

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

To: Appropriations

SENATE BILL NO. 3026
(As Sent to Governor)

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.....\$ 5,648,867.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is appropriated out of any money in the State Treasury
12 to the credit of the Mississippi Workers' Compensation Commission
13 for the purpose of defraying the expenses for the fiscal year
14 beginning July 1, 2022, and ending June 30, 2023...\$ 75,000.00

15 **SECTION 3.** The following sum, or so much thereof as may be
16 necessary, is hereby appropriated out of any money in the State
17 Treasury to the credit of the Second Injury Fund (Fund Number
18 3352300000) for the purpose of making payments under the



19 provisions of Section 71-3-73, Mississippi Code of 1972, for the
20 fiscal year beginning July 1, 2022, and ending
21 June 30, 2023.....\$ 100,000.00.

22 **SECTION 4.** With the funds appropriated in Section 1 of this
23 act, the following positions are authorized:

24 AUTHORIZED HEADCOUNT:

25 Permanent: 55

26 Time-Limited: 0

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



43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions and procedures established by law or
45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written
47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions
50 without proof of availability of new or additional funds above the
51 appropriated level.

52 No General Funds authorized to be expended herein shall be
53 used to replace federal funds and/or other special funds which are
54 being used for salaries authorized under the provisions of this
55 act and which are withdrawn and no longer available.

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

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

66 **SECTION 5.** It is the intention of the Legislature that with
67 the funds appropriated in Section 1 of this act, the Mississippi



68 Workers' Compensation Commission shall enter into a contract with
69 the industrial private sector for the purpose of implementing a
70 safety education and training program.

71 **SECTION 6.** In compliance with the "Mississippi Performance
72 Budget and Strategic Planning Act of 1994," it is the intent of
73 the Legislature that the funds provided herein shall be utilized
74 in the most efficient and effective manner possible to achieve the
75 intended mission of this agency. Based on the funding authorized,
76 this agency shall make every effort to attain the targeted
77 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
80 Adjudication	
81 Number of Cases Resolved at the	
82 Administrative or Commission Level	
83 within 3 Months	900
84 Number of Cases Resolved at the	
85 Administrative or Commission Level	
86 within 6 Months	950
87 Number of Cases Resolved at the	
88 Administrative or Commission Level	
89 within 9 Months	900
90 Number of Cases Resolved at the	
91 Administrative or Commission Level	
92 within 1 Year	900



93	Self-insurance	
94	Percent of Individual Self-Insurers	
95	Reviewed in the Past Fiscal Year	34.00
96	Percent of Individual Self-Insurer	
97	Reviews Conducted in the Past Fiscal	
98	Year Showing That Reserves are	
99	Insufficient to Cover Claims	5.00
100	Percent of Self-Insurance Groups Reviewed	100.00
101	Percent of Self-Insurance Group Reviews	
102	Conducted Showing That Reserves are	
103	Insufficient to Cover Claims	0.00

104	Medical Cost Containment	
105	Fee Schedule Adjustments (Cost in Millions)	35.00
106	Medical Cost Savings to Payers (as a %	
107	of Total Billings)	46.00

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

112 **SECTION 7.** It is the intention of the Legislature that
113 whenever two (2) or more bids are received by this agency for the
114 purchase of commodities or equipment, and whenever all things
115 stated in such received bids are equal with respect to price,
116 quality and service, the Mississippi Industries for the Blind
117 shall be given preference. A similar preference shall be given to



118 the Mississippi Industries for the Blind whenever purchases are
119 made without competitive bids.

120 **SECTION 8.** It is the intention of the Legislature that the
121 salary of the Workers' Compensation Commission members shall be
122 equal and the salary of the commission chairman shall exceed these
123 salaries as approved by the State Personnel Board.

124 **SECTION 9.** Of the funds appropriated under the provisions of
125 Section 2 of this act, Seventy-five Thousand Dollars (\$75,000.00),
126 or so much thereof, shall be derived out of any money in the State
127 Treasury to the credit of the Capital Expense Fund, as created in
128 Section 27-103-303, Mississippi Code of 1972, and allocated in a
129 manner as determined by the Treasurer's Office. This
130 appropriation is made for the purpose of upgrades to the
131 commission's imaging system and other equipment.

132 **SECTION 10.** It is the intention of the Legislature that the
133 funds herein appropriated shall be expended in compliance with
134 Section 27-104-25, Mississippi Code of 1972, that no state agency
135 shall incur obligations or indebtedness in excess of their
136 appropriation and that the responsible officers, either personally
137 or upon their official bonds, shall be held responsible for
138 actions contrary to this provision.

139 **SECTION 11.** The money herein appropriated shall be paid by
140 the State Treasurer out of any money in the State Treasury to the
141 credit of the proper fund or funds as set forth in this act, upon
142 warrants issued by the State Fiscal Officer; and the State Fiscal



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

145 **SECTION 12.** This act shall take effect and be in force from
146 and after July 1, 2022.

