

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

To: Appropriations

HOUSE BILL NO. 1624  
(As Sent to Governor)

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 .....\$ 846,380,488.00.

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 .....\$ 352,666,905.00.

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.....\$ 6,046,663,411.00.

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: 927

55 Time-Limited: 82

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 the State Personnel Board  
63 shall publish. The agency's personal services appropriation may  
64 consist of restricted funds for approved vacancies for Fiscal Year  
65 2024 that may not be utilized for active Fiscal Year 2023  
66 Headcount. It shall be the agency's responsibility to ensure that  
67 the funds provided for vacancies are used to increase headcount  
68 and not for promotions, title changes, in-range salary adjustments  
69 or any other mechanism for increasing salaries for current



70 employees. It is the Legislature's intention that no employee  
71 salary falls below the minimum salary established by the  
72 Mississippi State Personnel Board.

73 Additionally, the State Personnel Board shall determine and  
74 publish the projected annualized payroll costs based on current  
75 employees. It shall be the responsibility of the agency head to  
76 ensure that actual personnel expenditures for Fiscal Year 2024 do  
77 not exceed the data provided by the Legislative Budget Office. If  
78 the agency's Fiscal Year 2024 projected cost exceeds the  
79 annualized costs, no salary actions shall be processed by the  
80 State Personnel Board except for new hires determined to be  
81 essential for the agency.

82 Any transfers or escalations shall be made in accordance with  
83 the terms, conditions, and procedures established by law or  
84 allowable under the terms set forth within this act. The State  
85 Personnel Board shall not escalate positions without written  
86 approval from the Department of Finance and Administration. The  
87 Department of Finance and Administration shall not provide written  
88 approval to escalate any funds for salaries and/or positions  
89 without proof of availability of new or additional funds above the  
90 appropriated level.

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



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

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

117 **SECTION 7.** In compliance with the "Mississippi Performance  
118 Budget and Strategic Planning Act of 1994," it is the intent of  
119 the Legislature that the funds provided herein shall be utilized



120 in the most efficient and effective manner possible to achieve the  
 121 intended mission of this agency. Based on the funding authorized,  
 122 this agency shall make every effort to attain the targeted  
 123 performance measures provided below:

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



145	Number of Fraud and Abuse Cases Investigated	300
146	Number of Medicaid Providers	45,000
147	Number of Medicaid Beneficiaries	
148	Assigned to a Managed Care Company	450,000
149	Percent of MSCAN Diabetic Members Aged	
150	17-75 Receiving HBA1c Test	88.69
151	Percent of MSCAN Members with Persistent	
152	Asthma are Appropriately Prescribed	
153	Medication	71.08
154	Rate of EPSDT Well Child Screening	75.00
155	Percent Change in Number of Recipients	
156	Enrolled From Last Year	2.50
157	Percent Change in Number of Providers	
158	From Last Year	29.15
159	Children's Health Insur Prg (chip)	
160	Number of CHIP Enrollees	47,000
161	Percent of CHIP Applications Processed	
162	within Std. of Promptness	90.00
163	Home & Comm-based Waiver Prg	
164	Elderly and Disabled - Persons Served	20,559
165	Elderly and Disabled - Funded Slots	20,121
166	Elderly and Disabled - Total Authorized	
167	Slots	22,200
168	Assisted Living - Persons Served	945
169	Assisted Living - Funded Slots	918



170	Assisted Living - Total Authorized Slots	1,100
171	Independent Living - Persons Served	3,675
172	Independent Living - Funded Slots	3,615
173	Independent Living - Total Authorized Slots	5,800
174	Traumatic Brain Injury - Persons Served	1,103
175	Traumatic Brain Injury - Funded Slots	1,050
176	Traumatic Brain Injury - Total	
177	Authorized Slots	1,150
178	Intellectual Disability - Persons Served	3,250
179	Intellectual Disability - Funded Slots	3,250
180	Intellectual Disability - Total	
181	Authorized Slots	4,150
182	Percent Change in Persons On Waiting	
183	List (E&D)	10.00
184	Percent Change in Persons On Waiting	
185	List (AL)	10.00
186	Percent Change in Persons On Waiting	
187	List (IL)	10.00
188	Percent Change in Persons On Waiting	
189	List (TBI)	10.00
190	Percent Change in Persons On Waiting	
191	List (IDD)	10.00
192	A reporting of the degree to which the performance targets	
193	set above have been or are being achieved shall be provided in the	





194 agency's budget request submitted to the Joint Legislative Budget  
195 Committee for Fiscal Year 2025.

