

## **Senate Amendments to House Bill No. 584**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

### **AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

9           **SECTION 1.** Section 41-99-5, Mississippi Code of 1972, is  
10 amended as follows:

11           41-99-5. (1) Any Mississippi qualified health center  
12 desiring to participate in the program shall make application for  
13 a service grant to the department in a form satisfactory to the  
14 department. The department shall receive service grant proposals  
15 from Mississippi qualified health centers. All proposals shall be  
16 submitted in accordance with the provisions of grant procedures,  
17 criteria and standards developed and made public by the  
18 department.

19           (2) The department shall use the funds provided by  
20 subsection (6) (a) of this section to make care grants until July  
21 1, 2024, to Mississippi qualified health centers upon proposals  
22 made under subsection (1) of this section. Care grants that are  
23 awarded to Mississippi qualified health centers shall only be used  
24 by those centers to:

25           (a) Increase access to preventative and primary care  
26 services by uninsured or medically indigent patients that are  
27 served by those centers; and

28           (b) Create new services or augment existing services  
29 provided to uninsured or medically indigent patients, including,  
30 but not limited to, primary care medical and preventive services,  
31 dental services, optometric services, in-house laboratory  
32 services, diagnostic services, pharmacy services, nutritional  
33 services and social services.

34           (3) The department shall use the funds provided by  
35 subsection (6)(b) of this section to make physician grants until  
36 July 1, 2024, to Mississippi qualified health centers upon  
37 proposals made under subsection (1) of this section. A physician  
38 grant awarded to a Mississippi qualified health center shall only  
39 be used by that center to provide a one-time salary supplement to  
40 a primary care physician being recruited under the program.

41           (4) Service grants received by Mississippi qualified health  
42 centers under this chapter shall not be used:

43           (a) To supplant federal funds traditionally received by  
44 those centers, but shall be used to supplement them;

45           (b) For land or real estate investments;

46           (c) To finance or satisfy any existing debt; or

47           (d) Unless the health center specifically complies with  
48 the definition of a Mississippi qualified health center contained  
49 in Section 41-99-1.

50 (5) The department shall develop regulations, procedures and  
51 application forms to govern how service grants will be awarded,  
52 shall develop a plan to ensure that care grants are equitably  
53 distributed among all Mississippi qualified health centers and  
54 that physician grants are distributed to the Mississippi qualified  
55 health centers where there is the most need, and shall develop an  
56 audit process to assure that grant monies are used to provide and  
57 expend care to the uninsured and medically indigent.

58 (6) The department shall establish a fund for the purpose of  
59 providing service grants to Mississippi qualified health centers  
60 in accordance with this chapter and the following terms and  
61 conditions:

62 (a) The \* \* \* amount of care grants issued under this  
63 chapter shall be not less than Four Million Dollars  
64 (\$4,000,000.00) per state fiscal year, awarded as follows:

65 (i) No Mississippi qualified health center shall  
66 receive care grants under this program in excess of \* \* \* ten  
67 percent (10%) of available funds per calendar year; and

68 (ii) Each Mississippi qualified health center  
69 receiving a care grant shall provide an annual report to the  
70 department that details the number of additional uninsured and  
71 medically indigent patients that are cared for and the types of  
72 services that are provided;

73 (b) The total amount of physician grants issued under  
74 this chapter during any fiscal year shall not be more than the

75 amount appropriated to the department for that purpose, awarded as  
76 follows:

77 (i) Per fiscal year, a Mississippi qualified  
78 health center shall receive only one (1) physician grant under the  
79 program, which shall not exceed the amount specified in the  
80 appropriation bill for the department;

81 (ii) For the Mississippi qualified health center  
82 to be eligible for a physician grant, a primary care physician  
83 shall agree to work, full time, for the Mississippi qualified  
84 health center for at least three (3) consecutive years from the  
85 date of an executed employment contract;

86 (iii) A Mississippi qualified health center shall  
87 use a physician grant to supplement a physician's salary within  
88 the first one hundred twenty (120) days of employment;

89 (iv) If a physician grant is disbursed to a  
90 Mississippi qualified health center and the hiring of the primary  
91 care physician does not materialize, the Mississippi qualified  
92 health center shall repay the entire physician grant award to the  
93 department;

94 (v) If a primary care physician abandons his or  
95 her employment at the Mississippi qualified health center before  
96 he or she has worked there for three (3) years, the primary care  
97 physician shall repay to the department a pro rata share of the  
98 physician grant based on the number of unserved months during the  
99 three-year period. Under this subparagraph (v), the department

100 shall have a cause of action against the primary care physician to  
101 recover grant monies; and

102 (vi) Each Mississippi qualified health center  
103 receiving a physician care grant shall provide an annual report to  
104 the department that details the following:

105 1. The number of patients treated by the new  
106 primary care physician; and

107 2. The general types of medical services  
108 rendered by the new primary care physician; and

109 (c) On or before January 15 of each year, the  
110 department shall provide the reports required by this subsection  
111 to the Chair and Vice Chair of the Senate Public Health and  
112 Welfare Committee, to the Chair and Vice Chair of the House Public  
113 Health and Human Services Committee, to the Lieutenant Governor  
114 and to the Speaker of the House.

115 (7) The department shall establish an advisory council to  
116 review and make recommendations to the department on the awarding  
117 of any grants to Mississippi qualified health centers. Those  
118 recommendations by the advisory council shall not be binding upon  
119 the department, but when a recommendation by the advisory council  
120 is not followed by the department, the department shall place in  
121 its minutes reasons for not accepting the advisory council's  
122 recommendation, and provide for an appeals process. All approved  
123 service grants shall be awarded within thirty (30) days of  
124 approval by the department.

125           (8) The composition of the advisory council shall be the  
126 following:

127           (a) Two (2) employees of the department, one (1) of  
128 whom must have experience in reviewing and writing grant  
129 proposals;

130           (b) Two (2) executive employees of Mississippi  
131 qualified health centers, one (1) of whom must be a chief  
132 financial officer;

133           (c) Two (2) health care providers who are affiliated  
134 with a Mississippi qualified health center, one (1) of whom must  
135 be a physician; and

136           (d) One (1) health care provider who is not affiliated  
137 with a Mississippi qualified health center or the department but  
138 has training and experience in primary care.

139           (9) The department may use a portion of any grant monies  
140 received under this chapter to administer the program and to pay  
141 reasonable expenses incurred by the advisory council; however, in  
142 no case shall more than one and one-half percent (1-1/2%) or Sixty  
143 Thousand Dollars (\$60,000.00) annually, whichever is greater, be  
144 used for program expenses.

145           (10) No assistance shall be provided to a Mississippi  
146 qualified health center under this chapter unless the Mississippi  
147 qualified health center certifies to the department that it will  
148 not discriminate against any employee or against any applicant for  
149 employment because of race, religion, color, national origin, sex  
150 or age.

151           **SECTION 2.** This act shall take effect and be in force from  
152 and after July 1, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THAT THE AMOUNT SPECIFIED FOR CARE GRANTS UNDER THE  
3 MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM IS THE MINIMUM  
4 AMOUNT OF GRANTS TO BE ISSUED; TO PROVIDE THAT NO QUALIFIED HEALTH  
5 CENTER SHALL RECEIVE CARE GRANTS UNDER THIS PROGRAM IN EXCESS OF  
6 10% OF AVAILABLE FUNDS PER CALENDAR YEAR; AND FOR RELATED  
7 PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate