

**Senate Amendments to House Bill No. 1614**

**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 State General  
7 Fund not otherwise appropriated, for the purpose of defraying the  
8 expenses of the State Department of Health for the fiscal year  
9 beginning July 1, 2022, and ending June 30, 2023.....  
10 .....\$       33,788,021.00.

11           **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is appropriated out of any money in any special fund in  
13 the State Treasury to the credit of the State Department of Health  
14 which is comprised of special source funds collected by or  
15 otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2022, and ending June 30, 2023.....  
18 .....\$       503,092,663.00.

19           **SECTION 3.** Of the funds appropriated under the provisions of  
20 Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two  
21 Dollars (\$526,102.00) shall be derived from the State General Fund

22 and Nine Million One Hundred Seventy-eight Thousand Seven Hundred  
23 Eighty-three Dollars (\$9,178,783.00) shall be derived from the  
24 Health Care Expendable Fund, created in Section 43-13-407,  
25 Mississippi Code of 1972, for the support and maintenance of the  
26 State Department of Health. The funds provided in this section  
27 shall be allocated as follows:

28	Maternal and Child Health Care	
29	Program.....	\$ 1,242,943.00
30	Health Department Programs.....	\$ 8,461,942.00

31 **SECTION 4.** Of the funds appropriated in this act,  
32 Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the  
33 Trauma Care System. Of the General Fund court assessments  
34 provided in Section 1, Seven Million Twenty-three Thousand One  
35 Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated  
36 for Trauma Care Systems and One Million Eight Hundred Five  
37 Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be  
38 allocated for Emergency Medical Services. All additional funds  
39 are appropriated in Section 2. The State Department of Health may  
40 transfer a portion of Trauma Care System funds to the Division of  
41 Medicaid for the development and implementation of an enhanced  
42 reimbursement fee program related to trauma care and services,  
43 used to match federal funds, under a cooperative agreement between  
44 the State Department of Health and the Division of Medicaid.

45 It is the intention of the Legislature that none of the funds  
46 authorized herein for the Trauma Care System shall be expended to  
47 the benefit of any hospital located outside the boundaries of the

48 State of Mississippi, unless otherwise excepted in this paragraph.  
49 Funds shall be expended by the Mississippi Department of Health  
50 for distribution to the Regional Medical Center or Le Bonheur  
51 Children's Hospital at Memphis, located in Memphis, Tennessee, or  
52 the University of South Alabama Medical Center located in Mobile,  
53 Alabama, or the Joseph M. Still Burn Centers, Inc., located in  
54 Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction  
55 Center at Merit Health Central or any affiliates or any other  
56 Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that  
57 participates in the Mississippi Trauma Care System, as determined  
58 by the Mississippi Department of Health.

59 **SECTION 5.** Of the funds appropriated in Section 2, Twenty  
60 Million Dollars (\$20,000,000.00) shall be derived from the Tobacco  
61 Control Program Fund, created in Section 41-113-11, Mississippi  
62 Code of 1972, and shall be allocated as follows:

63 University of Mississippi Medical Center Cancer  
64 Institute.....\$ 4,250,000.00  
65 Department of Education - Mary Kirkpatrick Haskell -  
66 Mary Sprayberry Public School  
67 Nurse Program.....\$ 3,060,000.00  
68 Attorney General's Office - Alcohol and  
69 Tobacco Enforcement Unit.....\$ 680,000.00  
70 University of Mississippi Medical Center -  
71 A Comprehensive Tobacco (ACT)  
72 Center.....\$ 595,000.00  
73 Mississippi Health Care Alliance - ST Elevated

74           Myocardial Infarction Program (STEMI).....\$    382,500.00  
75    Mississippi Qualified Health  
76           Center Grant Program.....\$ 3,400,000.00  
77    Mississippi Health Care Alliance for the  
78           Stroke System of Care Plan.....\$    212,500.00  
79    Mississippi Health Department Programs.....\$ 7,420,000.00

80    Of the funds appropriated in this section, the State  
81    Department of Health is authorized to expend funds to create and  
82    administer the Office of Tobacco Control within the department as  
83    outlined and created in Section 41-113-3, Mississippi Code of  
84    1972.

