

By: Senator(s) Parker, McCaughn

To: Economic and Workforce
Development; Appropriations

SENATE BILL NO. 2371
(As Passed the Senate)

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, or to
58 help retain and graduate nursing and allied health students, to
59 include any required equipment or supplies, at community and
60 junior colleges or through other entities facilitating
61 healthcare-focused workforce training programs across the state;

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

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

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

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

78 (a) "Grant program" means the program established in
79 this section, which provides funding, as determined by the office,
80 from federal COVID-19 relief funds to sustain and increase



81 capacity in nursing and allied health education and training
82 programs, or to help retain and graduate nursing and allied health
83 students, at community and junior colleges or other entities
84 facilitating healthcare-focused training programs as determined by
85 the office.

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

88 (c) "Recipient" means a community or junior college or
89 other entities facilitating healthcare-focused training programs
90 as determined by the office.

91 (d) "Trainee" means an individual receiving training or
92 other services through the grant program under this article with
93 the goal of becoming employed in the nursing or allied health
94 field.

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

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

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

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



105 (i) Necessary equipment or other supplies to
106 sustain or increase capacity in nursing or allied health training
107 programs;

108 (ii) Necessary infrastructure, including building
109 renovation or construction, for increasing capacity in nursing or
110 allied health training programs;

111 (iii) Curricula or other academic or training
112 materials to sustain or increase capacity in nursing or allied
113 health training programs;

114 (iv) Remote learning or other classroom technology
115 to sustain or increase capacity in nursing or allied health
116 training programs;

117 (v) Job placement services for nursing or allied
118 health students and graduates;

119 (vi) Recruitment programs for nursing or allied
120 health students and graduates;

121 (vii) Other services aimed at helping retain and
122 graduate current nursing and allied health students.

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

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

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



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

134 (ii) Any relevant waitlist or other information
135 demonstrating high demand for graduates from the relevant nursing
136 or allied health program;

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

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

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

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

147 (d) Other relevant information as determined
148 appropriate by the office.

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

154 (6) The office shall:



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

157 (b) Develop regulations and procedures to govern the
158 administration of the grant program;

159 (c) Prioritize jobs within the nursing or allied health
160 fields which are currently experiencing staffing shortages in
161 hospitals, clinics, long-term care facilities and other health
162 care providers across the state; and

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

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

177 (8) Seventy-five percent (75%) of the funds provided through
178 the appropriations process for this program shall be reserved for
179 community and junior colleges. A maximum of twenty-five percent



180 (25%) of the funds provided through the appropriations process for
181 this program may be awarded to recipients other than a community
182 or junior college which facilitate healthcare-focused training
183 programs as determined by the office.

184 **SECTION 4.** (1) There is established the Accelerate
185 Mississippi Physician Residency and Fellowship Start-Up Grant
186 Program, which shall be directed by the office for the purpose of
187 creating new or increasing capacity in existing physician
188 residency and fellowship programs in hospitals, which were
189 severely impacted by the disruption to the economy and workforce
190 caused by COVID-19.

191 (2) For purposes of this section, the following words shall
192 have the meanings ascribed herein unless the context otherwise
193 requires:

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

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

202 (c) "Recipient" means a general acute care hospital in
203 the State of Mississippi which is licensed by the Mississippi
204 State Department of Health.



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

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

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

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

216 (i) Equipment or other supplies necessary for
217 accreditation;

218 (ii) Necessary infrastructure, including building
219 renovation or construction, for accreditation;

220 (iii) Curricula or other academic or training
221 materials necessary for accreditation;

222 (iv) Stipends for the recruitment, hiring and
223 development of program directors, program coordinators, faculty
224 and/or teaching staff and clinic staff necessary for
225 accreditation; and

226 (v) Remote learning or other classroom technology.

