 34,861,746.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in any special fund in  
13 the State Treasury to the credit of the State Department of Health  
14 which is comprised of special source funds collected by or  
15 otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2022, and ending June 30, 2023.....  
18 .....\$ 518,982,131.00.



19           **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two  
21 Dollars (\$526,102.00) shall be derived from the State General Fund  
22 and Fifteen Million Ninety-three Thousand Seven Hundred  
23 Eighty-three Dollars (\$15,093,783.00) shall be derived from the  
24 Health Care Expendable Fund, created in Section 43-13-407,  
25 Mississippi Code of 1972, for the support and maintenance of the  
26 State Department of Health. The funds provided in this section  
27 shall be allocated as follows:

28	Maternal and Child Health Care Program.....	\$ 1,242,943.00
29	Mississippi Health Care Alliance for the ST	
30	Elevated Myocardial Infarction Program	
31	(STEMI) and the Stroke System of Care	
32	Plan.....	\$ 100,000.00
33	Rural Hospital Loan Program.....	\$ 2,500,000.00
34	Non-Transport Emergency Services.....	\$ 415,000.00
35	MAGnet Community Health Disparity Program.....	\$ 2,900,000.00
36	Health Department Programs.....	\$ 8,461,942.00

37           **SECTION 4.** Of the funds appropriated in this act,  
38 Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the  
39 Trauma Care System. Of the General Fund court assessments  
40 provided in Section 1, Seven Million Twenty-three Thousand One  
41 Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated  
42 for Trauma Care Systems and One Million Eight Hundred Five  
43 Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be



44 allocated for Emergency Medical Services. All additional funds  
45 are appropriated in Section 2. The State Department of Health may  
46 transfer a portion of Trauma Care System funds to the Division of  
47 Medicaid for the development and implementation of an enhanced  
48 reimbursement fee program related to trauma care and services,  
49 used to match federal funds, under a cooperative agreement between  
50 the State Department of Health and the Division of Medicaid.

51 It is the intention of the Legislature that none of the funds  
52 authorized herein for the Trauma Care System shall be expended to  
53 the benefit of any hospital located outside the boundaries of the  
54 State of Mississippi, unless otherwise excepted in this paragraph.  
55 Funds shall be expended by the Mississippi Department of Health  
56 for distribution to the Regional Medical Center or Le Bonheur  
57 Children's Hospital at Memphis, located in Memphis, Tennessee, or  
58 the University of South Alabama Medical Center located in Mobile,  
59 Alabama, or the Joseph M. Still Burn Centers, Inc., located in  
60 Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction  
61 Center at Merit Health Central or any affiliates or any other  
62 Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that  
63 participates in the Mississippi Trauma Care System, as determined  
64 by the Mississippi Department of Health.

65 **SECTION 5.** Of the funds appropriated in Section 2, Twenty  
66 Million Dollars (\$20,000,000.00) shall be derived from the Tobacco  
67 Control Program Fund, created in Section 41-113-11, Mississippi  
68 Code of 1972, and shall be allocated as follows:



69 University of Mississippi Medical Center Cancer  
70 Institute.....\$ 4,250,000.00  
71 Department of Education - Mary Kirkpatrick Haskell -  
72 Mary Sprayberry Public School  
73 Nurse Program.....\$ 3,060,000.00  
74 Attorney General's Office - Alcohol and  
75 Tobacco Enforcement Unit.....\$ 680,000.00  
76 University of Mississippi Medical Center -  
77 A Comprehensive Tobacco (ACT)  
78 Center.....\$ 595,000.00  
79 Mississippi Health Care Alliance - ST Elevated  
80 Myocardial Infarction Program (STEMI) and  
81 Stroke System of Care Plan.....\$ 595,000.00  
82 Mississippi Qualified Health  
83 Center Grant Program.....\$ 3,400,000.00  
84 Mississippi Health Department Programs.....\$ 7,420,000.00

85 Of the funds appropriated in this section, the State  
86 Department of Health is authorized to expend funds to create and  
87 administer the Office of Tobacco Control within the department as  
88 outlined and created in Section 41-113-3, Mississippi Code of  
89 1972.

90 **SECTION 6.** Of the funds appropriated in Section 1, Five  
91 Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars  
92 (\$558,795.00) shall be allocated as follows:

93 Mississippi Health Care Alliance - ST Elevated



94 Myocardial Infarction Program (STEMI)  
95 and Stroke System of Care Plan.....\$ 279,400.00.  
96 Mississippi Qualified Health Center  
97 Grant Program.....\$ 55,880.00.  
98 Mississippi Health Department Programs.....\$ 223,515.00.

