

By: Senator(s) Hopson, Polk, Hill, Frazier,
Michel, Moran

To: Appropriations

SENATE BILL NO. 3025

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH 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 support and
7 maintenance of the Department of Mental Health for the fiscal year
8 beginning July 1, 2023, and ending June 30, 2024.....
9\$ 222,160,008.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the support and maintenance of the Department of Mental Health
14 for the fiscal year beginning July 1, 2023, and ending
15 June 30, 2024.....\$ 422,651,516.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 2 of this act, Eighteen Million Nine Hundred Fifty-one
18 Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall



19 be derived from the Health Care Expendable Fund created in Section
20 43-13-407, Mississippi Code of 1972, for the support and
21 maintenance of the Department of Mental Health. The funds
22 provided for in this section shall be allocated as follows:

23	\$ 16,797,843.00	Expenses of the Department of Mental
24		Health, payment of Medicaid state share,
25		or prepayment of Medicaid state share.
26	\$ 379,417.00	Alzheimer's disease services
27		development and implementation of Senate
28		Bill No. 2100, 1997 Regular Session.
29	\$ 636,374.00	Crisis Centers
30	<u>\$ 1,138,252.00</u>	Physician services at community mental
31		health centers.
32	\$ 18,951,886.00	TOTAL

33 **SECTION 4.** Of the funds appropriated under the provisions of
34 Sections 1 and 2 of this act, the following positions are
35 authorized:

36 AUTHORIZED HEADCOUNT:

37	Permanent:	6,299
38	Time-Limited:	457

39 With the funds herein appropriated, it shall be the agency's
40 responsibility to make certain that funds required for Personal
41 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
42 appropriated for that purpose unless programs or positions are
43 added to the agency's Fiscal Year 2024 budget by the Mississippi



44 Legislature. The Legislature shall determine the agency's
45 personal services appropriation, which shall be published by the
46 State Personnel Board. Additionally, the State Personnel Board
47 shall determine and publish the projected annualized payroll costs
48 based on current employees. It shall be the responsibility of the
49 agency head to ensure that actual personnel expenditures for
50 Fiscal Year 2024 do not exceed the data provided by the
51 Legislative Budget Office. If the agency's Fiscal Year 2024
52 projected cost exceeds the annualized costs, no salary actions
53 shall be processed by the State Personnel Board with the exception
54 of new hires that are determined to be essential for the agency.

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

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



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

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

78 The Department of Mental Health (DMH) is authorized to grant
79 temporary COVID-19 adjustments to the compensation for employees
80 in the following occupational title: Nurse Licensed Practical I,
81 II and III; Nurse I, II, III and IV; Nurse Manager; Nurse
82 Administrator; Nurse Chief; and for those employees who function
83 as a nurse and are already classified in their new nurse titles as
84 part of Project SEC2. Authority is provided for an increase of up
85 to seventy-five percent (75%) temporary COVID adjustment pay for
86 Fiscal Year 2024.

87 **SECTION 5.** In compliance with the "Mississippi Performance
88 Budget and Strategic Planning Act of 1994," it is the intent of
89 the Legislature that the funds provided herein shall be utilized
90 in the most efficient and effective manner possible to achieve the
91 intended mission of this agency. Based on the funding authorized,



92 this agency shall make every effort to attain the targeted
93 performance measures provided below:

94 FY2024

95 Performance Measures Target

96 Services Management

97 Number of On-Site Reviews Conducted by
98 the Division of Audit 60

99 Number of On-Site Reviews Conducted for
100 DMH Certified Provider Agencies 155

101 Mental Health Services

102 Percent of Population Lacking Access to
103 Community-Based Mental Health Care 30.00

104 Percent of DMH Clients Served in the
105 Community vs. in an Institutional
106 Setting 98.00

107 Increase by at Least 25% the Utilization
108 of Alternative Placement/Treatment
109 Options for Individuals who have had
110 Multiple Hospitalizations and Do Not
111 Respond to Traditional Treatment 25.00

