

Senate Amendments to House Bill No. 1622

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:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is appropriated out of any money in the State General
6 Fund not otherwise appropriated, to the Department of Human
7 Services for the fiscal year beginning July 1, 2023, and ending
8 June 30, 2024.....\$ 74,476,245.00.

9 **SECTION 2.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money in any special fund in
11 the State Treasury to the credit of the Department of Human
12 Services which is comprised of special source funds collected by
13 or otherwise available to the department for the support of the
14 various divisions of the department, for the purpose of defraying
15 the expenses of the department for the fiscal year beginning
16 July 1, 2023, and ending June 30, 2024.....\$ 1,736,609,583.00.

17 **SECTION 3.** None of the funds appropriated by this act shall
18 be expended for any purpose that is not actually required or
19 necessary for performing any of the powers or duties of the
20 Department of Human Services that are authorized by the

21 Mississippi Constitution of 1890, state or federal law, or rules
22 or regulations that implement state or federal law.

23 **SECTION 4.** With the funds appropriated in this act, the
24 following positions are authorized:

25 AUTHORIZED HEADCOUNT:

26	Permanent:	Full Time.....	1,296
27	Time-Limited:	Full Time.....	474

28 With the funds herein appropriated, it shall be the agency's
29 responsibility to make certain that funds required for Personal
30 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
31 appropriated for that purpose unless programs or positions are
32 added to the agency's Fiscal Year 2024 budget by the Mississippi
33 Legislature. The Legislature shall determine the agency's
34 personal services appropriation, which shall be published by the
35 State Personnel Board. Additionally, the State Personnel Board
36 shall determine and publish the projected annualized payroll costs
37 based on current employees. It shall be the responsibility of the
38 agency head to ensure that actual personnel expenditures for
39 Fiscal Year 2024 do not exceed the data provided by the
40 Legislative Budget Office. If the agency's Fiscal Year 2024
41 projected cost exceeds the annualized costs, no salary actions
42 shall be processed by the State Personnel Board with the exception
43 of new hires that are determined to be essential for the agency.

44 Any transfers or escalations shall be made in accordance with
45 the terms, conditions and procedures established by law or
46 allowable under the terms set forth within this act. The State

47 Personnel Board shall not escalate positions without written
48 approval from the Department of Finance and Administration. The
49 Department of Finance and Administration shall not provide written
50 approval to escalate any funds for salaries and/or positions
51 without proof of availability of new or additional funds above the
52 appropriated level.

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

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

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

67 **SECTION 5.** It is the intention of the Legislature that the
68 Department of Human Services shall maintain complete accounting
69 and personnel records related to the expenditure of all funds
70 appropriated under this act and that such records shall be in the
71 same format and level of detail as maintained for Fiscal Year
72 2023. It is further the intention of the Legislature that the

73 agency's budget request for Fiscal Year 2025 shall be submitted to
74 the Joint Legislative Budget Committee in a format and level of
75 detail comparable to the format and level of detail provided
76 during the Fiscal Year 2024 budget request process.

77 **SECTION 6.** Of the funds appropriated in Section 2 herein to
78 the Department of Human Services, One Million Dollars
79 (\$1,000,000.00) shall be transferred to the Department of Health,
80 Child Care Licensure Program from the Child Care Development Fund
81 or other appropriate special fund. These funds are to be
82 transferred to the Board of Health no later than July 31, 2023.
83 The Department of Health shall make a complete accounting to the
84 Department of Human Services detailing the uses of these funds in
85 accordance with federal and state regulations.

86 **SECTION 7.** It is the intention of the Legislature that
87 whenever two (2) or more bids are received by this agency for the
88 purchase of commodities or equipment, and whenever all things
89 stated in such received bids are equal with respect to price,
90 quality and service, the Mississippi Industries for the Blind
91 shall be given preference. A similar preference shall be given to
92 the Mississippi Industries for the Blind whenever purchases are
93 made without competitive bids.

94 **SECTION 8.** The Department of Human Services is authorized to
95 expend available funds on technology or equipment upgrades or
96 replacements when it will generate savings through efficiency or
97 when the savings generated from such upgrades or replacements
98 exceed expenditures thereof.

99 **SECTION 9.** It is the intention of the Legislature that none
100 of the funds provided herein shall be used to pay certain
101 utilities for state furnished housing for any employees. Such
102 utilities shall include electricity, natural gas, butane, propane,
103 cable and phone services. Where actual cost cannot be determined,
104 the agency shall be required to provide meters to be in compliance
105 with legislative intent. Such state furnished housing shall
106 include single-family and multi-family residences but shall not
107 include any dormitory residences. Allowances for such utilities
108 shall be prohibited.

