

By: Representatives Read, Mims, Arnold,
Bounds, Clark, Clarke, Currie, Hines, Hood,
Horan, Sanford, Scoggin, Watson, Young

To: Appropriations

HOUSE BILL NO. 1624

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S
2 OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE
4 EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR
5 2024.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State General
9 Fund not otherwise appropriated, to the Governor's
10 Office - Division of Medicaid for the purpose of providing medical
11 assistance under the Mississippi Medicaid Law and defraying the
12 expenses of the administration of such law, as provided in Section
13 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year
14 beginning July 1, 2023, and ending June 30, 2024.....
15\$ 838,953,656.00.

16 **SECTION 2.** The following sum, or so much thereof as may be
17 necessary, is appropriated out of any money in the State Treasury
18 to the credit of the Medical Care Fund created by Section
19 43-13-143, Mississippi Code of 1972, for the purpose of providing



20 medical assistance under the Mississippi Medicaid Law for the
21 fiscal year beginning July 1, 2023, and ending June 30, 2024.....
22\$ 315,635,553.00.

23 **SECTION 3.** The following sum, or so much thereof as may be
24 necessary, is appropriated out of any money in any special fund in
25 the State Treasury to the credit of the Governor's
26 Office - Division of Medicaid which is comprised of special source
27 funds collected by or otherwise available to the Division, for the
28 purpose of providing medical assistance under the Mississippi
29 Medicaid Law and defraying the expenses of the administration of
30 such law, for the fiscal year beginning July 1, 2023, and ending
31 June 30, 2024.....\$ 5,484,929,142.00.

32 Prior period recovery of funds may be maintained and expended
33 by the division when the recovery is received or finalized. Any
34 recoveries due to audits or third party recoveries may be used to
35 offset the cost of such audits and third party recoveries and as
36 such, the division may escalate Contractual Services as needed for
37 these purposes.

38 **SECTION 4.** The following sum, or so much thereof as may be
39 necessary, is appropriated out of any money in the State Treasury
40 to the credit of the Health Care Expendable Fund, for the purpose
41 of defraying the expenses of the Governor's Office - Division of
42 Medicaid for the fiscal year beginning July 1, 2023, and ending
43 June 30, 2024.....\$ 63,230,003.00.

44 The above funds shall be allocated as follows:



45 CHIP Program at up to 209% level of poverty..\$ 9,000,000.00.

46 Medical Program Matching Funds.....\$ 54,230,003.00.

47 It is the intention of the Legislature that funds may be
48 shifted among the above allocated line items where needed at the
49 discretion of the Executive Director of Governor's Office -
50 Division of Medicaid.

51 **SECTION 5.** Of the funds appropriated under the provisions of
52 this act, the following positions are authorized:

53 AUTHORIZED HEADCOUNT:

54 Permanent: 921

55 Time-Limited: 23

56 With the funds herein appropriated, it shall be the agency's
57 responsibility to make certain that funds required for Personal
58 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
59 appropriated for that purpose unless programs or positions are
60 added to the agency's Fiscal Year 2024 budget by the Mississippi
61 Legislature. The Legislature shall determine the agency's
62 personal services appropriation, which shall be published by the
63 State Personnel Board. Additionally, the State Personnel Board
64 shall determine and publish the projected annualized payroll costs
65 based on current employees. It shall be the responsibility of the
66 agency head to ensure that actual personnel expenditures for
67 Fiscal Year 2024 do not exceed the data provided by the
68 Legislative Budget Office. If the agency's Fiscal Year 2024
69 projected cost exceeds the annualized costs, no salary actions



70 shall be processed by the State Personnel Board with the exception
71 of new hires that are determined to be essential for the agency.

72 Any transfers or escalations shall be made in accordance with
73 the terms, conditions and procedures established by law or
74 allowable under the terms set forth within this act. The State
75 Personnel Board shall not escalate positions without written
76 approval from the Department of Finance and Administration. The
77 Department of Finance and Administration shall not provide written
78 approval to escalate any funds for salaries and/or positions
79 without proof of availability of new or additional funds above the
80 appropriated level.

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

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

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



95 **SECTION 6.** It is the intention of the Legislature that the
96 Governor's Office - Division of Medicaid shall maintain complete
97 accounting and personnel records related to the expenditure of all
98 funds appropriated under this act and that such records shall be
99 in the same format and level of detail as maintained for Fiscal
100 Year 2023. It is further the intention of the Legislature that
101 the agency's budget request for Fiscal Year 2025 shall be
102 submitted to the Joint Legislative Budget Committee in a format
103 and level of detail comparable to the format and level of detail
104 provided during the Fiscal Year 2024 budget request process with
105 the Children's Health Insurance Program (CHIP) being separated
106 from the Medical Services Program and submitted as a separate
107 program. All Medicaid 1915 (C) Home and Community Based Services
108 Waivers shall be presented as a budget program separate from the
109 Medical Services Program. In addition, the performance measures
110 reported for the Medical Services Program shall include an
111 unduplicated case count of individuals served by eligibility
112 status, and the number and the costs of emergency room visits.

