

By: Senator(s) Bryan

To: Public Health and
Welfare; Appropriations

SENATE BILL NO. 2421

1 AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT UNTIL 2024 THE STATE DEPARTMENT OF HEALTH SHALL USE
3 FUNDS PROVIDED UNDER THIS SECTION TO MAKE PHYSICIAN GRANTS TO
4 QUALIFIED HEALTH CENTERS; AND FOR RELATED PURPOSES.

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

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

8 41-99-5. (1) Any Mississippi qualified health center
9 desiring to participate in the program shall make application for
10 a service grant to the department in a form satisfactory to the
11 department. The department shall receive service grant proposals
12 from Mississippi qualified health centers. All proposals shall be
13 submitted in accordance with the provisions of grant procedures,
14 criteria and standards developed and made public by the
15 department.

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



20 awarded to Mississippi qualified health centers shall only be used
21 by those centers to:

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

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

31 (3) The department shall use the funds provided by
32 subsection (6) (b) of this section to make physician grants until
33 July 1, * * * 2024, to Mississippi qualified health centers upon
34 proposals made under subsection (1) of this section. A physician
35 grant awarded to a Mississippi qualified health center shall only
36 be used by that center to provide a one-time salary supplement to
37 a primary care physician being recruited under the program.

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

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

42 (b) For land or real estate investments;

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

