

By: Senator(s) Hopson, Polk, Hill, Frazier,
Michel, Moran

To: Appropriations

SENATE BILL NO. 3027

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH 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 support and
7 maintenance of the Department of Mental Health for the fiscal year
8 beginning July 1, 2022, and ending June 30, 2023.....
9\$ 220,733,786.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the support and maintenance of the Department of Mental Health
14 for the fiscal year beginning July 1, 2022, and ending
15 June 30, 2023.....\$ 424,827,839.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight
18 Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from



44 funds appropriated for that purpose unless programs or positions
45 are added to the agency's Fiscal Year 2023 budget by the
46 Mississippi Legislature. The Legislature shall determine the
47 agency's personal services appropriation, which shall be published
48 by the State Personnel Board. Additionally, the State Personnel
49 Board shall determine and publish the projected annualized payroll
50 costs based on current employees. It shall be the responsibility
51 of the agency head to ensure that actual personnel expenditures
52 for Fiscal Year 2023 do not exceed the data provided by the
53 Legislative Budget Office. If the agency's Fiscal Year 2023
54 projected cost exceeds the annualized costs, no salary actions
55 shall be processed by the State Personnel Board with the exception
56 of new hires that are determined to be essential for the agency.

57 Any transfers or escalations shall be made in accordance with
58 the terms, conditions and procedures established by law or
59 allowable under the terms set forth within this act. The State
60 Personnel Board shall not escalate positions without written
61 approval from the Department of Finance and Administration. The
62 Department of Finance and Administration shall not provide written
63 approval to escalate any funds for salaries and/or positions
64 without proof of availability of new or additional funds above the
65 appropriated level.

66 No general funds authorized to be expended herein shall be
67 used to replace federal funds and/or other special funds which are



68 being used for salaries authorized under the provisions of this
69 act and which are withdrawn and no longer available.

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

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

80 **SECTION 5.** In compliance with the "Mississippi Performance
81 Budget and Strategic Planning Act of 1994," it is the intent of
82 the Legislature that the funds provided herein shall be utilized
83 in the most efficient and effective manner possible to achieve the
84 intended mission of this agency. Based on the funding authorized,
85 this agency shall make every effort to attain the targeted
86 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
89 Services Management	
90 Number of On-Site Reviews Conducted by	
91 the Division of Audit	60
92 Number of On-Site Reviews Conducted for	



93	DMH Certified Provider Agencies	212
94	Mental Health Services	
95	Percent of Population Lacking Access to	
96	Community-Based Mental Health Care	30.00
97	Percent of DMH Clients Served in the	
98	Community vs. in an Institutional	
99	Setting	98.00
100	Increase by at Least 25% the Utilization	
101	of Alternative Placement/Treatment	
102	Options for Individuals who have had	
103	Multiple Hospitalizations & Do Not	
104	Respond to Traditional Treatment	25.00
105	Number Served by the Program of	
106	Assertive Community Treatment (PACT),	
107	Intensive Community Outreach and	
108	Recovery Teams (ICORT), and Intensive	
109	Community Support Services (ICSS)	2,200
110	Number of Individuals Employed through	
111	Supported Employment	300
112	Increase Access to Crisis Services by	
113	Tracking the Number of Calls to Mobile	
114	Crisis Response Teams	35,176
115	Number Referred from Mobile Crisis	
116	Response Teams to a Community Mental	
117	Health Center & Scheduled an Appointment	10,211



118	Number Diverted from a More Restrictive	
119	Environment Due to Mobile Crisis	
120	Response Teams	29,093
121	Increase the Number of Certified Peer	
122	Supt Specialists in the State	315
123	IDD Services	
124	Number of Individuals on Planning List	
125	for Home & Community-Based Services	3,000
126	Percent of DMH Institutionalized Clients	
127	who Could be Served in the Community	87.00
128	Percent of DMH Clients Served in the	
129	Community vs. in an Institutional	
130	Setting	87.00
131	Number of People Added from Planning	
132	List to ID/DD Waiver Services	100
133	Children & Youth Services	
134	Percent of Children with Serious Mental	
135	Illness Served by Local	
136	Multidisciplinary Assessment & Planning	
137	(MAP) Teams	2.30
138	Number Served by MAP Teams	890
139	Number of Children & Youth that are	
140	Served by Wraparound Facilitation	2,381
141	3% Alcohol Tax-alcohol/drug Prg	
142	Number of Residential Beds Made	



143	Available Statewide Due to the Three	
144	Percent Tax Supplements	226
145	Number Receiving Residential Substance	
146	Use Disorder Treatment	1,589
147	Crisis Stabilization Units	
148	Average Length of Time from Mental	
149	Health Crisis to Receipt of Community	
150	Mental Health Crisis Service (Minutes)	1
151	Percent of People Receiving Mental	
152	Health Crisis Services who were Treated	
153	at Community Mental Health Centers vs.	
154	Institutions	98.00
155	Diversion Rate of Admissions to State	
156	Hospitals (% of People)	90.00
157	Number of Involuntary Admissions	1,900
158	Number of Voluntary Admissions	1,700
159	Mi - Institutional Care	
160	Number Served Adult Acute Psychiatric	1,950
161	Maintain Readmission Rates within	
162	National Trends (%)	3.35
163	Mi - Support Services	
164	Support as an Overall Percent of Total	
165	Budget	4.95
166	Idd - Institutional Care	
167	Number of People Served in Residential	



168	IID Programs	755
169	Number of People Transitioned from	
170	Facility to ICF/IID Community Home	28
171	Idd - Group Homes	
172	Number of People Served in the 10-Bed	
173	ICF/IID Community Homes	564
174	Percent of People Served in the	
175	Community vs. in an Institutional	
176	Setting	41.68
177	Idd - Community Programs	
178	Number of People Added from Planning	
179	List to ID/DD Waiver Services	97
180	Number of People Enrolled in the 1915i	1,053
181	Idd - Support Services	
182	Support as a Percent of Total Budget	3.82
183	A reporting of the degree to which the performance targets	
184	set above have been or are being achieved shall be provided in the	
185	agency's budget request submitted to the Joint Legislative Budget	
186	Committee for Fiscal Year 2024.	

187 **SECTION 6.** The Department of Mental Health and its
188 facilities shall have the authority, within funding and spending
189 authority appropriated under the provisions of this act to
190 transfer funds to the Division of Medicaid in payment of Medicaid
191 match and designate that the funds thus transferred shall be



192 applied to Medicaid match obligations arising in the subsequent
193 fiscal year.

194 **SECTION 7.** Any person within the Department of Mental Health
195 who must work on a statutory holiday or any holiday proclaimed by
196 the Governor may, at the discretion of the Director of the
197 Institution and the Executive Director of the Department of Mental
198 Health and within available personnel funds, be paid "call-back
199 pay" in lieu of "compensatory time credit."

200 **SECTION 8.** Of the funds appropriated to the "Service
201 Budget," funds are included for the support of community mental
202 health services for Fiscal Year 2023.

203 Provided, however, that none of the funds appropriated for
204 the support of community mental health services shall be made
205 available to any Regional Mental Health/Intellectual Disability
206 Center which does not receive from each of its participating
207 counties a dollar amount equivalent to what the proceeds of a
208 three-fourths (3/4) mill tax on all taxable property in the county
209 in Fiscal Year 1982 would have been or the amount of funds
210 contributed to the center by the county in Fiscal Year 1984,
211 whichever shall be greater. By means of performance contracts,
212 the Department of Mental Health shall disburse the funds
213 appropriated in this section for services for the mentally ill,
214 intellectually disabled and alcohol/drug abusers. The State Board
215 of Mental Health and the Department of Mental Health shall be
216 responsible for selecting the types of services which shall be



217 provided with the funds appropriated in this section, for
218 developing and monitoring performance contracts and for holding
219 contractors accountable for utilization of funds.

220 **SECTION 9.** Ellisville State School is authorized to draw up
221 to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest
222 earned on funds invested in Ellisville State School Client's Trust
223 Fund for the purpose of supplementing the cost related to
224 supplies, property, and equipment in direct care.

225 **SECTION 10.** The Department of Mental Health and its
226 facilities shall have the express legal authority, within funding
227 and spending authority appropriated under the provisions of this
228 act to purchase land for use by residential facilities operated by
229 the department, either directly or by means of transferring funds
230 to the Bureau of Building, Grounds and Real Property Management,
231 and to transfer such funds to the Bureau of Building, Grounds, and
232 Real Property Management for the purposes of constructing and
233 equipping group homes for persons with mental illness,
234 intellectual disability, and/or substance abuse; constructing and
235 equipping such other buildings as may be required for treatment of
236 persons with mental illness, intellectual disability, and/or
237 substance abuse; repair and renovate existing buildings; and to
238 construct, repair and/or renovate employee housing. Any
239 intermediate care facilities for individuals with intellectual
240 disabilities (ICF/IID) constructed with funds authorized in this



241 section shall be authorized to participate in Medicaid funding
242 available for such services.