196         **SECTION 8.** It is the intention of the Legislature that  
197 whenever two (2) or more bids are received by this agency for the  
198 purchase of commodities or equipment, and whenever all things  
199 stated in such received bids are equal with respect to price,  
200 quality and service, the Mississippi Industries for the Blind  
201 shall be given preference. A similar preference shall be given to  
202 the Mississippi Industries for the Blind whenever purchases are  
203 made without competitive bids.

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

214         The Governor's Office - Division of Medicaid shall perform  
215 its cash flow projections on a predetermined monthly schedule and  
216 make this and any other information requested available, upon  
217 request, to the Chair of the Senate Public Health and Welfare  
218 Committee, the House Public Health and Human Services Committee,



219 the House and Senate Medicaid Committees, the House and Senate  
220 Appropriations Committees, the Legislative Budget Office and the  
221 PEER Committee. A summary of this cash flow projection shall also  
222 be presented in the report referenced in the above paragraph.

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

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



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

250           **SECTION 13.** Of the funds appropriated in Section 2 and  
251 Section 3, One Million Nine Hundred Thirty-four Thousand Two  
252 Hundred Ninety-two Dollars (\$1,934,292.00) Special Funds are  
253 provided for One Hundred (100) slots for the Department of  
254 Rehabilitation Services and Ten Million Two Hundred Seventy-two  
255 Thousand Six Hundred Seventy-six Dollars (\$10,272,676.00) for Two  
256 Hundred (200) slots for the Department of Mental Health for the  
257 Home and Community Based waiver program for Independent Living and  
258 the IDD Waiver program. These funds shall be used for these  
259 additional slots.

260           **SECTION 14.** It is the intention of the Legislature that the  
261 funds appropriated in this act to the Governor's Office - Division  
262 of Medicaid for the Mississippi Coordinated Access Network  
263 (MS-CAN) program be used in the most efficient and effective  
264 manner possible to achieve the intended mission of the division.  
265 The division and the coordinated care organizations with which the  
266 division has contracted to conduct the MS-CAN program shall  
267 establish baselines for the health-related outcome measurement for



268 each of the following health focus areas for presentation at the  
269 Joint Legislative Budget Committee hearings for Fiscal Year 2024,  
270 which will be used as the baseline levels for establishing targets  
271 for improvements in quality of care performance measures for the  
272 MS-CAN program in Fiscal Year 2024 and later fiscal years:

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

274 b. Medication Management for People with Asthma (MMA) or  
275 successive measure.

276 c. Annual Monitoring for Patients on Persistent Medications  
277 (MPM) or successive measure.

278 d. Adult BMI Assessment (ABA) and Weight Assessment and  
279 Counseling for Nutrition and Physical Activity for  
280 Children/Adolescents (WCC) or successive measure.

281 In addition, for comparison purposes, these same baselines  
282 for the health-related outcome measurements shall be established  
283 for similar Medicaid recipients who are not enrolled in the MS-CAN  
284 program.

285 **SECTION 15.** It is the intention of the Legislature that the  
286 Governor's Office - Division of Medicaid and the Department of  
287 Human Services shall continue to work together to implement  
288 Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid  
289 and Human Services Transparency and Fraud Prevention Act".

290 **SECTION 16.** The Governor's Office - Division of Medicaid is  
291 authorized to expend funds appropriated herein as necessary to  
292 provide currently existing home and community based services



293 through any CMS approved state plan or home and community based  
294 services waiver to individuals who qualify for those services to  
295 avoid institutionalization or to transition an individual from an  
296 institution to any home and community based setting. Provision of  
297 such services shall not count against any limit imposed under this  
298 act. It is the intention of the Legislature that the cost of  
299 providing home and community based services shall not exceed the  
300 cost of nursing facility services, as determined by the Division.

301       **SECTION 17.** Of the funds appropriated herein, no more than  
302 Sixty-seven Thousand Two hundred Dollars (\$67,200.00) may be used  
303 to pay invoices from Fiscal Year 2022 for expenses to Bulletproof  
304 Solutions, Inc. for a Medicaid information technology security  
305 assessment.

306       **SECTION 18.** The money herein appropriated shall be paid by  
307 the State Treasurer out of any money in the State Treasury to the  
308 credit of the proper fund or funds as set forth in this act, upon  
309 warrants issued by the State Fiscal Officer; and the State Fiscal  
310 Officer shall issue his warrants upon requisitions signed by the  
311 proper person, officer or officers, in the manner provided by law.

312       **SECTION 19.** This act shall take effect and be in force from  
313 and after July 1, 2023.

