

By: Representatives Shanks, Anthony

To: Public Health and Human Services

HOUSE BILL NO. 760

1 AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE BY WHICH THE STATE DEPARTMENT OF HEALTH MAY AWARD
3 GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS FOR PURPOSES OF
4 INCREASING ACCESS TO SERVICES FOR UNINSURED AND MEDICALLY INDIGENT
5 PATIENTS AND PROVIDING A ONE-TIME SALARY SUPPLEMENT TO PRIMARY
6 CARE PHYSICIANS BEING RECRUITED; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

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

10 41-99-5. (1) Any Mississippi qualified health center
11 desiring to participate in the program shall make application for
12 a service grant to the department in a form satisfactory to the
13 department. The department shall receive service grant proposals
14 from Mississippi qualified health centers. All proposals shall be
15 submitted in accordance with the provisions of grant procedures,
16 criteria and standards developed and made public by the
17 department.

18 (2) The department shall use the funds provided by
19 subsection (6) (a) of this section to make care grants until July
20 1, * * * 2027, to Mississippi qualified health centers upon



21 proposals made under subsection (1) of this section. Care grants
22 that are awarded to Mississippi qualified health centers shall
23 only be used by those centers to:

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

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

33 (3) The department shall use the funds provided by
34 subsection (6)(b) of this section to make physician grants until
35 July 1, * * * 2027, to Mississippi qualified health centers upon
36 proposals made under subsection (1) of this section. A physician
37 grant awarded to a Mississippi qualified health center shall only
38 be used by that center to provide a one-time salary supplement to
39 a primary care physician being recruited under the program.

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

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

44 (b) For land or real estate investments;

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



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

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

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

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

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

67 (ii) Each Mississippi qualified health center
68 receiving a care grant shall provide an annual report to the
69 department that details the number of additional uninsured and



70 medically indigent patients that are cared for and the types of
71 services that are provided;

72 (b) The total amount of physician grants issued under
73 this chapter during any fiscal year shall not be more than the
74 amount appropriated to the department for that purpose, awarded as
75 follows:

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

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

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

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

93 (v) If a primary care physician abandons his or
94 her employment at the Mississippi qualified health center before



95 he or she has worked there for three (3) years, the primary care
96 physician shall repay to the department a pro rata share of the
97 physician grant based on the number of unserved months during the
98 three-year period. Under this subparagraph (v), the department
99 shall have a cause of action against the primary care physician to
100 recover grant monies; and

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

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

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

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

114 (7) The department shall establish an advisory council to
115 review and make recommendations to the department on the awarding
116 of any grants to Mississippi qualified health centers. Those
117 recommendations by the advisory council shall not be binding upon
118 the department, but when a recommendation by the advisory council
119 is not followed by the department, the department shall place in



120 its minutes reasons for not accepting the advisory council's
121 recommendation, and provide for an appeals process. All approved
122 service grants shall be awarded within thirty (30) days of
123 approval by the department.

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

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

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

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

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

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



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

150 **SECTION 2.** This act shall take effect and be in force from
151 and after July 1, 2024.