99 **SECTION 7.** Of the funds appropriated under the provisions of  
100 this act, the following positions are authorized:

101 AUTHORIZED HEADCOUNT:

102 Permanent: 939

103 Time-Limited: 1,375

104 With the funds herein appropriated, it shall be the agency's  
105 responsibility to make certain that funds required for Personal  
106 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds  
107 appropriated for that purpose unless programs or positions are  
108 added to the agency's Fiscal Year 2023 budget by the Mississippi  
109 Legislature. The Legislature shall determine the agency's  
110 personal services appropriation, which shall be published by the  
111 State Personnel Board. Additionally, the State Personnel Board  
112 shall determine and publish the projected annualized payroll costs  
113 based on current employees. It shall be the responsibility of the  
114 agency head to ensure that actual personnel expenditures for  
115 Fiscal Year 2023 do not exceed the data provided by the  
116 Legislative Budget Office. If the agency's Fiscal Year 2023  
117 projected cost exceeds the annualized costs, no salary actions



118 shall be processed by the State Personnel Board with the exception  
119 of new hires that are determined to be essential for the agency.

120 Any transfers or escalations shall be made in accordance with  
121 the terms, conditions and procedures established by law or  
122 allowable under the terms set forth within this act. The State  
123 Personnel Board shall not escalate positions without written  
124 approval from the Department of Finance and Administration. The  
125 Department of Finance and Administration shall not provide written  
126 approval to escalate any funds for salaries and/or positions  
127 without proof of availability of new or additional funds above the  
128 appropriated level.

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

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

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



143           **SECTION 8.** It is the intention of the Legislature that the  
144 State Department of Health shall maintain complete accounting and  
145 personnel records related to the expenditure of all funds  
146 appropriated under this act and that such records shall be in the  
147 same format and level of detail as maintained for Fiscal Year  
148 2022. It is further the intention of the Legislature that the  
149 agency's budget request for Fiscal Year 2024 shall be submitted to  
150 the Joint Legislative Budget Committee in a format and level of  
151 detail comparable to the format and level of detail provided  
152 during the Fiscal Year 2023 budget request process.

153           **SECTION 9.** In compliance with the "Mississippi Performance  
154 Budget and Strategic Planning Act of 1994," it is the intent of  
155 the Legislature that the funds provided herein shall be utilized  
156 in the most efficient and effective manner possible to achieve the  
157 intended mission of this agency. Based on the funding authorized,  
158 this agency shall make every effort to attain the targeted  
159 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
162 Health Services	
163           State Infant Mortality Rate (per 1,000	
164                   Live Births)	8.20
165           Percent of Women who Received Prenatal	
166                   Care in First Trimester	76.90
167           Percent of Live Births Delivered Prior	



168	to 37 Weeks of Gestation	13.60
169	Teenage Live Birth Rate Age 15-19 Years	
170	(per 1,000 Women Age 15-19)	27.10
171	Percent of Newborns with Positive &	
172	Inconclusive Genetic Screens who	
173	Received Recommended Follow-Up	100.00
174	Percent of Adults who are Obese (Body	
175	Mass Index of 30 or More, Regardless of	
176	Sex)	40.80
177	Health Protection	
178	Percent of Mississippi Population	
179	Receiving Water from a Public Water	
180	Supply	92.00
181	Percent of Mississippi Population	
182	Receiving Optimally Fluoridated Water	59.00
183	Transfer Time of Level III & IV Trauma	
184	Centers to Appropriate Facilities for	
185	Treatment (Minutes)	130
186	Communicable Disease	
187	Primary & Secondary Syphilis: Case Rate	
188	per 100,000	32.44
189	Tuberculosis: Number of Cases	41
190	Tuberculosis: Case Rate per 100,000	1.40
191	HIV Disease: Number of Cases	400
192	HIV Disease: Case Rate per 100,000	13.48





