

By: Senator(s) Hopson, Polk, Michel,
Hickman, McCaughn, Wiggins

To: Appropriations

SENATE BILL NO. 3026

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2023.

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

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the purpose of
7 defraying the expenses incurred by the Mississippi Workers'
8 Compensation Commission for the fiscal year beginning
9 July 1, 2022, and ending June 30, 2023.....\$ 5,411,751.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Second Injury Fund (Fund Number
13 3352300000) for the purpose of making payments under the
14 provisions of Section 71-3-73, Mississippi Code of 1972, for the
15 fiscal year beginning July 1, 2022, and ending June 30, 2023.....
16\$ 100,000.00.

17 **SECTION 3.** With the funds appropriated in Section 1 of this
18 act, the following positions are authorized:



19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	55
21		Part Time.....	0
22	Time-Limited:	Full Time.....	0
23		Part Time.....	0

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

40 Any transfers or escalations shall be made in accordance with
41 the terms, conditions and procedures established by law or
42 allowable under the terms set forth within this act. The State
43 Personnel Board shall not escalate positions without written



44 approval from the Department of Finance and Administration. The
45 Department of Finance and Administration shall not provide written
46 approval to escalate any funds for salaries and/or positions
47 without proof of availability of new or additional funds above the
48 appropriated level.

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

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

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

63 **SECTION 4.** It is the intention of the Legislature that with
64 the funds appropriated in Section 1, the Mississippi Workers'
65 Compensation Commission shall enter into a contract with the
66 industrial private sector for the purpose of implementing a safety
67 education and training program.



68 **SECTION 5.** In compliance with the "Mississippi Performance
69 Budget and Strategic Planning Act of 1994," it is the intent of
70 the Legislature that the funds provided herein shall be utilized
71 in the most efficient and effective manner possible to achieve the
72 intended mission of this agency. Based on the funding authorized,
73 this agency shall make every effort to attain the targeted
74 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
77 Adjudication	
78 Number of Cases Resolved at the	
79 Administrative or Commission Level	
80 within 3 Months	900
81 Number of Cases Resolved at the	
82 Administrative or Commission Level	
83 within 6 Months	950
84 Number of Cases Resolved at the	
85 Administrative or Commission Level	
86 within 9 Months	900
87 Number of Cases Resolved at the	
88 Administrative or Commission Level	
89 within 1 Year	900
90 Self-insurance	
91 Percent of Individual Self-Insurers	
92 Reviewed in the Past Fiscal Year	34.00



93	Percent of Individual Self-Insurer	
94	Reviews Conducted in the Past Fiscal	
95	Year Showing That Reserves are	
96	Insufficient to Cover Claims	5.00
97	Percent of Self-Insurance Groups Reviewed	100.00
98	Percent of Self-Insurance Group Reviews	
99	Conducted Showing That Reserves are	
100	Insufficient to Cover Claims	0.00
101	Medical Cost Containment	
102	Fee Schedule Adjustments (Cost in Millions)	35.00
103	Medical Cost Savings to Payers (as a %	
104	of Total Billings)	46.00

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

109 **SECTION 6.** 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 7.** It is the intention of the Legislature that the
118 salary of the Workers' Compensation Commission members shall be
119 equal and the salary of the Commission Chairman shall exceed these
120 salaries as approved by the State Personnel Board.

121 **SECTION 8.** It is the intention of the Legislature that the
122 funds herein appropriated shall be expended in compliance with
123 Section 27-104-25, Mississippi Code of 1972, that no state agency
124 shall incur obligations or indebtedness in excess of their
125 appropriation and that the responsible officers, either personally
126 or upon their official bonds, shall be held responsible for
127 actions contrary to this provision.

128 **SECTION 9.** The money herein appropriated shall be paid by
129 the State Treasurer out of any money in the State Treasury to the
130 credit of the proper fund or funds as set forth in this act, upon
131 warrants issued by the State Fiscal Officer; and the State Fiscal
132 Officer shall issue his warrants upon requisitions signed by the
133 proper person, officer or officers, in the manner provided by law.

134 **SECTION 10.** This act shall take effect and be in force from
135 and after July 1, 2022, and shall stand repealed from and after
136 June 30, 2022.