85           **SECTION 6.** Of the funds appropriated in Section 1, Five  
86    Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars  
87    (\$558,795.00) shall be allocated as follows:

88           Mississippi Health Care Alliance - ST  
89           Elevated Myocardial Infarction  
90           Program (STEMI).....\$    139,700.00.  
91    Mississippi Health Care Alliance for  
92           the Stroke System of Care Plan.....\$    139,700.00.  
93    Mississippi Qualified Health Center  
94           Grant Program.....\$       55,880.00.  
95    Mississippi Health Department Programs.....\$    223,515.00.

96           **SECTION 7.** Of the funds appropriated under the provisions of  
97    this act, the following positions are authorized:

98    AUTHORIZED POSITIONS:

99           Permanent:       Full Time.....       864

100	Part Time.....	4
101	Time-Limited: Full Time.....	1,373
102	Part Time.....	4

103 With the funds herein appropriated, it shall be the agency's  
104 responsibility to make certain that funds required for Personal  
105 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds  
106 appropriated for that purpose unless programs or positions are  
107 added to the agency's Fiscal Year 2023 budget by the Mississippi  
108 Legislature. The Legislature shall determine the agency's  
109 personal services appropriation, which shall be published by the  
110 State Personnel Board. Additionally, the State Personnel Board  
111 shall determine and publish the projected annualized payroll costs  
112 based on current employees. It shall be the responsibility of the  
113 agency head to ensure that actual personnel expenditures for  
114 Fiscal Year 2023 do not exceed the data provided by the  
115 Legislative Budget Office. If the agency's Fiscal Year 2023  
116 projected cost exceeds the annualized costs, no salary actions  
117 shall be processed by the State Personnel Board with the exception  
118 of new hires that are determined to be essential for the agency.

119 Any transfers or escalations shall be made in accordance with  
120 the terms, conditions and procedures established by law or  
121 allowable under the terms set forth within this act. The State  
122 Personnel Board shall not escalate positions without written  
123 approval from the Department of Finance and Administration. The  
124 Department of Finance and Administration shall not provide written  
125 approval to escalate any funds for salaries and/or positions

126 without proof of availability of new or additional funds above the  
127 appropriated level.

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

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

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

142 **SECTION 8.** It is the intention of the Legislature that the  
143 State Department of Health shall maintain complete accounting and  
144 personnel records related to the expenditure of all funds  
145 appropriated under this act and that such records shall be in the  
146 same format and level of detail as maintained for Fiscal Year  
147 2022. It is further the intention of the Legislature that the  
148 agency's budget request for Fiscal Year 2024 shall be submitted to  
149 the Joint Legislative Budget Committee in a format and level of  
150 detail comparable to the format and level of detail provided  
151 during the Fiscal Year 2023 budget request process.

152           **SECTION 9.** In compliance with the "Mississippi Performance  
 153 Budget and Strategic Planning Act of 1994," it is the intent of  
 154 the Legislature that the funds provided herein shall be utilized  
 155 in the most efficient and effective manner possible to achieve the  
 156 intended mission of this agency. Based on the funding authorized,  
 157 this agency shall make every effort to attain the targeted  
 158 performance measures provided below:

159		FY2023
160	<u>Performance Measures</u>	<u>Target</u>
161	Health Services	
162	State Infant Mortality Rate (per 1,000	
163	Live Births)	8.20
164	Percent of Women who Received Prenatal	
165	Care in First Trimester	76.90
166	Percent of Live Births Delivered Prior	
167	to 37 Weeks of Gestation	13.60
168	Teenage Live Birth Rate Age 15-19 Years	
169	(per 1,000 Women Age 15-19)	27.10
170	Percent of Newborns with Positive &	
171	Inconclusive Genetic Screens who	
172	Received Recommended Follow-Up	100.00
173	Percent of Adults who are Obese (Body	
174	Mass Index of 30 or More, Regardless of	
175	Sex)	40.80
176	Health Protection	
177	Percent of Mississippi Population	