193	Rate of Two Year Old Children Fully	
194	Immunized (National Immunization Survey:	
195	4:3:1:3:3:1:4 Series - 19 to 35 Months)	85.00
196	Tobacco Control	
197	Percent of Current Smokers among Public	
198	Middle School Students	3.00
199	Percent of Current Smokers among Public	
200	High School Students	6.50
201	Percent of Current Smokers among Adults	
202	18 Years & Older	21.00
203	Public Health Emerg Prep/resp	
204	Time Required for Command Staff to	
205	Report to Emergency Operations Center in	
206	Response to a National or Man-Made	
207	Disaster (Minutes)	20
208	Admin & Support Services	
209	Percent of Mississippi Population Living	
210	in an Area Designated as a Health	
211	Professional Shortage Area: Mental	
212	Health	65.00
213	Percent of Mississippi Population Living	
214	in an Area Designated as a Health	
215	Professional Shortage Area: Dental	54.00
216	Percent of Mississippi Population Living	
217	in an Area Designated as a Health	



218	Professional Shortage Area: Primary Care	54.00
219	Mississippi Medical Cannabis Program	
220	Number of Conditions Added to the List	
221	of Debilitating Medical Conditions	1
222	Number of Qualifying Patients Approved	10,000
223	Number of Designated Caregivers Approved	500
224	Number of Registry Identification Cards	
225	Revoked	50
226	Total Number of Patients with a Registry	
227	Identification Card	10,000
228	Number of Licensed Medical Practitioners	500
229	Number of Licensed Cannabis Cultivation	
230	Facilities	25
231	Number of Licensed Cannabis Processing	
232	Facilities	15
233	Number of Licensed Cannabis Testing	
234	Facilities	3
235	Number of Licensed Cannabis Waste	
236	Disposal Entities	10
237	Number of Licensed Cannabis	
238	Transportation Entities	10
239	Percent of Applications Approved	95.00
240	A reporting of the degree to which the performance targets	
241	set above have been or are being achieved shall be provided in the	



242 agency's budget request submitted to the Joint Legislative Budget  
243 Committee for Fiscal Year 2024.

244       **SECTION 10.** It is the intention of the Legislature that with  
245 the funds provided herein, the State Department of Health may  
246 provide and administer without charge, Hepatitis B vaccinations to  
247 Emergency Medical Services (EMS) personnel who are in need of such  
248 vaccinations through job related exposure.

249       **SECTION 11.** In addition to all other sums heretofore  
250 appropriated, the following sum, or so much thereof as may be  
251 necessary, is appropriated out of any money in the State Treasury  
252 to the credit of the Local Governments and Rural Water Systems  
253 Emergency Loan Fund, and the Local Governments and Rural Water  
254 System Improvements Revolving Loan Fund as authorized in Chapter  
255 521, Laws of 1995, to the State Department of Health for the  
256 purpose of defraying the expenses of the Local Governments and  
257 Rural Water Systems Improvements Board, for the fiscal year  
258 beginning July 1, 2022, and ending June 30, 2023.....  
259 .....\$ 38,792,704.00.

260       **SECTION 12.** Of the funds appropriated in Section 11, the  
261 following sum, or so much thereof as may be necessary, is provided  
262 in House Bill 1353, 2022 Regular Session for the purpose of  
263 defraying the expenses of the Department of Health for the fiscal  
264 year beginning July 1, 2022, and ending June 30, 2023.....  
265 .....\$ 4,450,000.00.



266           The purpose of these funds is to provide for matching funds  
267 for Federal grants of the Local Governments and Rural Water  
268 Program at the Department of Health.

269       AUTHORIZED HEADCOUNT:

270           Permanent:                               5

271           Time-Limited:                           3

272           With the funds herein appropriated, it shall be the agency's  
273 responsibility to make certain that funds required for Personal  
274 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds  
275 appropriated for that purpose unless programs or positions are  
276 added to the agency's Fiscal Year 2023 budget by the Mississippi  
277 Legislature. The Legislature shall determine the agency's  
278 personal services appropriation, which shall be published by the  
279 State Personnel Board. Additionally, the State Personnel Board  
280 shall determine and publish the projected annualized payroll costs  
281 based on current employees. It shall be the responsibility of the  
282 agency head to ensure that actual personnel expenditures for  
283 Fiscal Year 2023 do not exceed the data provided by the  
284 Legislative Budget Office. If the agency's Fiscal Year 2023  
285 projected cost exceeds the annualized costs, no salary actions  
286 shall be processed by the State Personnel Board with the exception  
287 of new hires that are determined to be essential for the agency.

288           Any transfers or escalations shall be made in accordance with  
289 the terms, conditions and procedures established by law or  
290 allowable under the terms set forth within this act. The State



291 Personnel Board shall not escalate positions without written  
292 approval from the Department of Finance and Administration. The  
293 Department of Finance and Administration shall not provide written  
294 approval to escalate any funds for salaries and/or positions  
295 without proof of availability of new or additional funds above the  
296 appropriated level.