109 **SECTION 10.** In compliance with the "Mississippi Performance
110 Budget and Strategic Planning Act of 1994," it is the intent of
111 the Legislature that the funds provided herein shall be utilized
112 in the most efficient and effective manner possible to achieve the
113 intended mission of this agency. Based on the funding authorized,
114 this agency shall make every effort to attain the targeted
115 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	

125	Disqualification Hearings and Fair	
126	Hearings Conducted Timely	99.00
127	Percent of Monitoring Reviews Conducted	
128	within Acceptable Timeframes	98.00
129	Total Amount of Funds Recovered	3,500,000.00
130	Aging & Adult Services	
131	In-Home Services - Age 60 + (Persons Served)	32,680
132	Community Services - Age 60 + (Persons	
133	Served)	193,617
134	Number of Congregate Meals	468,272
135	Number of Home Delivered Meals	2,700,000
136	Substantiated Incidences of Abuse of	
137	Vulnerable Adults per 1,000 Population	0.17
138	Home Delivered Meals, Percent Reduction	
139	of Persons on Waiting list	1.00
140	Child Support Enforcement	
141	Number of Paternities Established	15,500
142	Percent Change in Paternities Established	3.30
143	Number of Obligations Established	16,000
144	Percent Change in Obligations Established	12.50
145	Total Collections	378,000,000.00
146	Percent Change in Total Collections	-2.50
147	Number of Absent Parents Located	68,000
148	Percent of Child Support Cases Current	
149	on Payments	-2.53
150	Community Services	

151	Number of Elderly Served by CSBG and LIHEAP	20,352
152	Number of Disabled Served CSBG/LIHEAP	26,762
153	Number of Households Achieving	
154	Self-Sufficiency CSBG/LIHEAP	0
155	Percent Increase in Rate of Households	
156	Attaining Self-Sufficiency	0.00
157	Number of Households Stabilized CSBG/LIHEAP	0
158	Percent Increase in the Number of	
159	Households Stabilized	0.00
160	Number of Households Weatherized	516
161	Early Childhood Care & Dev	
162	Number of Children Served	30,138
163	Assistance Payments	
164	Dollar Amount of Assistance	6,240,877.00
165	Food Assistance	
166	Number of Average Monthly Households	225,000
167	Supplement Nutrition Assistance Program	
168	- SNAP	716,413,100.00
169	Percent of Mississippi Households	
170	Receiving SNAP Benefits	22.51
171	Tanf Work Program	
172	Number of Average Monthly TANF Households	4,600
173	Number of Average Monthly Persons Served	
174	in TANF Work Program	1,107
175	TANF Work Program Participation Rate	60.00
176	Number of Persons Employed Through the	

177	TANF Work Program for the Year	832
178	Number of Households Receiving TANF	
179	Benefits During the Year	9,969
180	Percent of Households Receiving TANF	
181	During the Year	49.00
182	Percent of TANF Participants in Job Trng	
183	Who Enter Employment	30.00
184	Percent of TANF Participants in Job	
185	Training Who Enter Employment at A	
186	Salary Sufficient to Be Ineligible for	
187	TANF	19.00
188	Percent of TANF Participants in Job	
189	Training Who Remain Employed for One	
190	Year After Leaving the Program	75.00
191	Percent of TANF Participants in Job	
192	Training Who Remain Employed for Five	
193	Years After Leaving the Program	65.00
194	Social Services Block Grant	
195	Number of Clients Served - Division of	
196	Family and Children's Services	75,611
197	Number of Clients Served - Aging and	
198	Adult Services	21,178
199	Number of Clients Served - Youth Services	12,880
200	Youth Services	
201	Number of Children Served - Community	
202	Services	15,000

203	Number of Children Served -	
204	Institutional Component	300.00
205	Number of Volunteers - Community	
206	Services/Institution	0
207	Number of Children Placed in Alternative	
208	Placement	0
209	Percent of Children Diverted from	
210	Institutional Care	95.00
211	Recidivism Rate	20.00

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

216 **SECTION 11.** It is the intent of the Legislature that the
217 Department of Human Services, Division of Child Support
218 Enforcement, make a concentrated effort to increase collections of
219 past due child support payments. On or before January 1, 2024,
220 the Executive Director of the Department of Human Services shall
221 submit a report to the Legislative Budget Office detailing
222 year-to-date performance measures in the Child Support Enforcement
223 Program compared with the prior year.

224 **SECTION 12.** It is the intention of the Legislature that the
225 Department of Human Services shall have the authority to spend
226 such additional funds as it shall receive from the federal
227 government in incentives or the federal match on those incentives
228 for the purpose of child support enforcement.