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



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

232 (a) Evidence that the applicant is in the process of
233 preparing for accreditation, has applied for accreditation or has
234 received accreditation for a new residency or fellowship program,
235 or increased capacity in an existing residency or fellowship
236 program;

237 (b) A detailed explanation of the residency or
238 fellowship program the applicant intends to use awarded funds to
239 create or expand, to include:

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

243 (ii) Any relevant waitlist or other information
244 demonstrating high demand for medical school graduates to enter
245 the residency or fellowship program;

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

248 (iv) The budget for the residency or fellowship
249 program, including a plan showing sustainability after
250 accreditation and any required federal approval of the program;
251 and

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



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

257 (d) A plan to provide data on participation and
258 outcomes of the residency or fellowship program, including a plan
259 to report outcomes to the office throughout the funding
260 commitment; and

261 (e) Other relevant information as determined
262 appropriate by the office.

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

268 (6) The office shall:

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

271 (b) Develop regulations and procedures to govern the
272 administration of the grant program;

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

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



279 (7) There is created a special fund in the State Treasury to
280 be known as the "Accelerate Mississippi Physician Residency and
281 Fellowship Start-Up Grant Program Fund," from which the grants
282 authorized in this section shall be disbursed by the office. All
283 monies shall be disbursed from the fund in compliance with the
284 guidelines, guidance, rules, regulations and other criteria, as
285 may be amended from time to time, of the United States Department
286 of the Treasury regarding the use of monies from the American
287 Rescue Plan Act. Unexpended amounts of any monies remaining in
288 the fund at the end of the fiscal year shall not lapse into the
289 Coronavirus State Fiscal Recovery Fund or the State General Fund,
290 and any interest earned on amounts in the fund shall remain in the
291 fund.

292 **SECTION 5.** The Office of Workforce Development may use a
293 maximum of two percent (2%) of funds allocated for the
294 administration of the grant programs authorized in Sections 3 and
295 4 of this act, to the extent permissible under federal law. The
296 office shall try to minimize any expense of administrative funds
297 by establishing policies and procedures mirroring past programs
298 utilizing federal COVID-19 relief funds.

299 **SECTION 6.** The Office of Workforce Development shall certify
300 to the Department of Finance and Administration that each
301 expenditure of the funds appropriated to the office under this
302 article is in compliance with the guidelines, guidance, rules,
303 regulations and/or other criteria, as may be amended from time to



304 time, of the United States Department of the Treasury regarding
305 the use of monies from the Coronavirus State Fiscal Recovery Fund
306 in Section 9901 of the American Rescue Plan Act of 2021 (Public
307 Law No. 117-1).

308 **SECTION 7.** The Office of Workforce Development shall provide
309 a comprehensive report on the use and effectiveness of funds
310 distributed under the grant programs created in this article, to
311 include wage data and employment outcomes for residents, to the
312 Governor, Lieutenant Governor, Speaker of the House, Chairs of the
313 Senate and House Appropriations Committees, Chair of the Senate
314 Economic and Workforce Development Committee, and Chair of the
315 House Workforce Development Committee by October 1 each year of
316 the existence of the program and for at least three (3) years
317 after the program ceases.

318 **SECTION 8.** Grant funds shall be available under this article
319 through December 31, 2026, or on the date of the fund expenditure
320 deadline provided by the federal government, whichever occurs
321 later. Each grant recipient shall certify, for any project for
322 which a grant is awarded, that if the project is not completed by
323 December 31, 2026, and the United States Congress does not enact
324 an extension of the deadline on the availability of ARPA funds,
325 then the grant recipient will complete the project through other
326 funds.

327 **SECTION 9.** If any section, paragraph, sentence, clause,
328 phrase or part of this article is declared to be in conflict with



329 federal law, or if for any reason is declared to be invalid or of
330 no effect, the remaining sections, paragraphs, sentences, clauses,
331 phrases or parts thereof shall be in no matter affected thereby
332 but shall remain in full force and effect.

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

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

