

By: Senator(s) Hopson, Polk, Butler (36th),  
DeBar, Frazier, Michel, Parks, Williams,  
Blount

To: Appropriations

SENATE BILL NO. 3060

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "COVID-19  
2 HOSPITAL EXPANDED CAPACITY PROGRAM FUND" TO THE STATE DEPARTMENT  
3 OF HEALTH FOR THE PURPOSE OF ADMINISTERING THE "COVID-19 HOSPITAL  
4 EXPANDED CAPACITY PROGRAM" CREATED TO REIMBURSE HOSPITALS THAT  
5 ENHANCED HOSPITAL CAPACITY RELATED TO THE COVID-19 PUBLIC HEALTH  
6 EMERGENCY; MAKING AN ADDITIONAL APPROPRIATION FROM THE  
7 "CORONAVIRUS STATE FISCAL RECOVERY FUND" TO THE STATE DEPARTMENT  
8 OF HEALTH FOR THE PURPOSE OF OPERATIONAL EXPENSES IN THE RESPONSE  
9 OF THE COVID-19 PANDEMIC ALLOWABLE UNDER THE AMERICAN RESCUE PLAN  
10 ACT; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** The following sum, or so much thereof as may be  
13 necessary, is hereby appropriated out of any money to the credit  
14 of the "Covid-19 Hospital Expanded Capacity Program Fund" to the  
15 State Department of Health for the purpose described in this  
16 section, for the period beginning on July 1, 2021, and ending June  
17 30, 2022 .....\$ 12,000,000.00.

18 This additional appropriation is for the purpose of  
19 administering the "Covid-19 Hospital Expanded Capacity Program"  
20 established in Senate Bill No. 2820, 2022 Regular Session. This  
21 program provides reimbursable grants to hospitals that expanded  
22 capacity due to the COVID-19 pandemic as allowable under Section



23 9901 of the American Rescue Plan Act of 2021 (ARPA) or any  
24 guidance or regulation issued by the United States Department of  
25 the Treasury in conformity therewith.

26 **SECTION 2.** The following sum, or so much thereof as may be  
27 necessary, is hereby appropriated out of any money to the credit  
28 of the "Coronavirus State Fiscal Recovery Fund" to the State  
29 Department of Health for the purpose described in this section,  
30 for the period beginning on July 1, 2021, and ending June 30,  
31 2022 .....\$ 2,500,000.00.

32 This additional appropriation is for the purpose of  
33 operational expenditures needed to respond to the COVID-19  
34 pandemic as allowable under Section 9901 of the American Rescue  
35 Plan Act of 2021 (ARPA) or any guidance or regulation issued by  
36 the United States Department of the Treasury in conformity  
37 therewith.

38 **SECTION 3.** It is the intention of the Legislature that no  
39 funds appropriated under this act shall be used to pay employee  
40 premium payments.

41 **SECTION 4.** (1) As used in this section and Section 5 of  
42 this act, the term "department" means the State Department of  
43 Health.

44 (2) The department shall not disburse any funds appropriated  
45 under this act to any recipient without first: (a) making an  
46 individualized determination that the reimbursement sought is, in  
47 the department's independent judgment, for necessary expenditures



48 eligible under Section 602 of the federal Social Security Act as  
49 added by Section 9901 of the federal American Rescue Plan Act of  
50 2021 (ARPA) and its implementing guidelines, guidance, rules,  
51 regulations and/or other criteria, as may be amended or  
52 supplemented from time to time, by the United States Department of  
53 the Treasury; and (b) determining that the recipient has not  
54 received and will not receive reimbursement for the expense in  
55 question from any source of funds, including insurance proceeds,  
56 other than those funds provided under Section 602 of the federal  
57 Social Security Act as added by Section 9901 of (ARPA). In  
58 addition, the department shall ensure that all funds appropriated  
59 under this act are disbursed in compliance with the Single Audit  
60 Act (31 USC Sections 7501-7507) and the related provisions of the  
61 Uniform Guidance, 2 CFR Section 200.303 regarding internal  
62 controls, Sections 200.330 through 200.332 regarding sub-recipient  
63 monitoring and management, and subpart F regarding audit  
64 requirements.

65       **SECTION 5.** (1) As a condition of receiving and expending  
66 the funds appropriated to the department under this act, the  
67 department shall certify to the Department of Finance and  
68 Administration that each expenditure of the funds appropriated to  
69 the department under this act complies with the guidelines,  
70 guidance, rules, regulations and/or other criteria, as may be  
71 amended from time to time, of the United States Department of the  
72 Treasury regarding the use of monies from the Coronavirus State



73 Fiscal Recovery Fund established by the American Rescue Plan Act  
74 of 2021.

75 (2) If the Office of Inspector General of the United States  
76 Department of the Treasury, or the Office of Inspector General of  
77 any other federal agency having oversight over the use of monies  
78 from the Coronavirus State Fiscal Recovery Fund established by the  
79 American Rescue Plan Act of 2021 (a) determines that the  
80 department or recipient has expended or otherwise used any of the  
81 funds appropriated to the department under this act for any  
82 purpose that is not in compliance with the guidelines, guidance,  
83 rules, regulations and/or other criteria, as may be amended from  
84 time to time, of the United States Department of the Treasury  
85 regarding the use of monies from the Coronavirus State Fiscal  
86 Recovery Fund established by the American Rescue Plan Act of 2021,  
87 and (b) the State of Mississippi is required to repay the federal  
88 government for any of those funds that the Office of the Inspector  
89 General determined were expended or otherwise used improperly by  
90 the department or recipient, then the department or recipient that  
91 expended or otherwise used those funds improperly shall be  
92 required to pay the amount of those funds to the State of  
93 Mississippi for repayment to the federal government.

94 **SECTION 6.** The money appropriated by this act shall be paid  
95 by the State Treasurer out of any money in the State Treasury to  
96 the credit of the proper fund or funds as set forth in this act,  
97 upon warrants issued by the State Fiscal Officer; and the State



98 Fiscal Officer shall issue his or her warrants upon requisitions  
99 signed by the proper person, officer or officers in the manner  
100 provided by law.

101           **SECTION 7.** This act shall take effect and be in force from  
102 and after its passage.