178	Receiving Water from a Public Water	
179	Supply	92.00
180	Percent of Mississippi Population	
181	Receiving Optimally Fluoridated Water	59.00
182	Transfer Time of Level III & IV Trauma	
183	Centers to Appropriate Facilities for	
184	Treatment (Minutes)	130.00
185	Communicable Disease	
186	Primary & Secondary Syphilis: Case Rate	
187	per 100,000	32.44
188	Tuberculosis: Number of Cases	41
189	Tuberculosis: Case Rate per 100,000	1.40
190	HIV Disease: Number of Cases	400
191	HIV Disease: Case Rate per 100,000	13.48
192	Rate of Two Year Old Children Fully	
193	Immunized (National Immunization Survey:	
194	4:3:1:3:3:1:4 Series - 19 to 35 Months)	85.00
195	Tobacco Control	
196	Percent of Current Smokers among Public	
197	Middle School Students	3.00
198	Percent of Current Smokers among Public	
199	High School Students	6.50
200	Percent of Current Smokers among Adults	
201	18 Years & Older	21.00
202	Public Health Emerg Prep/resp	
203	Time Required for Command Staff to	

204	Report to Emergency Operations Center in	
205	Response to a National or Man-Made	
206	Disaster (Minutes)	20
207	Admin & Support Services	
208	Percent of Mississippi Population Living	
209	in an Area Designated as a Health	
210	Professional Shortage Area: Mental	
211	Health	65.00
212	Percent of Mississippi Population Living	
213	in an Area Designated as a Health	
214	Professional Shortage Area: Dental	54.00
215	Percent of Mississippi Population Living	
216	in an Area Designated as a Health	
217	Professional Shortage Area: Primary Care	54.00
218	Mississippi Medical Cannabis Program	
219	Number of Conditions Added to the List	
220	of Debilitating Medical Conditions	0
221	Number of Qualifying Patients Approved	0
222	Number of Designated Caregivers Approved	0
223	Number of Registry Identification Cards	
224	Revoked	0
225	Total Number of Patients with a Registry	
226	Identification Card	0
227	Number of Licensed Medical Practitioners	0
228	Number of Licensed Cannabis Cultivation	
229	Facilities	0

230	Number of Licensed Cannabis Processing	
231	Facilities	0
232	Number of Licensed Cannabis Testing	
233	Facilities	0
234	Number of Licensed Cannabis Waste	
235	Disposal Entities	0
236	Number of Licensed Cannabis	
237	Transportation Entities	0
238	Percent of Applications Approved	0.00

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

243       **SECTION 10.** It is the intention of the Legislature that with  
244 the funds provided herein, the State Department of Health may  
245 provide and administer without charge, Hepatitis B vaccinations to  
246 Emergency Medical Services (EMS) personnel who are in need of such  
247 vaccinations through job related exposure.

248       **SECTION 11.** In addition to all other sums heretofore  
249 appropriated, the following sum, or so much thereof as may be  
250 necessary, is appropriated out of any money in the State Treasury  
251 to the credit of the Local Governments and Rural Water Systems  
252 Emergency Loan Fund, and the Local Governments and Rural Water  
253 System Improvements Revolving Loan Fund as authorized in Chapter  
254 521, Laws of 1995, to the State Department of Health for the  
255 purpose of defraying the expenses of the Local Governments and

256 Rural Water Systems Improvements Board, for the fiscal year  
257 beginning July 1, 2022, and ending June 30, 2023.....  
258 .....\$ 34,342,704.00.

259 **SECTION 12.** Of the funds appropriated in Section 2, One  
260 Million Dollars (\$1,000,000.00) shall come from the Department of  
261 Human Services, Child Care Development Fund or other appropriate  
262 special funds for the purpose of child care licensure. These  
263 funds are to be transferred to the State Department of Health no  
264 later than July 31, 2022. The State Department of Health shall  
265 make a complete accounting of the uses of these funds to the  
266 Department of Human Services.