243 **SECTION 11.** It is the intention of the Legislature that the
244 Department of Mental Health shall maintain complete accounting and
245 personnel records related to the expenditure of all funds
246 appropriated under this act and that such records shall be in the
247 same format and level of detail as maintained for Fiscal Year
248 2022. It is further the intention of the Legislature that the
249 agency's budget request for Fiscal Year 2024 shall be submitted to
250 the Joint Legislative Budget Committee in a format and level of
251 detail comparable to the format and level of detail provided
252 during the Fiscal Year 2023 budget request process.

253 **SECTION 12.** It is the intention of the Legislature that none
254 of the funds provided herein shall be used to pay certain
255 utilities for state-furnished housing for any employees. Such
256 utilities shall include electricity, natural gas, butane, propane,
257 cable and phone services. Where actual cost cannot be determined,
258 the agency shall be required to provide meters to be in compliance
259 with legislative intent. Such state-furnished housing shall
260 include single-family and multifamily residences but shall not
261 include any dormitory residences. Allowances for such utilities
262 shall be prohibited.

263 **SECTION 13.** It is the intention of the Legislature that the
264 Executive Director of the Department of Mental Health shall have
265 authority to transfer cash from one special fund treasury fund to



266 another special fund treasury fund under the control of the
267 Department of Mental Health. The purpose of this authority is to
268 more efficiently use available cash reserves. It is further the
269 intention of the Legislature that the Executive Director of the
270 Department of Mental Health shall submit written justification for
271 the transfer to the Legislative Budget Office and the Department
272 of Finance and Administration. None of the funds transferred with
273 this section may be transferred to the Central Office for Personal
274 Services.

275 **SECTION 14.** Of the funds appropriated under the provisions
276 of this act, Twenty-three Million Three Hundred Twenty-nine
277 Thousand Dollars (\$23,329,000.00) is provided to the Department of
278 Mental Health to expand those community-based services that will
279 improve the State of Mississippi's compliance with the Olmstead
280 decision of the United States Supreme Court. Further, it is the
281 intention of the Legislature that the Department of Mental Health
282 shall have the authority to transfer such sums from this source as
283 are necessary to implement or improve those community services
284 that are more appropriately addressed by the Mississippi
285 Department of Education and/or the Mississippi Department of
286 Rehabilitation Services to those agencies for that purpose.
287 Further, it is the intention of the Legislature that any sums
288 received from this source that are not expended during the fiscal
289 year ending June 30, 2022, by the Mississippi Department of Mental
290 Health shall be reappropriated for the same purpose during the



291 fiscal year ending June 30, 2023. Further, it is the intention of
292 the Legislature that the Department of Mental Health shall account
293 for the expenditure of these funds in sufficient detail to clearly
294 show the purposes for which such funds were expended. The
295 Executive Director of the Department of Mental Health shall report
296 any such reappropriation to the Legislative Budget Office no later
297 than fifteen (15) days after the effective date of the
298 reappropriation.

299 **SECTION 15.** Of the funds appropriated in this act, the
300 Department of Mental Health, with approval by the board, may
301 contract with a Community Mental Health Center, or suitable
302 entities, for the purpose of operating the Crisis Intervention
303 Center at Grenada.

304 Of the funds appropriated in this act, the Department of
305 Mental Health, with approval by the board, may contract with a
306 community health center to allow Region 14 to be served at the
307 Crisis Stabilization Unit at Gulfport.

308 The Department of Mental Health, with approval by the board,
309 may also contract with suitable entities for the purpose of
310 operating the crisis intervention centers in Batesville,
311 Brookhaven, Cleveland, Corinth, Laurel and Newton. The department
312 shall provide quarterly progress reports on the operation of the
313 crisis intervention centers to the Chairmen of the Senate and
314 House Public Health and Appropriations Committees.



315 **SECTION 16.** It is the intention of the Legislature that
316 whenever two (2) or more bids are received by this agency for the
317 purchase of commodities or equipment, and whenever all things
318 stated in such received bids are equal with respect to price,
319 quality and service, the Mississippi Industries for the Blind
320 shall be given preference. A similar preference shall be given to
321 the Mississippi Industries for the Blind whenever purchases are
322 made without competitive bids.