113 **SECTION 7.** In compliance with the "Mississippi Performance
114 Budget and Strategic Planning Act of 1994," it is the intent of
115 the Legislature that the funds provided herein shall be utilized
116 in the most efficient and effective manner possible to achieve the
117 intended mission of this agency. Based on the funding authorized,
118 this agency shall make every effort to attain the targeted
119 performance measures provided below:



120		FY2024
121	<u>Performance Measures</u>	<u>Target</u>
122	Administrative Services	
123	Admin as a Percent of Total Budget	3.66
124	Third Party Liability Cost Avoided (Thou)	1,176,412.00
125	Percent of Clean Claims Processed within	
126	30 Days of Receipt	99.50
127	Percent of Clean Claims Processed within	
128	90 Days of Receipt	100.00
129	Percent of Applications Processed within	
130	Std. of Promptness - Medicaid	90.00
131	Third Party Funds Recovered	7,998,051.00
132	Number of Providers Submitting	
133	Electronic Claims	31,500
134	Turnover Rate of Employees	15.00
135	Medical Services	
136	Costs of Emergency Room Visits	171,539,318
137	Number of Emergency Room Visits	418,177
138	Medicaid Recipients - Enrolled (Persons)	793,762
139	Child Physical Exams (Ages 0-20)	317,675
140	Adult Physical Exams (21-Older)	10,595
141	Number of Fraud and Abuse Cases Investigated	300
142	Number of Medicaid Providers	45,000
143	Number of Medicaid Beneficiaries	
144	Assigned to a Managed Care Company	450,000



145	Percent of MSCAN Diabetic Members Aged	
146	17-75 Receiving HBA1c Test	88.69
147	Percent of MSCAN Members with Persistent	
148	Asthma are Appropriately Prescribed	
149	Medication	71.08
150	Rate of EPSDT Well Child Screening	75.00
151	Percent Change in Number of Recipients	
152	Enrolled From Last Year	2.50
153	Percent Change in Number of Providers	
154	From Last Year	29.15
155	Children's Health Insur Prg (chip)	
156	Number of CHIP Enrollees	47,000
157	Percent of CHIP Applications Processed	
158	within Std. of Promptness	90.00
159	Home & Comm-based Waiver Prg	
160	Elderly and Disabled - Persons Served	20,559
161	Elderly and Disabled - Funded Slots	20,121
162	Elderly and Disabled - Total Authorized	
163	Slots	22,200
164	Assisted Living - Persons Served	945
165	Assisted Living - Funded Slots	918
166	Assisted Living - Total Authorized Slots	1,100
167	Independent Living - Persons Served	3,675
168	Independent Living - Funded Slots	3,615
169	Independent Living - Total Authorized Slots	5,800



170	Traumatic Brain Injury - Persons Served	1,103
171	Traumatic Brain Injury - Funded Slots	1,050
172	Traumatic Brain Injury - Total	
173	Authorized Slots	1,150
174	Intellectual Disability - Persons Served	3,250
175	Intellectual Disability - Funded Slots	3,250
176	Intellectual Disability - Total	
177	Authorized Slots	4,150
178	Percent Change in Persons On Waiting	
179	List (E&D)	10.00
180	Percent Change in Persons On Waiting	
181	List (AL)	10.00
182	Percent Change in Persons On Waiting	
183	List (IL)	10.00
184	Percent Change in Persons On Waiting	
185	List (TBI)	10.00
186	Percent Change in Persons On Waiting	
187	List (IDD)	10.00

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

192 **SECTION 8.** It is the intention of the Legislature that
193 whenever two (2) or more bids are received by this agency for the
194 purchase of commodities or equipment, and whenever all things



195 stated in such received bids are equal with respect to price,
196 quality and service, the Mississippi Industries for the Blind
197 shall be given preference. A similar preference shall be given to
198 the Mississippi Industries for the Blind whenever purchases are
199 made without competitive bids.

200 **SECTION 9.** The Governor's Office - Division of Medicaid
201 shall provide statistical and financial reports on a monthly basis
202 to the Legislative Budget Office and the PEER Committee. These
203 reports shall include, but are not limited to, an accounting of
204 all funds spent in the medical program, the CHIP program, the
205 Dialysis Transportation program, and each of the Home and
206 Community Based Waiver programs, and an accounting of all funds
207 spent in the administrative program, participant statistics and
208 any other information requested by the Legislative Budget Office
209 and the PEER Committee.