267 **SECTION 13.** It is the intention of the Legislature that the  
268 State Department of Health shall expend not more than Fifty  
269 Thousand Dollars (\$50,000.00) of the funds appropriated herein for  
270 providing the oil known as "Lorenzo's Oil" for the treatment of  
271 the genetic disorder adrenoleukodystrophy (ALD), to children and  
272 Mississippi residents over the age of twenty-one (21) who have the  
273 genetic disorder adrenoleukodystrophy and for whom Medicaid does  
274 not reimburse the cost of providing the oil. The department may  
275 also provide needed pathology and biannual MRI exams.

276 **SECTION 14.** Of the funds appropriated in Section 1, Seven  
277 Hundred Thousand Dollars (\$700,000.00) are provided for the  
278 purpose of purchasing AIDS drugs and other necessary AIDS related  
279 medical services.

280           **SECTION 15.** Of the funds appropriated herein, Two Hundred  
281 Thousand Dollars (\$200,000.00) is provided for the Breast and  
282 Cervical Cancer Program.

283           **SECTION 16.** In addition to all other funds heretofore  
284 appropriated, the following sum, or so much thereof as may be  
285 necessary, is appropriated out of any money in the State Treasury  
286 to the credit of the Mississippi Burn Care Fund which is comprised  
287 of special source funds collected by or otherwise available to the  
288 department, for the purpose of funding reimbursement for  
289 uncompensated medical care to Mississippi burn victims through the  
290 trauma care system at in-state burn facilities including the  
291 Joseph M. Still Burn and Reconstruction Center at Merit Health  
292 Central or for uncompensated aero medical transportation to  
293 out-of-state qualified United States Burn Care facilities, and  
294 such other provisions necessary to provide burn care for  
295 Mississippi residents, including reimbursement for travel,  
296 lodgings, meals and other reasonable travel-related expenses  
297 incurred by burn victims, family members and/or caregivers, for  
298 the fiscal year beginning July 1, 2022, and ending June 30, 2023..  
299 .....\$ 1,000,000.00.

300           **SECTION 17.** It is the intention of the Legislature that  
301 whenever two (2) or more bids are received by this agency for the  
302 purchase of commodities or equipment, and whenever all things  
303 stated in such received bids are equal with respect to price,  
304 quality and service, the Mississippi Industries for the Blind  
305 shall be given preference. A similar preference shall be given to

306 the Mississippi Industries for the Blind whenever purchases are  
307 made without competitive bids.

308         **SECTION 18.** It is the intention of the Legislature that the  
309 Mississippi Department of Health shall implement same day service  
310 to receive birth and death certificates.

311         **SECTION 19.** It is the intention of the Legislature that the  
312 Mississippi State Department of Health shall provide the Joint  
313 Legislative Budget Committee a report of all grants received by  
314 September 15, 2022. This notification will consist of the name of  
315 the grant and agency or nonprofit making the award, the award  
316 amount, and a short list of goals to be achieved.

317         **SECTION 20.** It is the intention of the Legislature that the  
318 Mississippi State Department of Health shall be the fiscal agent  
319 in all allowable grants awarded.

320         **SECTION 21.** Of the funds appropriated in Section 2, Seven  
321 Hundred Thousand Dollars (\$700,000.00) shall come from the  
322 Department of Education for the purpose of maintenance of effort  
323 for the Early Intervention Program. These funds are to be  
324 transferred to the State Department of Health no later than  
325 December 31, 2022. The State Department of Health shall make a  
326 complete accounting of the uses of these funds to the Department  
327 of Education.