112 Number served by PACT Teams and
113 intensive case management teams 2,600

114 Number of Individuals Employed Through
115 Supported Employment 300

116 Increase Access to Crisis Services by



117	Tracking the Number of Calls to Mobile	
118	Crisis Response Teams	33,703
119	Number Referred from Mobile Crisis	
120	Response Teams to a Community Mental	
121	Health Center and Scheduled an	
122	Appointment	10,289
123	Number Diverted from a More Restrictive	
124	Environment Due to Mobile Crisis	
125	Response Teams	23,427
126	Increase the Number of Certified Peer	
127	Supt Specialists in the State	315
128	IDD Services	
129	Number of Individuals on Planning List	
130	for Home and Community-Based Services	2,800
131	Percent of DMH Institutionalized Clients	
132	who Could be Served in the Community	100.00
133	Percent of DMH Clients Served in the	
134	Community vs. in an Institutional	
135	Setting	88.00
136	Number of People Added from Planning	
137	List to ID/DD Waiver Services	250
138	Children & Youth Services	
139	Percent of Children with Serious Mental	
140	Illness Served by Local	
141	Multidisciplinary Assessment & Planning	



142	(MAP) Teams	2.50
143	Number Served by MAP Teams	860
144	Number of Children and Youth that are	
145	Served by Wraparound Facilitation	2,080
146	3% Alcohol Tax-alcohol/drug Prg	
147	Number of Residential Beds Made	
148	Available Statewide due to the Three	
149	Percent Tax Supplements	218
150	Number Receiving Residential Substance	
151	Use Disorder Treatment	800
152	Crisis Stabilization Units	
153	Average Length of Time from Mental	
154	Health Crisis to Receipt of Community	
155	Mental Health Crisis Service (Minutes)	1.50
156	Percent of People Receiving Mental	
157	Health Crisis Services who were Treated	
158	at Community Mental Health Centers vs.	
159	Institutions	98.00
160	Diversion Rate of Admissions to State	
161	Hospitals (% of People)	90.00
162	Number of Involuntary Admissions	1,900
163	Number of Voluntary Admissions	1,700
164	MI - Institutional Care	
165	Number Served Adult Acute Psychiatric	1,900
166	Maintain Readmission Rates within	



167	National Trends	4.00
168	MI - Support Services	
169	Support as an Overall Percent of Total	
170	Budget	5.50
171	IDD - Institutional Care	
172	Number of People Served in Residential	
173	IID Programs	697
174	Number of People Transitioned from	
175	Facility to ICF/IID Community Home	18
176	IDD - Group Homes	
177	Number of People Served in the 10-bed	
178	ICF/IID Community Homes	556
179	Percent of People Served in the	
180	Community vs. in an Institutional	
181	Setting	43.60
182	IDD - Community Programs	
183	Number of People Added from Planning	
184	List to ID/DD Waiver Services	97
185	Number of People Enrolled in the 1915i	1,054
186	IDD - Support Services	
187	Support as a Percent of Total Budget	4.00
188	A reporting of the degree to which the performance targets	
189	set above have been or are being achieved shall be provided in the	
190	agency's budget request submitted to the Joint Legislative Budget	
191	Committee for Fiscal Year 2025.	



192 **SECTION 6.** The Department of Mental Health and its
193 facilities shall have the authority, within funding and spending
194 authority appropriated under the provisions of this act to
195 transfer funds to the Division of Medicaid in payment of Medicaid
196 match and designate that the funds thus transferred shall be
197 applied to Medicaid match obligations arising in the subsequent
198 fiscal year.

199 **SECTION 7.** Any person within the Department of Mental Health
200 who must work on a statutory holiday or any holiday proclaimed by
201 the Governor may, at the discretion of the Director of the
202 Institution and the Executive Director of the Department of Mental
203 Health and within available personnel funds, be paid "call-back
204 pay" in lieu of "compensatory time credit."

205 **SECTION 8.** Of the funds appropriated to the "Service
206 Budget," funds are included for the support of community mental
207 health services for Fiscal Year 2024.

208 Provided, however, that none of the funds appropriated for
209 the support of community mental health services shall be made
210 available to any Regional Mental Health/Intellectual Disability
211 Center which does not receive from each of its participating
212 counties a dollar amount equivalent to what the proceeds of a
213 three-fourths (3/4) mill tax on all taxable property in the county
214 in Fiscal Year 1982 would have been or the amount of funds
215 contributed to the center by the county in Fiscal Year 1984,
216 whichever shall be greater. By means of performance contracts,



217 the Department of Mental Health shall disburse the funds
218 appropriated in this section for services for the mentally ill,
219 intellectually disabled and alcohol/drug abusers. The State Board
220 of Mental Health and the Department of Mental Health shall be
221 responsible for selecting the types of services which shall be
222 provided with the funds appropriated in this section, for
223 developing and monitoring performance contracts and for holding
224 contractors accountable for utilization of funds.

