

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

To: Appropriations

SENATE BILL NO. 3024  
(As Sent to Governor)

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.....\$ 5,994,664.00.

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: 55

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 the State Personnel Board  
29 shall publish. The agency's personal services appropriation may  
30 consist of restricted funds for approved vacancies for Fiscal Year  
31 2024 that may not be utilized for active Fiscal Year 2023  
32 Headcount. It shall be the agency's responsibility to ensure that  
33 the funds provided for vacancies are used to increase headcount  
34 and not for promotions, title changes, in-range salary adjustments  
35 or any other mechanism for increasing salaries for current  
36 employees. It is the Legislature's intention that no employee  
37 salary falls below the minimum salary established by the  
38 Mississippi State Personnel Board.

39 Additionally, the State Personnel Board shall determine and  
40 publish the projected annualized payroll costs based on current  
41 employees. It shall be the responsibility of the agency head to  
42 ensure that actual personnel expenditures for Fiscal Year 2024 do  
43 not exceed the data provided by the Legislative Budget Office. If



44 the agency's Fiscal Year 2024 projected cost exceeds the  
45 annualized costs, no salary actions shall be processed by the  
46 State Personnel Board except for new hires determined to be  
47 essential for the agency.

48 Any transfers or escalations shall be made in accordance with  
49 the terms, conditions, and procedures established by law or  
50 allowable under the terms set forth within this act. The State  
51 Personnel Board shall not escalate positions without written  
52 approval from the Department of Finance and Administration. The  
53 Department of Finance and Administration shall not provide written  
54 approval to escalate any funds for salaries and/or positions  
55 without proof of availability of new or additional funds above the  
56 appropriated level.

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60 withdrawn and no longer available.

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

65 **SECTION 4.** It is the intention of the Legislature that with  
66 the funds appropriated in Section 1 of this act, the Mississippi  
67 Workers' Compensation Commission shall enter into a contract with



68 the industrial private sector for the purpose of implementing a  
69 safety education and training program.

70 **SECTION 5.** In compliance with the "Mississippi Performance  
71 Budget and Strategic Planning Act of 1994," it is the intent of  
72 the Legislature that the funds provided herein shall be utilized  
73 in the most efficient and effective manner possible to achieve the  
74 intended mission of this agency. Based on the funding authorized,  
75 this agency shall make every effort to attain the targeted  
76 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
79 Adjudication	
80       Number of Cases Resolved at the	
81               Administrative or Commission Level	
82               within 3 Months	900
83       Number of Cases Resolved at the	
84               Administrative or Commission Level	
85               within 6 Months	950
86       Number of Cases Resolved at the	
87               Administrative or Commission Level	
88               within 9 Months	900
89       Number of Cases Resolved at the	
90               Administrative or Commission Level	
91               within 1 Year	900
92 Self-insurance	



93	Percent of Individual Self-Insurers	
94	Reviewed in the Past Fiscal Year	34.00
95	Percent of Individual Self-Insurer	
96	Reviews Conducted in the Past Fiscal	
97	Year Showing That Reserves are	
98	Insufficient to Cover Claims	5.00
99	Percent of Self-Insurance Groups Reviewed	100.00
100	Percent of Self-Insurance Group Reviews	
101	Conducted Showing That Reserves are	
102	Insufficient to Cover Claims	0.00
103	Medical Cost Containment	
104	Fee Schedule Adjustments (Cost in Millions)	35.00
105	Medical Cost Savings to Payers (as a %	
106	of Total Billings)	46.00
107	A reporting of the degree to which the performance targets	
108	set above have been or are being achieved shall be provided in the	
109	agency's budget request submitted to the Joint Legislative Budget	
110	Committee for Fiscal Year 2025.	

111       **SECTION 6.** It is the intention of the Legislature that

112 whenever two (2) or more bids are received by this agency for the

113 purchase of commodities or equipment, and whenever all things

114 stated in such received bids are equal with respect to price,

115 quality and service, the Mississippi Industries for the Blind

116 shall be given preference. A similar preference shall be given to



117 the Mississippi Industries for the Blind whenever purchases are  
118 made without competitive bids.

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

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

130         **SECTION 9.** The following sum, or so much thereof as may be  
131 necessary, is reappropriated out of any money in the Capital  
132 Expense Fund not otherwise appropriated for the Mississippi  
133 Workers' Compensation Commission for the purpose of reauthorizing  
134 the expenditure of Capital Expense Fund, as appropriated in SB  
135 3026, 2022 Regular Session, for infrastructure improvements to the  
136 Commission's building, including but not limited to ADA compliance  
137 for the fiscal year beginning July 1, 2023, and ending June 30,  
138 2024.....\$                   75,000.00.

139         Notwithstanding the amount reappropriated under this section,  
140 the amount that may be expended under the authority of this  
141 section shall not exceed the unexpended balance of the funds



142 remaining as of June 30, 2023, from the amount authorized for the  
143 previous fiscal year. In addition, this reappropriation shall not  
144 change the purpose for which the funds were originally authorized.

145       **SECTION 10.** The money herein appropriated shall be paid by  
146 the State Treasurer out of any money in the State Treasury to the  
147 credit of the proper fund or funds as set forth in this act, upon  
148 warrants issued by the State Fiscal Officer; and the State Fiscal  
149 Officer shall issue his warrants upon requisitions signed by the  
150 proper person, officer or officers, in the manner provided by law.

151       **SECTION 11.** This act shall take effect and be in force from  
152 and after July 1, 2023.