210 The Governor's Office - Division of Medicaid shall perform
211 its cash flow projections on a predetermined monthly schedule and
212 make this and any other information requested available, upon
213 request, to the Chair of the Senate Public Health and Welfare
214 Committee, the House Public Health and Human Services Committee,
215 the House and Senate Medicaid Committees, the House and Senate
216 Appropriations Committees, the Legislative Budget Office and the
217 PEER Committee. A summary of this cash flow projection shall also
218 be presented in the report referenced in the above paragraph.



219 **SECTION 10.** Of the funds appropriated under the provisions
220 of this act in an amount not to exceed, Two Million Seven Hundred
221 Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose
222 of funding a temporary program to provide nonemergency
223 transportation to locations for necessary dialysis services for
224 end-stage renal disease patients who are sixty-five (65) years of
225 age or older or are disabled as determined under Section
226 1614(a) (3) of the federal Social Security Act, as amended, whose
227 income did not exceed one hundred thirty-five percent (135%) of
228 the nonfarm official poverty level as defined by the Office of
229 Management and Budget and whose eligibility was covered under the
230 former category of eligibility known as Poverty Level Aged and
231 Disabled (PLADS).

232 **SECTION 11.** Of the funds appropriated in Sections 1 and 3,
233 Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars
234 (\$398,550.00) General Funds and One Million One Hundred One
235 Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds
236 are provided to maintain five (5) additional slots in the Assisted
237 Living Waiver program for persons with Traumatic Brain Injury and
238 in need of Cognitive Rehabilitation.

239 **SECTION 12.** Of the funds appropriated in Section 1, Eight
240 Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is
241 provided to maintain additional slots in the Assisted Living Home
242 and Community Based Waiver program and One Million One Hundred
243 Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00)



244 is provided to maintain additional slots in the Elderly and
245 Disabled Home and Community Based Waiver program.

246 **SECTION 13.** It is the intention of the Legislature that the
247 funds appropriated in this act to the Governor's Office - Division
248 of Medicaid for the Mississippi Coordinated Access Network
249 (MS-CAN) program be used in the most efficient and effective
250 manner possible to achieve the intended mission of the division.
251 The division and the coordinated care organizations with which the
252 division has contracted to conduct the MS-CAN program shall
253 establish baselines for the health-related outcome measurement for
254 each of the following health focus areas for presentation at the
255 Joint Legislative Budget Committee hearings for Fiscal Year 2024,
256 which will be used as the baseline levels for establishing targets
257 for improvements in quality of care performance measures for the
258 MS-CAN program in Fiscal Year 2024 and later fiscal years:

259 a. Comprehensive Diabetes Care (CDC) or successive measure.

260 b. Medication Management for People with Asthma (MMA) or
261 successive measure.

262 c. Annual Monitoring for Patients on Persistent Medications
263 (MPM) or successive measure.

264 d. Adult BMI Assessment (ABA) and Weight Assessment and
265 Counseling for Nutrition and Physical Activity for
266 Children/Adolescents (WCC) or successive measure.

267 In addition, for comparison purposes, these same baselines
268 for the health-related outcome measurements shall be established



269 for similar Medicaid recipients who are not enrolled in the MS-CAN
270 program.

271 **SECTION 14.** It is the intention of the Legislature that the
272 Governor's Office - Division of Medicaid and the Department of
273 Human Services shall continue to work together to implement HB
274 1090 of the 2017 Regular Session, known as the "Medicaid and Human
275 Services Transparency and Fraud Prevention Act".

276 **SECTION 15.** The Governor's Office - Division of Medicaid is
277 authorized to expend funds appropriated herein as necessary to
278 provide currently existing home and community based services
279 through any CMS approved state plan or home and community based
280 services waiver to individuals who qualify for those services to
281 avoid institutionalization or to transition an individual from an
282 institution to any home and community based setting. Provision of
283 such services shall not count against any limit imposed under this
284 act. It is the intention of the Legislature that the cost of
285 providing home and community based services shall not exceed the
286 cost of nursing facility services, as determined by the Division.

287 **SECTION 16.** The money herein appropriated shall be paid by
288 the State Treasurer out of any money in the State Treasury to the
289 credit of the proper fund or funds as set forth in this act, upon
290 warrants issued by the State Fiscal Officer; and the State Fiscal
291 Officer shall issue his warrants upon requisitions signed by the
292 proper person, officer or officers, in the manner provided by law.



293 **SECTION 17.** This act shall take effect and be in force from
294 and after July 1, 2023, and shall stand repealed June 30, 2023.