323 **SECTION 17.** The Department of Finance and Administration
324 (DFA) shall transfer funds back to the Department of Mental
325 Health, upon the request of the Department of Mental Health, where
326 the funds received by DFA from the Department of Mental Health
327 were special funds (neither general funds or bond funds) and where
328 those funds are not required for the payment of costs already
329 incurred on a building or repair project. For the purposes of
330 this section, the term "special funds" includes any state source
331 special funds including, but not limited to, funds from the Health
332 Care Expendable Fund. The duty of DFA to transfer funds back to
333 the Department of Mental Health under this section applies to any
334 funds described in this section that were transferred to DFA,
335 regardless of the year that the transfer was made by the
336 Department of Mental Health.

337 **SECTION 18.** It is the intention of the Legislature that the
338 Department of Mental Health may provide, upon the availability of



339 funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope
340 Village for Children Program.

341 **SECTION 19.** None of the funds provided in Section 1, 2, or 3
342 of this act shall be used to pay Medicaid match for the thirteen
343 (13) Community Mental Health Centers.

344 **SECTION 20.** Of the funds appropriated under the provisions
345 of this act, an amount not to exceed Two Hundred Fifty Thousand
346 Dollars (\$250,000.00) is provided for community-based mental
347 health services for juveniles in detention.

348 **SECTION 21.** Of the funds appropriated in Section 1, it is
349 the intention of the Legislature that Three Million Nine Hundred
350 Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be
351 allocated to the Crisis Intervention Mental Health Fund supported
352 by General Fund court assessments.

353 **SECTION 22.** Of the funds appropriated in this act, the
354 Department of Mental Health shall fund ten (10) Programs of
355 Assertive Community Treatment (PACT) Teams and provide supportive
356 employment for individuals with intellectual and developmental
357 disabilities.

358 **SECTION 23.** Of the funds appropriated in Section 1 & 2, it
359 is the intention of the Legislature that continued funding at or
360 above the Fiscal Year 2022 appropriated amount shall be allocated
361 to the ID/DD Home and Community Based Waiver slots.

362 **SECTION 24.** The following sum, or so much thereof as may be
363 necessary, is reappropriated out of any money in the Capital



364 Expense Fund not otherwise appropriated, for the Department of
365 Mental Health for the purpose of reauthorizing the expenditure of
366 Capital Expense Funds for the purpose of defraying the expenses
367 for a mental health services pilot program with the Department of
368 Corrections, as authorized in Senate Bill No. 2926, 2021 Regular
369 Session, for the fiscal year beginning July 1, 2022, and ending
370 June 30, 2023..... \$ 600,000.00

371 Notwithstanding the amount reappropriated under the
372 provisions of this section, in no event shall the amount expended
373 exceed the unexpended balance as of June 30, 2022.

374 **SECTION 25.** It is the intention of the Legislature that the
375 Department of Mental Health shall provide a report on the pilot
376 program created to provide mental health services to former
377 inmates of the Department of Corrections who are no longer
378 incarcerated within a correctional institution of the Department
379 of Corrections. This report shall be provided on December 15th of
380 the current fiscal year to the Chairmen of the Senate and House
381 Public Health and Appropriations Committees.

382 **SECTION 26.** Of the funds in Section 2, the following sum, or
383 so much thereof as may be necessary, is appropriated out of any
384 money in the State Treasury to the credit of the Capital Expense
385 Fund, for the purpose of defraying the expenses of the Department
386 of Mental Health for the fiscal year beginning July 1, 2022, and
387 ending June 30, 2023.....\$ 4,900,389.00.



388 The purpose of these funds is to provide to the Department of
389 Mental Health for Mississippi State Hospital forensic unit.

390 **SECTION 27.** The money herein appropriated shall be paid by
391 the State Treasurer out of any money in the State Treasury to the
392 credit of the proper fund or funds as set forth in this act, upon
393 warrants issued by the State Fiscal Officer; and the State Fiscal
394 Officer shall issue his warrants upon requisitions signed by the
395 proper person, officer or officers in the manner provided by law.

396 **SECTION 28.** This act shall take effect and be in force from
397 and after July 1, 2022, and shall stand repealed from and after
398 June 30, 2022.