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

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

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

311 **SECTION 13.** Of the funds appropriated in Section 2, One  
312 Million Dollars (\$1,000,000.00) shall come from the Department of  
313 Human Services, Child Care Development Fund or other appropriate  
314 special funds for the purpose of child care licensure. These  
315 funds are to be transferred to the State Department of Health no



316 later than July 31, 2022. The State Department of Health shall  
317 make a complete accounting of the uses of these funds to the  
318 Department of Human Services.

319 **SECTION 14.** Of the funds in Section 2, the following sum, or  
320 so much thereof as may be necessary, is appropriated out of any  
321 money in the State Treasury to the credit of the Capital Expense  
322 Fund, for the purpose of defraying the expenses of the Department  
323 of Health for the fiscal year beginning July 1, 2022, and ending  
324 June 30, 2023.....\$ 2,000,000.00.

325 The purpose of these funds is to defray the expense of the  
326 Victims of Crimes Act (VOCA) at the Department of Health, Office  
327 of Interpersonal Violence.

328 **SECTION 15.** It is the intention of the Legislature that the  
329 State Department of Health shall expend not more than Fifty  
330 Thousand Dollars (\$50,000.00) of the funds appropriated herein for  
331 providing the oil known as "Lorenzo's Oil" for the treatment of  
332 the genetic disorder adrenoleukodystrophy (ALD), to children and  
333 Mississippi residents over the age of twenty-one (21) who have the  
334 genetic disorder adrenoleukodystrophy and for whom Medicaid does  
335 not reimburse the cost of providing the oil. The department may  
336 also provide needed pathology and biannual MRI exams.

337 **SECTION 16.** Of the funds appropriated in Section 1, Seven  
338 Hundred Thousand Dollars (\$700,000.00) are provided for the  
339 purpose of purchasing AIDS drugs and other necessary AIDS related  
340 medical services.





365 With the funds herein appropriated, it shall be the agency's  
366 responsibility to make certain that funds required for Personal  
367 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds  
368 appropriated for that purpose unless programs or positions are  
369 added to the agency's Fiscal Year 2023 budget by the Mississippi  
370 Legislature. The Legislature shall determine the agency's  
371 personal services appropriation, which shall be published by the  
372 State Personnel Board. Additionally, the State Personnel Board  
373 shall determine and publish the projected annualized payroll costs  
374 based on current employees. It shall be the responsibility of the  
375 agency head to ensure that actual personnel expenditures for  
376 Fiscal Year 2023 do not exceed the data provided by the  
377 Legislative Budget Office. If the agency's Fiscal Year 2023  
378 projected cost exceeds the annualized costs, no salary actions  
379 shall be processed by the State Personnel Board with the exception  
380 of new hires that are determined to be essential for the agency.

381 Any transfers or escalations shall be made in accordance with  
382 the terms, conditions and procedures established by law or  
383 allowable under the terms set forth within this act. The State  
384 Personnel Board shall not escalate positions without written  
385 approval from the Department of Finance and Administration. The  
386 Department of Finance and Administration shall not provide written  
387 approval to escalate any funds for salaries and/or positions  
388 without proof of availability of new or additional funds above the  
389 appropriated level.





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

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

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

404 **SECTION 20.** In addition to all other funds heretofore  
405 appropriated, the following sum, or so much thereof as may be  
406 necessary, is appropriated out of any money in the State Treasury  
407 to the credit of the Mississippi Burn Care Fund which is comprised  
408 of special source funds collected by or otherwise available to the  
409 department, for the purpose of funding reimbursement for  
410 uncompensated medical care to Mississippi burn victims through the  
411 trauma care system at in-state burn facilities including the  
412 Joseph M. Still Burn and Reconstruction Center at Merit Health  
413 Central or for uncompensated aero medical transportation to  
414 out-of-state qualified United States Burn Care facilities, and



415 such other provisions necessary to provide burn care for  
416 Mississippi residents, including reimbursement for travel,  
417 lodgings, meals and other reasonable travel-related expenses  
418 incurred by burn victims, family members and/or caregivers, for  
419 the fiscal year beginning July 1, 2022, and ending June 30, 2023..  
420 .....\$ 1,000,000.00.

421       **SECTION 21.** It is the intention of the Legislature that  
422 whenever two (2) or more bids are received by this agency for the  
423 purchase of commodities or equipment, and whenever all things  
424 stated in such received bids are equal with respect to price,  
425 quality and service, the Mississippi Industries for the Blind  
426 shall be given preference. A similar preference shall be given to  
427 the Mississippi Industries for the Blind whenever purchases are  
428 made without competitive bids.