328         **SECTION 22.** The Mississippi Department of Health is  
329 authorized to obtain a line of credit through the State Treasurer  
330 from the Working Cash-Stabilization Fund or any other special  
331 source funds maintained in the State Treasury in an amount not

332 exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls  
333 which, from time to time, may occur due to insufficient working  
334 cash spent in anticipation of receiving federal reimbursement.  
335 The length of indebtedness under this provision shall not carry  
336 past the end of the quarter following the loan origination. Loan  
337 proceeds shall be received by the State Treasurer and shall be  
338 placed in a Mississippi Department of Health designated special  
339 fund account. The division may pledge as security for such  
340 interim financing future funds that will be received by the  
341 division. Any such loans shall be repaid from the first available  
342 funds received by the department in the manner of and subject to  
343 the same terms provided in this section.

344       **SECTION 23.** It is the intention of the Legislature that the  
345 funds herein appropriated shall be expended in compliance with  
346 Section 27-104-25, Mississippi Code of 1972, that no state agency  
347 shall incur obligations or indebtedness in excess of their  
348 appropriation and that the responsible officers, either personally  
349 or upon their official bonds, shall be held responsible for  
350 actions contrary to this provision.

351       **SECTION 24.** With the funds appropriated herein, it is the  
352 intention of the Legislature that the Mississippi Department of  
353 Health is authorized to set the compensation of all nurse PINs,  
354 Epidemiologists and Disease Intervention Specialist Series based  
355 on the education and experience of the incumbent not to exceed the  
356 end salary as established by the State Personnel Board.

357           **SECTION 25.** It is the intent of the Legislature that the  
358 Chairman of the Board of Health may appoint an official  
359 replacement or representative with voting privileges to the  
360 Advisory Board of the Office of Mississippi Physician Workforce.

361           **SECTION 26.** It is the intention of the Legislature that the  
362 State Health Officer shall have the authority to transfer cash  
363 from one special fund treasury fund to another special fund  
364 treasury fund under the control of the Department of Health. It  
365 is further the intention of the Legislature that the State Health  
366 Officer shall submit written justification for the transfer to the  
367 Legislative Budget Office and the Department of Finance and  
368 Administration on or before the fifteenth of the month prior to  
369 the effective date of the transfer.

370           **SECTION 27.** Of the funds appropriated in Section 1, it is  
371 the intention of the Legislature that Eight Hundred Fifty-nine  
372 Thousand Nine Hundred Three Dollars (\$859,903.00) shall be  
373 allocated to the Domestic Violence program that is supported from  
374 General Fund court assessments.

375           **SECTION 28.** It is the intent of the Legislature that the  
376 Mississippi State Department of Health shall have authority to  
377 escalate the various budgets in both funds and positions, with the  
378 approval of the State Fiscal Officer, from any special funds  
379 collected or available for HIV medical or support services,  
380 clinical quality management, and administrative expenses not to  
381 exceed Five Million Dollars (\$5,000,000.00), to the agency for  
382 expenditure. Upon such approval, the Mississippi State Department

383 of Health may expend such funds in the manner authorized by law.  
384 Funds may be made available to local HIV/AIDS service providers.

385 The Executive Director of the Mississippi State Department of  
386 Health shall submit to the Department of Finance and  
387 Administration a certified statement providing a detailed  
388 explanation for any escalation, including a justification for the  
389 establishment of any new positions or reclassification of existing  
390 positions.

391 **SECTION 29.** Of the funds appropriated in Section 2, an  
392 amount not to exceed Three Million Two Hundred Forty Thousand  
393 Dollars (\$3,240,000.00) may be used to purchase accumulated  
394 compensatory time incurred before June 30, 2023, by employees who  
395 are activated under emergency orders in response to the COVID-19  
396 pandemic.

397 **SECTION 30.** The money herein appropriated shall be paid by  
398 the State Treasurer out of any money in the State Treasury to the  
399 credit of the proper fund or funds as set forth in this act, upon  
400 warrants issued by the State Fiscal Officer; and the State Fiscal  
401 Officer shall issue his warrants upon requisitions signed by the  
402 proper person, officer or officers, in the manner provided by law.

403 **SECTION 31.** This act shall take effect and be in force from  
404 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 FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR  
3 2023.

SS15\HB1614A.J

Eugene S. Clarke  
Secretary of the Senate