

By: Senator(s) Parker

To: Economic and Workforce
Development; Appropriations

SENATE BILL NO. 2371

1 AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA)
2 NURSE/ALLIED HEALTH WORKFORCE DEVELOPMENT AND RETENTION ACT; TO
3 STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE
4 MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM; TO ESTABLISH THE
5 ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP
6 GRANT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATIONS AND
7 FOR THE GRANT AWARDS; TO CREATE SPECIAL FUNDS IN THE STATE
8 TREASURY FROM WHICH THE GRANTS AUTHORIZED IN THIS ACT SHALL BE
9 DISBURSED BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO ALLOW THE
10 OFFICE OF WORKFORCE DEVELOPMENT TO USE A MAXIMUM OF 2% OF FUNDS
11 ALLOCATED FOR THE ADMINISTRATION OF THE GRANT PROGRAMS, TO THE
12 EXTENT PERMISSIBLE UNDER FEDERAL LAW; TO DIRECT THE OFFICE TO TRY
13 TO MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING
14 POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING FEDERAL
15 COVID-19 RELIEF FUNDS; TO REQUIRE THE OFFICE OF WORKFORCE
16 DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND
17 ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS
18 IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY
19 CRITERIA REGARDING THE USE OF MONIES FROM THE CORONAVIRUS STATE
20 FISCAL RECOVERY FUND; TO PROVIDE REPORTING REQUIREMENTS TO THE
21 GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO PROVIDE
22 THAT GRANT FUNDS SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR
23 ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE
24 FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH
25 GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT
26 IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31,
27 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION
28 OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT
29 RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR
30 RELATED PURPOSES.

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



32 **SECTION 1.** This article shall be known and may be cited as
33 the "American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce
34 Development and Retention Act." Under this article, the
35 Legislature creates the "Accelerate Mississippi Nursing/Allied
36 Health Grant Program" and the "Accelerate Mississippi Physician
37 Residency and Fellowship Start-Up Grant Program."

38 **SECTION 2.** (1) The Mississippi Legislature finds that:

39 (a) The public health crisis related to COVID-19
40 resulted in a general disruption in the Mississippi economy and
41 workforce, particularly in hospitals, clinics, long-term care
42 facilities and other health care facilities across the state;

43 (b) Workforce shortages exist in the health care
44 industry; and

45 (c) The availability of unprecedented federal funding
46 to mitigate the impact of COVID-19 on the workforce and economy
47 has created a unique opportunity for the Office of Workforce
48 Development, working with community colleges, to provide education
49 and training to help Mississippians find employment in the
50 nursing, allied health and other health care fields.

51 (2) Therefore, the intent of the Mississippi Legislature is:

52 (a) To provide funding for outreach efforts to connect
53 citizens seeking employment in nursing, allied health, and other
54 health care fields with the education and training required to
55 obtain necessary skills for relevant employment in the state;



56 (b) To provide funding for new and increased capacity
57 in existing nursing and allied health training programs, to
58 include any required equipment or supplies, at community and
59 junior colleges across the state;

60 (c) To provide funding for new and increased capacity
61 in physician residency and fellowship programs in hospitals across
62 the state; and

63 (d) To gauge the effectiveness of these programs by
64 gathering data related to participation and wage and employment
65 outcomes in order to replicate successful efforts in future
66 workforce development programs.

67 **SECTION 3.** (1) There is established the Accelerate
68 Mississippi Nursing/Allied Health Grant Program, which shall be
69 directed by the office for the purpose of increasing capacity in
70 nursing and allied health training programs, job sectors which
71 were severely impacted by the disruption to the economy and
72 workforce caused by COVID-19.

73 (2) For purposes of this section, the following words shall
74 have the meanings ascribed herein unless the context otherwise
75 requires:

76 (a) "Grant program" means the program established in
77 this section, which provides funding, as determined by the office,
78 from federal COVID-19 relief funds to sustain and increase
79 capacity in nursing and allied health education and training
80 programs at community and junior colleges.



81 (b) "Office" means the Office of Workforce Development
82 established in Section 37-153-7.

83 (c) "Recipient" means a community or junior college.

84 (d) "Trainee" means an individual receiving training or
85 other services through the grant program under this article with
86 the goal of becoming employed in the nursing or allied health
87 field.

88 (e) "COVID-19" means the Coronavirus Disease 2019.

89 (f) "Federal COVID-19 relief funds" means funds
90 allocated to the State of Mississippi from the Coronavirus State
91 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan
92 Act of 2021 (Public Law No. 117-2).

93 (g) "High-wage, high-demand industry" means those
94 nursing or allied health jobs paying above Mississippi's median
95 annual income and prioritized by the office.

96 (h) "Eligible expenses" means a cost incurred by a
97 recipient under this article, to include:

98 (i) Necessary equipment or other supplies to
99 sustain or increase capacity in nursing or allied health training
100 programs;

101 (ii) Necessary infrastructure, including building
102 renovation or construction, for increasing capacity in nursing or
103 allied health training programs;



104 (iii) Curricula or other academic or training
105 materials to sustain or increase capacity in nursing or allied
106 health training programs;

107 (iv) Remote learning or other classroom technology
108 to sustain or increase capacity in nursing or allied health
109 training programs;

110 (v) Job placement services for nursing or allied
111 health students and graduates; and

112 (vi) Recruitment programs for nursing or allied
113 health students and graduates.

114 (3) The Department of Employment Security shall serve as
115 fiscal agent in administering the funds.

116 (4) Subject to appropriation by the Legislature, allocations
117 to recipients shall be awarded by the office through an
118 application process, which shall require the applicant to provide:

119 (a) A detailed explanation of the program the applicant
120 intends to use awarded funds to create or expand, to include:

121 (i) A description of the nursing or allied health
122 workforce shortage the program is intended to address, including
123 specific information from hospitals, clinics, long-term care
124 facilities or other health care providers in the region;

125 (ii) Any relevant waitlist or other information
126 demonstrating high demand for graduates from the relevant nursing
127 or allied health program;



128 (iii) The number of nursing or allied health
129 students who will be served by the program; and

130 (iv) The average wage rate for nursing or allied
131 health students receiving employment after completing the program;

132 (b) A proposed budget on how awarded funds will be
133 expended, including a plan to consistently report expenditures to
134 the office throughout the funding commitment;

135 (c) A plan to provide data on participation and
136 outcomes of the program, including a plan to report outcomes to
137 the office throughout the funding commitment; and

138 (d) Other relevant information as determined
139 appropriate by the office.

140 (5) Applicants agreeing to commit a portion of their federal
141 COVID-19 relief funds, if they received federal COVID-19 relief
142 funds directly, or other state, federal or private funds as
143 supplemental matching funds to offset the total cost of the
144 approved program will be prioritized for approval.

145 (6) The office shall:

146 (a) Inform each recipient of its portion of the funds
147 appropriated to the grant program;

148 (b) Develop regulations and procedures to govern the
149 administration of the grant program;

150 (c) Prioritize jobs within the nursing or allied health
151 fields which are currently experiencing staffing shortages in



152 hospitals, clinics, long-term care facilities and other health
153 care providers across the state; and

154 (d) Prioritize jobs which are high-wage, high-demand
155 within the nursing and allied health fields.

156 (7) There is created a special fund in the State Treasury to
157 be known as the "Accelerate Mississippi Nursing/Allied Health
158 Grant Program Fund," from which the grants authorized in this
159 section shall be disbursed by the office. All monies shall be
160 disbursed from the fund in compliance with the guidelines,
161 guidance, rules, regulations and other criteria, as may be amended
162 from time to time, of the United States Department of the Treasury
163 regarding the use of monies from the American Rescue Plan Act.
164 Unexpended amounts of any monies remaining in the fund at the end
165 of the fiscal year shall not lapse into the Coronavirus State
166 Fiscal Recovery Fund or the State General Fund, and any interest
167 earned on amounts in the fund shall remain in the fund.

168 **SECTION 4.** (1) There is established the Accelerate
169 Mississippi Physician Residency and Fellowship Start-Up Grant
170 Program, which shall be directed by the office for the purpose of
171 creating new or increasing capacity in existing physician
172 residency and fellowship programs in hospitals, which were
173 severely impacted by the disruption to the economy and workforce
174 caused by COVID-19.



175 (2) For purposes of this section, the following words shall
176 have the meanings ascribed herein unless the context otherwise
177 requires:

178 (a) "Grant program" means the program established in
179 this section, which provides funding, as determined by the office,
180 from federal COVID-19 relief funds to create new or increase
181 capacity in existing physician residency and fellowship programs
182 at general acute care hospitals in the State of Mississippi which
183 are licensed by the Mississippi State Department of Health.

184 (b) "Office" means the Office of Workforce Development
185 established in Section 37-153-7.

186 (c) "Recipient" means a general acute care hospital in
187 the State of Mississippi which is licensed by the Mississippi
188 State Department of Health.

189 (d) "Residency and fellowship programs" means advanced
190 training programs in medical or surgical specialty areas which are
191 accredited by the Accreditation Council for Graduate Medical
192 Education or a similar accreditation body.

193 (e) "COVID-19" means the Coronavirus Disease 2019.

194 (f) "Federal COVID-19 relief funds" means funds
195 allocated to the State of Mississippi from the Coronavirus State
196 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan
197 Act of 2021 (Public Law No. 117-2).

198 (g) "Eligible expenses" means a cost incurred by a
199 recipient, pursuant to this article, to include:



- 200 (i) Equipment or other supplies necessary for
201 accreditation;
- 202 (ii) Necessary infrastructure, including building
203 renovation or construction, for accreditation;
- 204 (iii) Curricula or other academic or training
205 materials necessary for accreditation;
- 206 (iv) Stipends for teaching staff or faculty
207 necessary for accreditation; and
- 208 (v) Remote learning or other classroom technology.

209 (3) The Department of Employment Security shall serve as
210 fiscal agent in administering the funds.