225 **SECTION 9.** Ellisville State School is authorized to draw up
226 to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest
227 earned on funds invested in Ellisville State School Client's Trust
228 Fund for the purpose of supplementing the cost related to
229 supplies, property, and equipment in direct care.

230 **SECTION 10.** The Department of Mental Health and its
231 facilities shall have the express legal authority, within funding
232 and spending authority appropriated under the provisions of this
233 act to purchase land for use by residential facilities operated by
234 the department, either directly or by means of transferring funds
235 to the Bureau of Building, Grounds and Real Property Management,
236 and to transfer such funds to the Bureau of Building, Grounds, and
237 Real Property Management for the purposes of constructing and
238 equipping group homes for persons with mental illness,
239 intellectual disability, and/or substance abuse; constructing and
240 equipping such other buildings as may be required for treatment of
241 persons with mental illness, intellectual disability, and/or



242 substance abuse; repair and renovate existing buildings; and to
243 construct, repair and/or renovate employee housing. Any
244 intermediate care facilities for individuals with intellectual
245 disabilities (ICF/IID) constructed with funds authorized in this
246 section shall be authorized to participate in Medicaid funding
247 available for such services.

248 **SECTION 11.** It is the intention of the Legislature that the
249 Department of Mental Health shall maintain complete accounting and
250 personnel records related to the expenditure of all funds
251 appropriated under this act and that such records shall be in the
252 same format and level of detail as maintained for Fiscal Year
253 2023. It is further the intention of the Legislature that the
254 agency's budget request for Fiscal Year 2025 shall be submitted to
255 the Joint Legislative Budget Committee in a format and level of
256 detail comparable to the format and level of detail provided
257 during the Fiscal Year 2024 budget request process.

258 **SECTION 12.** It is the intention of the Legislature that none
259 of the funds provided herein shall be used to pay certain
260 utilities for state-furnished housing for any employees. Such
261 utilities shall include electricity, natural gas, butane, propane,
262 cable and phone services. Where actual cost cannot be determined,
263 the agency shall be required to provide meters to be in compliance
264 with legislative intent. Such state-furnished housing shall
265 include single-family and multifamily residences but shall not



266 include any dormitory residences. Allowances for such utilities
267 shall be prohibited.

268 **SECTION 13.** It is the intention of the Legislature that the
269 Executive Director of the Department of Mental Health shall have
270 authority to transfer cash from one special fund treasury fund to
271 another special fund treasury fund under the control of the
272 Department of Mental Health. The purpose of this authority is to
273 more efficiently use available cash reserves. It is further the
274 intention of the Legislature that the Executive Director of the
275 Department of Mental Health shall submit written justification for
276 the transfer to the Legislative Budget Office and the Department
277 of Finance and Administration. None of the funds transferred with
278 this section may be transferred to the Central Office for Personal
279 Services.

280 **SECTION 14.** Of the funds appropriated under the provisions
281 of this act, Twenty-three Million Three Hundred Twenty-nine
282 Thousand Dollars (\$23,329,000.00) is provided to the Department of
283 Mental Health to expand those community-based services that will
284 improve the State of Mississippi's compliance with the Olmstead
285 decision of the United States Supreme Court. Further, it is the
286 intention of the Legislature that the Department of Mental Health
287 shall have the authority to transfer such sums from this source as
288 are necessary to implement or improve those community services
289 that are more appropriately addressed by the Mississippi
290 Department of Education and/or the Mississippi Department of



291 Rehabilitation Services to those agencies for that purpose.
292 Further, it is the intention of the Legislature that any sums
293 received from this source that are not expended during the fiscal
294 year ending June 30, 2023, by the Mississippi Department of Mental
295 Health shall be reappropriated for the same purpose during the
296 fiscal year ending June 30, 2024. Further, it is the intention of
297 the Legislature that the Department of Mental Health shall account
298 for the expenditure of these funds in sufficient detail to clearly
299 show the purposes for which such funds were expended. The
300 Executive Director of the Department of Mental Health shall report
301 any such reappropriation to the Legislative Budget Office no later
302 than fifteen (15) days after the effective date of the
303 reappropriation.

304 **SECTION 15.** Of the funds appropriated in this act, the
305 Department of Mental Health, with approval by the board, may
306 contract with a Community Mental Health Center, or suitable
307 entities, for the purpose of operating the Crisis Intervention
308 Center at Grenada.