229 **SECTION 13.** Of the funds appropriated in Section 1, Two
230 Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred
231 to the Juvenile Facility Monitoring Unit at the Department of
232 Public Safety no later than July 31, 2023.

233 **SECTION 14.** Of the funds appropriated herein, to the
234 Department of Human Services One Million Dollars (\$1,000,000.00),
235 is provided for the support of the Home Delivered Meals Program
236 and any additional funds that may be appropriated to this program.

237 **SECTION 15.** Of the funds provided in Section 1, herein to
238 the Department of Human Services, an amount not to exceed One
239 Hundred Thousand Dollars (\$100,000.00) is provided to fund the
240 Senior Olympics Program.

241 **SECTION 16.** It is the intention of the Legislature that the
242 Governor's Office, Division of Medicaid and the Department of
243 Human Services shall continue to work together to implement
244 Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid
245 and Human Services Transparency and Fraud Prevention Act".

246 **SECTION 17.** As a condition of receiving and expending any
247 funds appropriated under this act, the Department of Human
248 Services:

249 (a) Shall use a competitive procurement process for entering
250 into all TANF subgrant agreements with non-state entities when the
251 federal government does not direct to whom the funds must be
252 subgranted;

253 (b) Upon awarding of a grant to any subgrantee of the
254 department, shall require the subgrantee to submit a monthly

255 report to the department that contains, but is not limited to, all
256 of the following:

257 (i) A listing of all costs incurred by the subgrantee
258 during the previous month;

259 (ii) A listing of all clients served by the subgrantee,
260 with an explanation of which services were provided to the
261 clients;

262 (iii) A listing of all lower-tier subgrantees, who must
263 be approved by the department before the execution of any such
264 agreement by the prime subgrantee; and

265 (iv) Any other data required by the department to
266 provide sufficient evidence of budgetary compliance;

267 (c) Shall not advance funds to a subgrantee for more than
268 sixty (60) days; and

269 (d) Shall reimburse a subgrantee for expenses only after the
270 required documentation is provided and is approved by the
271 department.

272 **SECTION 18.** It is the intent of the Legislature, that within
273 the funds available, the Department of Human Services may provide
274 any qualifying grants of CARES Act or American Rescue Act funding
275 in an amount not to exceed One Million Five Hundred Thousand
276 Dollars (\$1,500,000.00) to the three (3) regional food banks that
277 serve Mississippi, including Feed the Gulf Coast, Mid-South Food
278 Bank, and Mississippi Food Network.

279 **SECTION 19.** With the funds appropriated herein, the
280 Department of Human Services is authorized to make payment to
281 certain vendors for expenses incurred during 2021 as follows:

282	DNA Diagnostics Center	\$ 34,474.42
283	Pearson VUE	\$ 551.25
284	Shred IT	\$ 961.56
285	Southwestern Communication	\$ 3,030.76

286 **SECTION 20.** The following sum, or so much thereof as may be
287 necessary, is reappropriated out of any money in the Capital
288 Expense Fund not otherwise appropriated for the Department of
289 Human Services for the purpose of reauthorizing the expenditure of
290 Capital Expense Funds, as authorized in HB 1611, 2022 Regular
291 Session to defray expenses of the Department of Human Services for
292 the fiscal year beginning July 1, 2023, and ending
293 June 30, 2024.....\$ 58,885,920.00.

294 This appropriation is made for the purpose of reauthorizing
295 the expenditure of funds as allocated herein:

296 (a) To defray the Department's computer
297 expenses.....\$ 4,885,920.00.

298 (b) To secure federal funding for a new
299 computer system.....\$ 54,000,000.00.

300 Notwithstanding the amount reappropriated under this section,
301 the amount that may be expended under the authority of this
302 section, shall not exceed the unexpended balance of the funds
303 remaining as of June 30, 2023, from the amount authorized for the

304 previous fiscal year. In addition, this reappropriation shall not
305 change the purpose for which the funds were originally authorized.

306 **SECTION 21.** The money herein appropriated shall be paid by
307 the State Treasurer out of any money in the State Treasury to the
308 credit of the proper fund or funds as set forth in this act, upon
309 warrants issued by the State Fiscal Officer; and the State Fiscal
310 Officer shall issue his warrants upon requisitions signed by the
311 proper person, officer or officers, in the manner provided by law.

312 **SECTION 22.** This act shall take effect and be in force from
313 and after July 1, 2023, except for Section 19 which shall take
314 effect and be in force from and after the passage of this act and
315 through the fiscal year ending June 30, 2023, and shall stand
316 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 TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2024.

SS15\HB1622A.J

Eugene S. Clarke
Secretary of the Senate