429       **SECTION 22.** It is the intention of the Legislature that the  
430 Mississippi Department of Health shall implement same day service  
431 to receive birth and death certificates.

432       **SECTION 23.** It is the intention of the Legislature that the  
433 Mississippi State Department of Health shall provide the Joint  
434 Legislative Budget Committee a report of all grants received by  
435 September 15, 2022. This notification will consist of the name of  
436 the grant and agency or nonprofit making the award, the award  
437 amount, and a short list of goals to be achieved.



438           **SECTION 24.** It is the intention of the Legislature that the  
439 Mississippi State Department of Health shall be the fiscal agent  
440 in all allowable grants awarded.

441           **SECTION 25.** Of the funds appropriated in Section 2, Seven  
442 Hundred Thousand Dollars (\$700,000.00) shall come from the  
443 Department of Education for the purpose of maintenance of effort  
444 for the Early Intervention Program. These funds are to be  
445 transferred to the State Department of Health no later than  
446 December 31, 2022. The State Department of Health shall make a  
447 complete accounting of the uses of these funds to the Department  
448 of Education.

449           **SECTION 26.** The Mississippi Department of Health is  
450 authorized to obtain a line of credit through the State Treasurer  
451 from the Working Cash-Stabilization Fund or any other special  
452 source funds maintained in the State Treasury in an amount not  
453 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls  
454 which, from time to time, may occur due to insufficient working  
455 cash spent in anticipation of receiving federal reimbursement.  
456 The length of indebtedness under this provision shall not carry  
457 past the end of the quarter following the loan origination. Loan  
458 proceeds shall be received by the State Treasurer and shall be  
459 placed in a Mississippi Department of Health designated special  
460 fund account. The division may pledge as security for such  
461 interim financing future funds that will be received by the  
462 division. Any such loans shall be repaid from the first available



463 funds received by the department in the manner of and subject to  
464 the same terms provided in this section.

465         **SECTION 27.** It is the intention of the Legislature that the  
466 funds herein appropriated shall be expended in compliance with  
467 Section 27-104-25, Mississippi Code of 1972, that no state agency  
468 shall incur obligations or indebtedness in excess of their  
469 appropriation and that the responsible officers, either personally  
470 or upon their official bonds, shall be held responsible for  
471 actions contrary to this provision.

472         **SECTION 28.** With the funds appropriated herein, it is the  
473 intention of the Legislature that the Mississippi Department of  
474 Health is authorized to set the compensation of all nurse PINs,  
475 Epidemiologists and Disease Intervention Specialist Series based  
476 on the education and experience of the incumbent not to exceed the  
477 end salary as established by the State Personnel Board.

478         **SECTION 29.** It is the intent of the Legislature that the  
479 Chairman of the Board of Health may appoint an official  
480 replacement or representative with voting privileges to the  
481 Advisory Board of the Office of Mississippi Physician Workforce.

482         **SECTION 30.** It is the intention of the Legislature that the  
483 State Health Officer shall have the authority to transfer cash  
484 from one special fund treasury fund to another special fund  
485 treasury fund under the control of the Department of Health. It  
486 is further the intention of the Legislature that the State Health  
487 Officer shall submit written justification for the transfer to the



488 Legislative Budget Office and the Department of Finance and  
489 Administration on or before the fifteenth of the month prior to  
490 the effective date of the transfer.

491       **SECTION 31.** Of the funds appropriated in Section 1, it is  
492 the intention of the Legislature that Eight Hundred Fifty-nine  
493 Thousand Nine Hundred Three Dollars (\$859,903.00) shall be  
494 allocated to the Domestic Violence program that is supported from  
495 General Fund court assessments.

496       **SECTION 32.** It is the intent of the Legislature that the  
497 Mississippi State Department of Health shall have authority to  
498 escalate the various budgets in both funds and positions, with the  
499 approval of the State Fiscal Officer, from any special funds  
500 collected or available for HIV medical or support services,  
501 clinical quality management, and administrative expenses not to  
502 exceed Five Million Dollars (\$5,000,000.00), to the agency for  
503 expenditure. Upon such approval, the Mississippi State Department  
504 of Health may expend such funds in the manner authorized by law.  
505 Funds may be made available to local HIV/AIDS service providers.

