

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.

