

Senate Amendments to House Bill No. 1598

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:

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the special fund in
7 the State Treasury to the credit of the State Board of Medical
8 Licensure, for the purpose of defraying the expenses of the board
9 for the fiscal year beginning July 1, 2023, and ending
10 June 30, 2024.....\$ 3,677,033.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of
12 Section 1, the following positions are authorized:

13 AUTHORIZED HEADCOUNT:
14 Permanent: 30
15 Time-Limited: 0

16 With the funds herein appropriated, it shall be the agency's
17 responsibility to make certain that funds required for Personal
18 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2024 budget by the Mississippi
21 Legislature. The Legislature shall determine the agency's

22 personal services appropriation, which shall be published by the
23 State Personnel Board. Additionally, the State Personnel Board
24 shall determine and publish the projected annualized payroll costs
25 based on current employees. It shall be the responsibility of the
26 agency head to ensure that actual personnel expenditures for
27 Fiscal Year 2024 do not exceed the data provided by the
28 Legislative Budget Office. If the agency's Fiscal Year 2024
29 projected cost exceeds the annualized costs, no salary actions
30 shall be processed by the State Personnel Board with the exception
31 of new hires that are determined to be essential for the agency.

32 Any transfers or escalations shall be made in accordance with
33 the terms, conditions and procedures established by law or
34 allowable under the terms set forth within this act. The State
35 Personnel Board shall not escalate positions without written
36 approval from the Department of Finance and Administration. The
37 Department of Finance and Administration shall not provide written
38 approval to escalate any funds for salaries and/or positions
39 without proof of availability of new or additional funds above the
40 appropriated level.

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44 act and which are withdrawn and no longer available.

45 None of the funds herein appropriated shall be used in
46 violation of Internal Revenue Service's Publication 15-A relating

47 to the reporting of income paid to contract employees, as
48 interpreted by the Office of the State Auditor.

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

55 **SECTION 3.** In compliance with the "Mississippi Performance
56 Budget and Strategic Planning Act of 1994," it is the intent of
57 the Legislature that the funds provided herein shall be utilized
58 in the most efficient and effective manner possible to achieve the
59 intended mission of this agency. Based on the funding authorized,
60 this agency shall make every effort to attain the targeted
61 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving Disciplinary Actions	4.00
Number of Documented Complaints Received	300
Percent of Documented Complaints	

73 Resolved within Seven Business Days 15.00

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

78 **SECTION 4.** It is the intention of the Legislature that the
79 State Board of Medical Licensure shall maintain complete
80 accounting and personnel records related to the expenditure of all
81 funds appropriated under this act and that such records shall be
82 in the same format and level of detail as maintained for Fiscal
83 Year 2023. It is further the intention of the Legislature that
84 the agency's budget request for Fiscal Year 2025 shall be
85 submitted to the Joint Legislative Budget Committee in a format
86 and level of detail comparable to the format and level of detail
87 provided during the Fiscal Year 2024 budget request process.

88 **SECTION 5.** It is the intention of the Legislature that
89 whenever two (2) or more bids are received by this agency for the
90 purchase of commodities or equipment, and whenever all things
91 stated in such received bids are equal with respect to price,
92 quality and service, the Mississippi Industries for the Blind
93 shall be given preference. A similar preference shall be given to
94 the Mississippi Industries for the Blind whenever purchases are
95 made without competitive bids.

96 **SECTION 6.** Of the funds provided under the provisions of
97 this act, an amount not to exceed Five Hundred Thousand Dollars

98 (\$500,000.00) is provided for the Mississippi Physician Health
99 Program.

100 **SECTION 7.** Of the funds provided under the provisions of
101 this act, an amount not to exceed One Hundred Thirty Thousand
102 Dollars (\$130,000.00) may be allocated to the Mississippi Board of
103 Pharmacy to defray the expense of the Mississippi Prescription
104 Monitoring Program.

105 **SECTION 8.** It is the intention of the Legislature that the
106 funds are appropriated here in accordance with a signed Memorandum
107 of Understanding with the Mississippi Department of Health to
108 assist with the implementation of the Medical Cannabis Act for
109 registering and monitoring compliance with the rules and
110 regulations of the Act.

111 **SECTION 9.** It is further the intention of the Legislature
112 that, for Fiscal Year 2024, the board shall be allowed to recover
113 all costs from a holder of a license who has been found by the
114 board in violation of statute after notice and a hearing as
115 provided by law. The expenses must be direct costs associated
116 with the investigation and conduct of a proceeding for licensure
117 revocation, suspension or restriction.

118 **SECTION 10.** It is the intention of the Legislature that the
119 funds herein appropriated shall be expended in compliance with
120 Section 27-104-25, Mississippi Code of 1972, that no state agency
121 shall incur obligations or indebtedness in excess of their
122 appropriation and that the responsible officers, either personally

123 or upon their official bonds, shall be held responsible for
124 actions contrary to this provision.

125 **SECTION 11.** The money herein appropriated shall be paid by
126 the State Treasurer out of any money in the State Treasury to the
127 credit of the proper fund or funds as set forth in this act, upon
128 warrants issued by the State Fiscal Officer; and the State Fiscal
129 Officer shall issue his warrants upon requisitions signed by the
130 proper person, officer or officers, in the manner provided by law.

131 **SECTION 12.** This act shall take effect and be in force from
132 and after July 1, 2023, and shall stand repealed June 29, 2023.

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

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2024.

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Eugene S. Clarke
Secretary of the Senate