

By: Senator(s) Hopson, Polk, Michel,  
Hickman, McCaughn, Wiggins

To: Appropriations

SENATE BILL NO. 3024

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2024.

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

4 **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 General Fund not otherwise appropriated, for the purpose of  
7 defraying the expenses incurred by the Mississippi Workers'  
8 Compensation Commission for the fiscal year beginning  
9 July 1, 2023, and ending June 30, 2024.....\$ 5,602,900.00.

10 **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any money in the State  
12 Treasury to the credit of the Second Injury Fund (Fund Number  
13 3352300000) for the purpose of making payments under the  
14 provisions of Section 71-3-73, Mississippi Code of 1972, for the  
15 fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
16 .....\$ 50,000.00.

17 **SECTION 3.** With the funds appropriated in Section 1 of this  
18 act, the following positions are authorized:



19 AUTHORIZED HEADCOUNT:

20 Permanent: 52

21 Time-Limited: 0

22 With the funds herein appropriated, it shall be the agency's  
23 responsibility to make certain that funds required for Personal  
24 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
25 appropriated for that purpose unless programs or positions are  
26 added to the agency's Fiscal Year 2024 budget by the Mississippi  
27 Legislature. The Legislature shall determine the agency's  
28 personal services appropriation, which shall be published by the  
29 State Personnel Board. Additionally, the State Personnel Board  
30 shall determine and publish the projected annualized payroll costs  
31 based on current employees. It shall be the responsibility of the  
32 agency head to ensure that actual personnel expenditures for  
33 Fiscal Year 2024 do not exceed the data provided by the  
34 Legislative Budget Office. If the agency's Fiscal Year 2024  
35 projected cost exceeds the annualized costs, no salary actions  
36 shall be processed by the State Personnel Board with the exception  
37 of new hires that are determined to be essential for the agency.

38 Any transfers or escalations shall be made in accordance with  
39 the terms, conditions and procedures established by law or  
40 allowable under the terms set forth within this act. The State  
41 Personnel Board shall not escalate positions without written  
42 approval from the Department of Finance and Administration. The  
43 Department of Finance and Administration shall not provide written



44 approval to escalate any funds for salaries and/or positions  
45 without proof of availability of new or additional funds above the  
46 appropriated level.

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

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

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

61 **SECTION 4.** It is the intention of the Legislature that with  
62 the funds appropriated in Section 1 of this act, the Mississippi  
63 Workers' Compensation Commission shall enter into a contract with  
64 the industrial private sector for the purpose of implementing a  
65 safety education and training program.

66 **SECTION 5.** In compliance with the "Mississippi Performance  
67 Budget and Strategic Planning Act of 1994," it is the intent of  
68 the Legislature that the funds provided herein shall be utilized



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

73		FY2024
74	<u>Performance Measures</u>	<u>Target</u>
75	Adjudication	
76	Number of Cases Resolved at the	
77	Administrative or Commission Level	
78	within 3 Months	900
79	Number of Cases Resolved at the	
80	Administrative or Commission Level	
81	within 6 Months	950
82	Number of Cases Resolved at the	
83	Administrative or Commission Level	
84	within 9 Months	900
85	Number of Cases Resolved at the	
86	Administrative or Commission Level	
87	within 1 Year	900
88	Self-insurance	
89	Percent of Individual Self-Insurers	
90	Reviewed in the Past Fiscal Year	34.00
91	Percent of Individual Self-Insurer	
92	Reviews Conducted in the Past Fiscal	
93	Year Showing That Reserves are	



94	Insufficient to Cover Claims	5.00
95	Percent of Self-Insurance Groups Reviewed	100.00
96	Percent of Self-Insurance Group Reviews	
97	Conducted Showing That Reserves are	
98	Insufficient to Cover Claims	0.00
99	Medical Cost Containment	
100	Fee Schedule Adjustments (Cost in Millions)	35.00
101	Medical Cost Savings to Payers (as a %	
102	of Total Billings)	46.00

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

107 **SECTION 6.** It is the intention of the Legislature that  
108 whenever two (2) or more bids are received by this agency for the  
109 purchase of commodities or equipment, and whenever all things  
110 stated in such received bids are equal with respect to price,  
111 quality and service, the Mississippi Industries for the Blind  
112 shall be given preference. A similar preference shall be given to  
113 the Mississippi Industries for the Blind whenever purchases are  
114 made without competitive bids.

115 **SECTION 7.** It is the intention of the Legislature that the  
116 salary of the Workers' Compensation Commission members shall be  
117 equal and the salary of the commission chairman shall exceed these  
118 salaries as approved by the State Personnel Board.



119       **SECTION 8.** It is the intention of the Legislature that the  
120 funds herein appropriated shall be expended in compliance with  
121 Section 27-104-25, Mississippi Code of 1972, that no state agency  
122 shall incur obligations or indebtedness in excess of their  
123 appropriation and that the responsible officers, either personally  
124 or upon their official bonds, shall be held responsible for  
125 actions contrary to this provision.

126       **SECTION 9.** The following sum, or so much thereof as may be  
127 necessary, is reappropriated out of any money in the Capital  
128 Expense Fund not otherwise appropriated for the Mississippi  
129 Workers' Compensation Commission for the purpose of reauthorizing  
130 the expenditure of Capital Expense Fund, as appropriated in SB  
131 3026, 2022 Regular Session, for repairs and renovations for the  
132 fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
133 .....\$                             75,000.00.

134       Notwithstanding the amount reappropriated under this section,  
135 the amount that may be expended under the authority of this  
136 section as of June 30, 2023, shall not exceed the unexpended  
137 balance of the funds remaining from the amount authorized for the  
138 previous fiscal year.

139       **SECTION 10.** The money herein appropriated shall be paid by  
140 the State Treasurer out of any money in the State Treasury to the  
141 credit of the proper fund or funds as set forth in this act, upon  
142 warrants issued by the State Fiscal Officer; and the State Fiscal



143 Officer shall issue his warrants upon requisitions signed by the  
144 proper person, officer or officers, in the manner provided by law.

145         **SECTION 11.** This act shall take effect and be in force from  
146 and after July 1, 2023, and shall stand repealed from and after  
147 June 30, 2023.