506       The Executive Director of the Mississippi State Department of  
507 Health shall submit to the Department of Finance and  
508 Administration a certified statement providing a detailed  
509 explanation for any escalation, including a justification for the  
510 establishment of any new positions or reclassification of existing  
511 positions.



512           **SECTION 33.** Of the funds appropriated in Section 2, an  
513 amount not to exceed Three Million Two Hundred Forty Thousand  
514 Dollars (\$3,240,000.00) may be used to purchase accumulated  
515 compensatory time incurred before June 30, 2023, by employees who  
516 are activated under emergency orders in response to the COVID-19  
517 pandemic.

518           **SECTION 34.** Notwithstanding any other provision, the  
519 Department of Health shall have the authority to escalate its  
520 headcount for any additional operational needs related to  
521 Coronavirus State Fiscal Recovery Funds, upon approval of the  
522 Department of Finance and Administration and the State Personnel  
523 Board.

524           **SECTION 35.** It is the intention of the Legislature that the  
525 State Department of Health is hereby authorized to escalate,  
526 budget and expend funds for salaries and positions, with the  
527 approval of the State Fiscal Officer, from fund numbers  
528 5331400000, 5331500000 and 5820130100, for the purpose of  
529 operating the State Department of Health programs as authorized by  
530 law, in accordance with rules and regulation of the Department of  
531 Finance and Administration in a manner consistent with the  
532 escalation of federal funds and when grant requirements have  
533 changed that result in staffing needs but do not result in new or  
534 additional funds.

535           The Executive Director of the State Department of Health or  
536 designee shall submit to the Department of Finance and



537 Administration a certified statement providing a detailed  
538 explanation for any escalation, including a justification for the  
539 establishment of any new positions or reclassification of existing  
540 positions.

541       **SECTION 36.** (1) Of the funds appropriated in Section 2, is  
542 hereby appropriated out of any money to the credit of the  
543 "Coronavirus State Fiscal Recovery Fund" to the State Department  
544 of Health for the purpose described in this section, for the  
545 period beginning on July 1, 2022, and ending June 30, 2023.....  
546 .....\$ 2,500,000.00.

547       (2) These funds are allocated for the purpose of operational  
548 expenditures needed to respond to the COVID-19 pandemic as  
549 allowable under Section 9901 of the American Rescue Plan Act of  
550 2021 (ARPA) or any guidance or regulation issued by the United  
551 States Department of the Treasury in conformity therewith.

552       (3) It is the intention of the Legislature that no funds  
553 appropriated under this act shall be used to pay employee premium  
554 payments.

555       (4) As a condition of receiving and expending the funds  
556 appropriated to the agency under this section, the agency shall  
557 certify to the Department of Finance and Administration that each  
558 expenditure of the funds appropriated to the agency under this  
559 section complies with the guidelines, guidance, rules, regulations  
560 and/or other criteria, as may be amended from time to time, of the  
561 United States Department of the Treasury regarding the use of



562 monies from the Coronavirus State Fiscal Recovery Fund established  
563 by ARPA.

564 (5) If the Office of Inspector General of the United States  
565 Department of the Treasury, or the Office of Inspector General of  
566 any other federal agency having oversight over the use of monies  
567 from the Coronavirus State Fiscal Recovery Fund established by  
568 ARPA (a) determines that the agency or recipient has expended or  
569 otherwise used any of the funds appropriated to the agency under  
570 this act for any purpose that is not in compliance with the  
571 guidelines, guidance, rules, regulations and/or other criteria, as  
572 may be amended from time to time, of the United States Department  
573 of the Treasury regarding the use of monies from the Coronavirus  
574 State Fiscal Recovery Fund established by ARPA, and (b) the State  
575 of Mississippi is required to repay the federal government for any  
576 of those funds that the Office of the Inspector General determined  
577 were expended or otherwise used improperly by the agency or  
578 recipient, then the agency or recipient that expended or otherwise  
579 used those funds improperly shall be required to pay the amount of  
580 those funds to the State of Mississippi for repayment to the  
581 federal government.

582 **SECTION 37.** The money herein appropriated shall be paid by  
583 the State Treasurer out of any money in the State Treasury to the  
584 credit of the proper fund or funds as set forth in this act, upon  
585 warrants issued by the State Fiscal Officer; and the State Fiscal





586 Officer shall issue his warrants upon requisitions signed by the  
587 proper person, officer or officers, in the manner provided by law.

588           **SECTION 38.** This act shall take effect and be in force from  
589 and after July 1, 2022.

