

By: Representatives Read, Oliver, Bounds,
Busby, Cockerham, Hale, Haney, Hines,
Huddleston, Jackson, Ladner, Scoggin, Turner,
Watson, Young

To: Appropriations

HOUSE BILL NO. 1598
(As Sent to Governor)

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 2024.

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

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, 2023, and ending
10 June 30, 2024.....\$ 4,047,338.00.

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

13 AUTHORIZED HEADCOUNT:

14 Permanent: 30

15 Time-Limited: 0

16 With the funds herein appropriated, it shall be the agency's
17 responsibility to make certain that funds required for Personal
18 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds



19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2024 budget by the Mississippi
21 Legislature. The Legislature shall determine the agency's
22 personal services appropriation, which the State Personnel Board
23 shall publish. The agency's personal services appropriation may
24 consist of restricted funds for approved vacancies for Fiscal Year
25 2024 that may not be utilized for active Fiscal Year 2023
26 Headcount. It shall be the agency's responsibility to ensure that
27 the funds provided for vacancies are used to increase headcount
28 and not for promotions, title changes, in-range salary adjustments
29 or any other mechanism for increasing salaries for current
30 employees. It is the Legislature's intention that no employee
31 salary falls below the minimum salary established by the
32 Mississippi State Personnel Board.

33 Additionally, the State Personnel Board shall determine and
34 publish the projected annualized payroll costs based on current
35 employees. It shall be the responsibility of the agency head to
36 ensure that actual personnel expenditures for Fiscal Year 2024 do
37 not exceed the data provided by the Legislative Budget Office. If
38 the agency's Fiscal Year 2024 projected cost exceeds the
39 annualized costs, no salary actions shall be processed by the
40 State Personnel Board except for new hires determined to be
41 essential for the agency.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions, and procedures established by law or



44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions
49 without proof of availability of new or additional funds above the
50 appropriated level.

51 No general funds authorized to be expended herein shall be
52 used to replace federal funds and/or other special funds used for
53 salaries authorized under the provisions of this act and which are
54 withdrawn and no longer available.

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

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

66		FY2024
67	<u>Performance Measures</u>	<u>Target</u>
68	Licensure	



69	Percent of Licensees who Renew Online	100.00
70	Percent of Individual License Renewals	
71	Issued within Seven Business Days	100.00
72	Investigative	
73	Recidivism Rate for Those Receiving	
74	Disciplinary Actions	4.00
75	Number of Documented Complaints Received	300
76	Percent of Documented Complaints	
77	Resolved within Seven Business Days	15.00

78 A reporting of the degree to which the performance targets
79 set above have been or are being achieved shall be provided in the
80 agency's budget request submitted to the Joint Legislative Budget
81 Committee for Fiscal Year 2025.

82 **SECTION 4.** It is the intention of the Legislature that the
83 State Board of Medical Licensure shall maintain complete
84 accounting and personnel records related to the expenditure of all
85 funds appropriated under this act and that such records shall be
86 in the same format and level of detail as maintained for Fiscal
87 Year 2023. It is further the intention of the Legislature that
88 the agency's budget request for Fiscal Year 2025 shall be
89 submitted to the Joint Legislative Budget Committee in a format
90 and level of detail comparable to the format and level of detail
91 provided during the Fiscal Year 2024 budget request process.

92 **SECTION 5.** It is the intention of the Legislature that
93 whenever two (2) or more bids are received by this agency for the



94 purchase of commodities or equipment, and whenever all things
95 stated in such received bids are equal with respect to price,
96 quality and service, the Mississippi Industries for the Blind
97 shall be given preference. A similar preference shall be given to
98 the Mississippi Industries for the Blind whenever purchases are
99 made without competitive bids.

100 **SECTION 6.** Of the funds provided under the provisions of
101 this act, and as approved by the Mississippi State Board of
102 Medical Licensure (the Board), at the direction of the Board the
103 Executive Director may negotiate and enter into a grant agreement
104 to provide funding in an amount not to exceed Six Hundred Thousand
105 Dollars (\$600,000) for the Mississippi Physician Health Program.

106 **SECTION 7.** Of the funds provided under the provisions of
107 this act, an amount not to exceed One Hundred Thirty Thousand
108 Dollars (\$130,000.00) may be allocated to the Mississippi Board of
109 Pharmacy to defray the expense of the Mississippi Prescription
110 Monitoring Program.

111 **SECTION 8.** It is the intention of the Legislature that the
112 funds are appropriated here in accordance with a signed Memorandum
113 of Understanding with the Mississippi Department of Health to
114 assist with the implementation of the Medical Cannabis Act for
115 registering and monitoring compliance with the rules and
116 regulations of the Act.

117 **SECTION 9.** It is further the intention of the Legislature
118 that, for Fiscal Year 2024, the board shall be allowed to recover



119 all costs from a holder of a license who has been found by the
120 board in violation of statute after notice and a hearing as
121 provided by law. The expenses must be direct costs associated
122 with the investigation and conduct of a proceeding for licensure
123 revocation, suspension or restriction.

124 **SECTION 10.** It is the intention of the Legislature that the
125 funds herein appropriated shall be expended in compliance with
126 Section 27-104-25, Mississippi Code of 1972, that no state agency
127 shall incur obligations or indebtedness in excess of their
128 appropriation and that the responsible officers, either personally
129 or upon their official bonds, shall be held responsible for
130 actions contrary to this provision.

131 **SECTION 11.** The money herein appropriated shall be paid by
132 the State Treasurer out of any money in the State Treasury to the
133 credit of the proper fund or funds as set forth in this act, upon
134 warrants issued by the State Fiscal Officer; and the State Fiscal
135 Officer shall issue his warrants upon requisitions signed by the
136 proper person, officer or officers, in the manner provided by law.

137 **SECTION 12.** This act shall take effect and be in force from
138 and after July 1, 2023.