309 Of the funds appropriated in this act, the Department of
310 Mental Health, with approval by the board, may contract with a
311 community health center to allow Region 14 to be served at the
312 Crisis Stabilization Unit at Gulfport.

313 The Department of Mental Health, with approval by the board,
314 may also contract with suitable entities for the purpose of
315 operating the crisis intervention centers in Batesville,



316 Brookhaven, Cleveland, Corinth, Laurel and Newton. The department
317 shall provide quarterly progress reports on the operation of the
318 crisis intervention centers to the Chairmen of the Senate and
319 House Public Health and Appropriations Committees.

320 **SECTION 16.** It is the intention of the Legislature that
321 whenever two (2) or more bids are received by this agency for the
322 purchase of commodities or equipment, and whenever all things
323 stated in such received bids are equal with respect to price,
324 quality and service, the Mississippi Industries for the Blind
325 shall be given preference. A similar preference shall be given to
326 the Mississippi Industries for the Blind whenever purchases are
327 made without competitive bids.

328 **SECTION 17.** The Department of Finance and Administration
329 (DFA) shall transfer funds back to the Department of Mental
330 Health, upon the request of the Department of Mental Health, where
331 the funds received by DFA from the Department of Mental Health
332 were special funds (neither general funds or bond funds) and where
333 those funds are not required for the payment of costs already
334 incurred on a building or repair project. For the purposes of
335 this section, the term "special funds" includes any state source
336 special funds, including, but not limited to, funds from the
337 Health Care Expendable Fund. The duty of DFA to transfer funds
338 back to the Department of Mental Health under this section applies
339 to any funds described in this section that were transferred to



340 DFA, regardless of the year that the transfer was made by the
341 Department of Mental Health.

342 **SECTION 18.** It is the intention of the Legislature that the
343 Department of Mental Health may provide, upon the availability of
344 funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope
345 Village for Children Program.

346 **SECTION 19.** None of the funds provided in Section 1, 2, or 3
347 of this act shall be used to pay Medicaid match for the thirteen
348 (13) Community Mental Health Centers.

349 **SECTION 20.** Of the funds appropriated under the provisions
350 of this act, an amount not to exceed Two Hundred Fifty Thousand
351 Dollars (\$250,000.00) is provided for community-based mental
352 health services for juveniles in detention.

353 **SECTION 21.** Of the funds appropriated in Section 1, it is
354 the intention of the Legislature that Three Million Nine Hundred
355 Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be
356 allocated to the Crisis Intervention Mental Health Fund supported
357 by General Fund court assessments.

358 **SECTION 22.** Of the funds appropriated in this act, the
359 Department of Mental Health shall fund ten (10) Programs of
360 Assertive Community Treatment (PACT) Teams and provide supportive
361 employment for individuals with intellectual and developmental
362 disabilities.

363 **SECTION 23.** Notwithstanding any other provision, the
364 Department of Mental Health shall have the authority to escalate



365 its headcount for any additional operational needs related to
366 Coronavirus State Fiscal Recovery Funds upon approval of the
367 Department of Finance and Administration and the State Personnel
368 Board.

369 **SECTION 24.** Of the funds appropriated in Sections 1 and 2 of
370 this act, it is the intention of the Legislature that continued
371 funding at or above the Fiscal Year 2023 appropriated amount shall
372 be allocated to the ID/DD Home and Community Based Waiver slots.

373 **SECTION 25.** It is the intention of the Legislature that the
374 Department of Mental Health shall provide a report on the pilot
375 program created to provide mental health services to former
376 inmates of the Department of Corrections who are no longer
377 incarcerated within a correctional institution of the Department
378 of Corrections. This report shall be provided on December 15th of
379 the current fiscal year to the Chairmen of the Senate and House
380 Public Health and Appropriations Committees.

381 **SECTION 26.** With the funds appropriated herein, the
382 Department of Mental Health is authorized to make payment for
383 expenses incurred during Fiscal Year 2021 as follows:

384 <u>Vendor</u>	<u>Fiscal Year</u>	<u>Amount</u>
385 Kronos Incorporated	2021	\$ 8,452.88

386 **SECTION 27.** The money herein appropriated shall be paid by
387 the State Treasurer out of any money in the State Treasury to the
388 credit of the proper fund or funds as set forth in this act, upon
389 warrants issued by the State Fiscal Officer; and the State Fiscal



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

392 **SECTION 28.** This act shall take effect and be in force from
393 and after July 1, 2023, and shall stand repealed from and after
394 June 30, 2023.

