

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

To: Appropriations

SENATE BILL NO. 3025
(As Sent to Governor)

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\$ 234,206,164.00.

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.....\$ 426,752,723.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 2 of this act, Twenty Million Nine Hundred Fifty-one
18 Thousand Eight Hundred Eighty-six Dollars (\$20,951,886.00) 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	\$ 2,000,000.00	Fentanyl and drug abuse education program
31		established in House Bill No. 231, 2023
32		Regular Session, and the Mississippi
33		Collaborative Response to Mental Health
34		Act established in House Bill No. 1222,
35		2023 Regular Session
36	<u>\$ 1,138,252.00</u>	Physician services at community mental
37		health centers.
38	\$ 20,951,886.00	TOTAL

39 **SECTION 4.** Of the funds appropriated under the provisions of
40 Sections 1 and 2 of this act, the following positions are
41 authorized:

42 AUTHORIZED HEADCOUNT:

43 Permanent: 6,299



44 Time-Limited: 457

45 With the funds herein appropriated, it shall be the agency's
46 responsibility to make certain that funds required for Personal
47 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
48 appropriated for that purpose unless programs or positions are
49 added to the agency's Fiscal Year 2024 budget by the Mississippi
50 Legislature. The Legislature shall determine the agency's
51 personal services appropriation, which the State Personnel Board
52 shall publish. The agency's personal services appropriation may
53 consist of restricted funds for approved vacancies for Fiscal Year
54 2024 that may not be utilized for active Fiscal Year 2023
55 Headcount. It shall be the agency's responsibility to ensure that
56 the funds provided for vacancies are used to increase headcount
57 and not for promotions, title changes, in-range salary adjustments
58 or any other mechanism for increasing salaries for current
59 employees. It is the Legislature's intention that no employee
60 salary falls below the minimum salary established by the
61 Mississippi State Personnel Board.

62 Additionally, the State Personnel Board shall determine and
63 publish the projected annualized payroll costs based on current
64 employees. It shall be the responsibility of the agency head to
65 ensure that actual personnel expenditures for Fiscal Year 2024 do
66 not exceed the data provided by the Legislative Budget Office. If
67 the agency's Fiscal Year 2024 projected cost exceeds the
68 annualized costs, no salary actions shall be processed by the



69 State Personnel Board except for new hires determined to be
70 essential for the agency.

71 Any transfers or escalations shall be made in accordance with
72 the terms, conditions, and procedures established by law or
73 allowable under the terms set forth within this act. The State
74 Personnel Board shall not escalate positions without written
75 approval from the Department of Finance and Administration. The
76 Department of Finance and Administration shall not provide written
77 approval to escalate any funds for salaries and/or positions
78 without proof of availability of new or additional funds above the
79 appropriated level.

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

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

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



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

95 FY2024

96 Performance Measures Target

97 Services Management

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

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

102 Mental Health Services

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

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

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

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

115 Number of Individuals Employed Through
116 Supported Employment 300

117 Increase Access to Crisis Services by



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



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



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



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

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

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

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



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

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

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



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

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

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



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

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

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



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

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

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

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



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

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

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



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

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

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

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

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

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

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



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

370 **SECTION 24.** Of the funds appropriated in Section 1 of this
371 act, it is the intention of the Legislature that Two Million Five
372 Hundred Sixty-eight Thousand One Hundred Sixty-nine Dollars
373 (\$2,568,169.00) is provided as an increase over and above the
374 Fiscal Year 2023 appropriation level of funding for Two Hundred
375 (200) ID/DD Home and Community Based Waiver slots.

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

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

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

389 **SECTION 27.** The money herein appropriated shall be paid by
390 the State Treasurer out of any money in the State Treasury to the



391 credit of the proper fund or funds as set forth in this act, upon
392 warrants issued by the State Fiscal Officer; and the State Fiscal
393 Officer shall issue his warrants upon requisitions signed by the
394 proper person, officer or officers in the manner provided by law.

395 **SECTION 28.** This act shall take effect and be in force from
396 and after July 1, 2023.

