

Senate Amendments to House Bill No. 1586

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the special fund in
7 the State Treasury to the credit of the State Board of Medical
8 Licensure, for the purpose of defraying the expenses of the board
9 for the fiscal year beginning July 1, 2022, and ending
10 June 30, 2023.....\$ 3,290,753.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	24
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required for Personal
20 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds
21 appropriated for that purpose unless programs or positions are

22 added to the agency's Fiscal Year 2023 budget by the Mississippi
23 Legislature. The Legislature shall determine the agency's
24 personal services appropriation, which shall be published by the
25 State Personnel Board. Additionally, the State Personnel Board
26 shall determine and publish the projected annualized payroll costs
27 based on current employees. It shall be the responsibility of the
28 agency head to ensure that actual personnel expenditures for
29 Fiscal Year 2023 do not exceed the data provided by the
30 Legislative Budget Office. If the agency's Fiscal Year 2023
31 projected cost exceeds the annualized costs, no salary actions
32 shall be processed by the State Personnel Board with the exception
33 of new hires that are determined to be essential for the agency.

34 Any transfers or escalations shall be made in accordance with
35 the terms, conditions and procedures established by law or
36 allowable under the terms set forth within this act. The State
37 Personnel Board shall not escalate positions without written
38 approval from the Department of Finance and Administration. The
39 Department of Finance and Administration shall not provide written
40 approval to escalate any funds for salaries and/or positions
41 without proof of availability of new or additional funds above the
42 appropriated level.

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

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

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

57 **SECTION 3.** In compliance with the "Mississippi Performance
58 Budget and Strategic Planning Act of 1994," it is the intent of
59 the Legislature that the funds provided herein shall be utilized
60 in the most efficient and effective manner possible to achieve the
61 intended mission of this agency. Based on the funding authorized,
62 this agency shall make every effort to attain the targeted
63 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals	
Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving	
Disciplinary Actions (%)	4.00

73	Number of Documented Complaints Received	300
74	Percent of Documented Complaints	
75	Resolved within Seven Business Days	15.00

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

80 **SECTION 4.** It is the intention of the Legislature that the
81 State Board of Medical Licensure shall maintain complete
82 accounting and personnel records related to the expenditure of all
83 funds appropriated under this act and that such records shall be
84 in the same format and level of detail as maintained for Fiscal
85 Year 2022. It is further the intention of the Legislature that
86 the agency's budget request for Fiscal Year 2024 shall be
87 submitted to the Joint Legislative Budget Committee in a format
88 and level of detail comparable to the format and level of detail
89 provided during the Fiscal Year 2023 budget request process.

90 **SECTION 5.** It is the intention of the Legislature that
91 whenever two (2) or more bids are received by this agency for the
92 purchase of commodities or equipment, and whenever all things
93 stated in such received bids are equal with respect to price,
94 quality and service, the Mississippi Industries for the Blind
95 shall be given preference. A similar preference shall be given to
96 the Mississippi Industries for the Blind whenever purchases are
97 made without competitive bids.

98 **SECTION 6.** It is the intention of the Legislature that the
99 funds herein appropriated shall be expended in compliance with
100 Section 27-104-25, Mississippi Code of 1972, that no state agency
101 shall incur obligations or indebtedness in excess of their
102 appropriation and that the responsible officers, either personally
103 or upon their official bonds, shall be held responsible for
104 actions contrary to this provision.

105 **SECTION 7.** Of the funds provided under the provisions of
106 this act, an amount not to exceed Five Hundred Thousand Dollars
107 (\$500,000.00) is provided for the Mississippi Physician Health
108 Program.

109 **SECTION 8.** Of the funds provided under the provisions of
110 this act, an amount not to exceed One Hundred Thirty Thousand
111 Dollars (\$130,000.00) may be allocated to the Mississippi Board of
112 Pharmacy to defray the expense of the Mississippi Prescription
113 Monitoring Program.

114 **SECTION 9.** It is further the intention of the Legislature
115 that, for Fiscal Year 2023, the board shall be allowed to recover
116 all costs from a holder of a license who has been found by the
117 board in violation of statute after notice and a hearing as
118 provided by law. The expenses must be direct costs associated
119 with the investigation and conduct of a proceeding for licensure
120 revocation, suspension or restriction.

121 **SECTION 10.** The money herein appropriated shall be paid by
122 the State Treasurer out of any money in the State Treasury to the
123 credit of the proper fund or funds as set forth in this act, upon

124 warrants issued by the State Fiscal Officer; and the State Fiscal
125 Officer shall issue his warrants upon requisitions signed by the
126 proper person, officer or officers, in the manner provided by law.

127 **SECTION 11.** This act shall take effect and be in force from
128 and after July 1, 2022, and shall stand repealed June 29, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2023.

SS15\HB1586A.J

Eugene S. Clarke
Secretary of the Senate