211 (4) Subject to appropriation by the Legislature, allocations
212 to recipients shall be awarded by the office through an
213 application process, which shall require the applicant to provide:

214 (a) Proof that the applicant has applied for
215 accreditation or has received accreditation for a new residency or
216 fellowship program, or increased capacity in an existing residency
217 or fellowship program;

218 (b) A detailed explanation of the residency or
219 fellowship program the applicant intends to use awarded funds to
220 create or expand, to include:

221 (i) A description of the workforce shortage the
222 residency or fellowship program is intended to address, including
223 specific information from health care providers in the region;



224 (ii) Any relevant waitlist or other information
225 demonstrating high demand for medical school graduates to enter
226 the residency or fellowship program;

227 (iii) The number of residents who will be served
228 by the residency or fellowship program;

229 (iv) The budget for the residency or fellowship
230 program, including a plan showing sustainability after
231 accreditation and any required federal approval of the program;
232 and

233 (v) The average wage rate for residents or fellows
234 receiving employment after completing the program;

235 (c) A proposed budget on how awarded funds will be
236 expended, including a plan to consistently report expenditures to
237 the office throughout the funding commitment;

238 (d) A plan to provide data on participation and
239 outcomes of the residency or fellowship program, including a plan
240 to report outcomes to the office throughout the funding
241 commitment; and

242 (e) Other relevant information as determined
243 appropriate by the office.

244 (5) Applicants agreeing to commit a portion of their federal
245 COVID-19 relief funds, if they received federal COVID-19 relief
246 funds directly, or other state, federal or private funds as
247 supplemental matching funds to offset the total cost of the
248 approved program shall be prioritized for approval.



249 (6) The office shall:

250 (a) Inform each recipient of its portion of the funds
251 appropriated to the grant program;

252 (b) Develop regulations and procedures to govern the
253 administration of the grant program;

254 (c) Prioritize residency or fellowship programs within
255 medical or surgical specialties which are currently experiencing
256 staffing shortages in hospitals, clinics, long-term care
257 facilities and other health care providers across the state; and

258 (d) Prioritize residency or fellowship programs which
259 produce graduates in high-demand medical and surgical fields.

260 (7) There is created a special fund in the State Treasury to
261 be known as the "Accelerate Mississippi Physician Residency and
262 Fellowship Start-Up Grant Program Fund," from which the grants
263 authorized in this section shall be disbursed by the office. All
264 monies shall be disbursed from the fund in compliance with the
265 guidelines, guidance, rules, regulations and other criteria, as
266 may be amended from time to time, of the United States Department
267 of the Treasury regarding the use of monies from the American
268 Rescue Plan Act. Unexpended amounts of any monies remaining in
269 the fund at the end of the fiscal year shall not lapse into the
270 Coronavirus State Fiscal Recovery Fund or the State General Fund,
271 and any interest earned on amounts in the fund shall remain in the
272 fund.



273 **SECTION 5.** The Office of Workforce Development may use a
274 maximum of two percent (2%) of funds allocated for the
275 administration of the grant programs authorized in Sections 3 and
276 4 of this act, to the extent permissible under federal law. The
277 office shall try to minimize any expense of administrative funds
278 by establishing policies and procedures mirroring past programs
279 utilizing federal COVID-19 relief funds.

280 **SECTION 6.** The Office of Workforce Development shall certify
281 to the Department of Finance and Administration that each
282 expenditure of the funds appropriated to the office under this
283 article is in compliance with the guidelines, guidance, rules,
284 regulations and/or other criteria, as may be amended from time to
285 time, of the United States Department of the Treasury regarding
286 the use of monies from the Coronavirus State Fiscal Recovery Fund
287 in Section 9901 of the American Rescue Plan Act of 2021 (Public
288 Law No. 117-1).

289 **SECTION 7.** The Office of Workforce Development shall provide
290 a comprehensive report on the use and effectiveness of funds
291 distributed under the grant programs created in this article, to
292 include wage data and employment outcomes for residents, to the
293 Governor, Lieutenant Governor, Speaker of the House, Chairs of the
294 Senate and House Appropriations Committees, Chair of the Senate
295 Economic and Workforce Development Committee, and Chair of the
296 House Workforce Development Committee by October 1 each year of



297 the existence of the program and for at least three (3) years
298 after the program ceases.

299 **SECTION 8.** Grant funds shall be available under this article
300 through December 31, 2026, or on the date of the fund expenditure
301 deadline provided by the federal government, whichever occurs
302 later. Each grant recipient shall certify, for any project for
303 which a grant is awarded, that if the project is not completed by
304 December 31, 2026, and the United States Congress does not enact
305 an extension of the deadline on the availability of ARPA funds,
306 then the grant recipient will complete the project through other
307 funds.

308 **SECTION 9.** If any section, paragraph, sentence, clause,
309 phrase or part of this article is declared to be in conflict with
310 federal law, or if for any reason is declared to be invalid or of
311 no effect, the remaining sections, paragraphs, sentences, clauses,
312 phrases or parts thereof shall be in no matter affected thereby
313 but shall remain in full force and effect.

314 **SECTION 10.** Sections 1 through 9 of this act shall be
315 codified as a new article in Title 37, Chapter 153, Mississippi
316 Code of 1972.

317 **SECTION 11.** This act shall take effect and be in force from
318 and after its passage.

