

By: Representatives Deweese, Read, Bennett,  
Creekmore IV, Currie, McGee, Scott, Turner,  
Young

To: Appropriations C;  
Appropriations A

## HOUSE BILL NO. 1800

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S  
2 OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL  
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE  
4 EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR  
5 2025.

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

7 **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is appropriated out of any money in the State General  
9 Fund not otherwise appropriated, to the Governor's  
10 Office - Division of Medicaid for the purpose of providing medical  
11 assistance under the Mississippi Medicaid Law and defraying the  
12 expenses of the administration of such law, as provided in Section  
13 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year  
14 beginning July 1, 2024, and ending June 30, 2025.....  
15 .....\$ 846,481,498.00.

16 **SECTION 2.** The following sum, or so much thereof as may be  
17 necessary, is appropriated out of any money in the State Treasury  
18 to the credit of the Medical Care Fund created by Section  
19 43-13-143, Mississippi Code of 1972, for the purpose of providing



20 medical assistance under the Mississippi Medicaid Law for the  
21 fiscal year beginning July 1, 2024, and ending June 30, 2025.....  
22 .....\$ 409,536,067.00.

23       **SECTION 3.** The following sum, or so much thereof as may be  
24 necessary, is appropriated out of any money in any special fund in  
25 the State Treasury to the credit of the Governor's  
26 Office - Division of Medicaid which is comprised of special source  
27 funds collected by or otherwise available to the Division, for the  
28 purpose of providing medical assistance under the Mississippi  
29 Medicaid Law and defraying the expenses of the administration of  
30 such law, for the fiscal year beginning July 1, 2024, and ending  
31 June 30, 2025.....\$ 6,284,774,420.00.

32       Prior period recovery of funds may be maintained and expended  
33 by the division when the recovery is received or finalized. Any  
34 recoveries due to audits or third party recoveries may be used to  
35 offset the cost of such audits and third party recoveries and as  
36 such, the division may escalate Contractual Services as needed for  
37 these purposes.

38       **SECTION 4.** The following sum, or so much thereof as may be  
39 necessary, is appropriated out of any money in the State Treasury  
40 to the credit of the Health Care Expendable Fund, for the purpose  
41 of defraying the expenses of the Governor's Office - Division of  
42 Medicaid for the fiscal year beginning July 1, 2024, and ending  
43 June 30, 2025.....\$ 63,230,003.00.

44       The above funds shall be allocated as follows:



45 CHIP Program at up to 209% level of poverty..\$ 9,000,000.00.

46 Medical Program Matching Funds.....\$ 54,230,003.00.

47 It is the intention of the Legislature that funds may be  
48 shifted among the above allocated line items where needed at the  
49 discretion of the Executive Director of Governor's Office -  
50 Division of Medicaid.

51 **SECTION 5.** Of the funds appropriated under the provisions of  
52 this act, the following positions are authorized:

53 AUTHORIZED HEADCOUNT:

54 Permanent: 865

55 Time-Limited: 82

56 With the funds herein appropriated, it shall be the agency's  
57 responsibility to make certain that funds required for Personal  
58 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
59 appropriated for that purpose unless programs or positions are  
60 added to the agency's Fiscal Year 2025 budget by the Mississippi  
61 Legislature. The Legislature shall determine the agency's personal  
62 services appropriation, which the State Personnel Board shall  
63 publish. In accordance with applicable laws, if an agency  
64 determines that its personal services amount is insufficient, the  
65 agency must contact the State Personnel Board. Any adjustment to  
66 the personal services amount must be approved by the State  
67 Personnel Director and the State Fiscal Officer after consultation  
68 with the Legislative Budget Office. Any adjustment shall be  
69 reported to the Legislative Budget Office and the House and Senate



70 Appropriations Chairmen. The agency's personal services  
71 appropriation may consist of restricted funds for approved  
72 vacancies for Fiscal Year 2025 that may not be utilized for active  
73 Fiscal Year 2024 headcount. It shall be the agency's  
74 responsibility to ensure that the funds provided for vacancies are  
75 used to increase headcount and not for promotions, title changes,  
76 in-range salary adjustments, or any other mechanism for increasing  
77 salaries for current employees. If the State Personnel Board  
78 determines that an agency has used provided vacancy funds for any  
79 of the mechanisms previously listed, the State Personnel Board  
80 shall not process any additional salary actions for the agency in  
81 the current fiscal year, except for new hires determined by the  
82 State Personnel Board to be essential for the agency. It is the  
83 Legislature's intention that no employee salary falls below the  
84 minimum salary established by the Mississippi State Personnel  
85 Board.

86       Additionally, the State Personnel Board shall determine and  
87 publish the projected annualized payroll costs based on current  
88 employees. It shall be the responsibility of the agency head to  
89 ensure that actual personnel expenditures for Fiscal Year 2025 do  
90 not exceed the data provided by the Legislative Budget Office. If  
91 the agency's projected cost for Fiscal Year 2025 exceeds the  
92 annualized costs, no salary actions shall be processed by the  
93 State Personnel Board except for new hires determined to be  
94 essential for the agency.



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

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

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

**SECTION 6.** It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format



and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

**SECTION 7.** In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Admin as a Percent of Total Budget	3.37
Third Party Liability Cost Avoided (\$Thou)	1,585,036.00
Percent of Clean Claims Processed within	
30 Days of Receipt	99.50
Percent of Clean Claims Processed within	



145	90 Days of Receipt	100.00
146	Percent of Applications Processed within	
147	Std. of Promptness - Medicaid	90.00
148	Third Party Funds Recovered	7,686,779.00
149	Number of Providers Submitting	
150	Electronic Claims	29,000
151	Turnover Rate of Employees (%)	15.00
152	Medical Services	
153	Costs of Emergency Room Visits	173,254,711.00
154	Number of Emergency Room Visits	422,358
155	Medicaid Recipients - Enrolled (Persons)	776,139
156	Child Physical Exams (Ages 0-20)	320,851
157	Adult Physical Exams (21-Older)	10,700
158	Number of Fraud & Abuse Cases Investigated	325
159	Number of Medicaid Providers	40,000
160	Number of Medicaid Beneficiaries	
161	Assigned to a Managed Care Company	420,000
162	Percent of MSCAN Diabetic Members Aged	
163	17-75 Receiving HBA1c Test	89.58
164	Percent of MSCAN Members with Persistent	
165	Asthma are Appropriately Prescribed	
166	Medication	71.08
167	Rate of EPSDT Well Child Screening (%)	75.00
168	Percent Change in Number of Recipients	
169	Enrolled From Last Year	-10.00



170	Percent Change in Number of Providers	
171	From Last Year	-12.22
172	Children's Health Insur Prg (chip)	
173	Number of CHIP Enrollees	43,000
174	Percent of CHIP Applications Processed	
175	within Std. of Promptness	90.00
176	Home & Comm-based Waiver Prg	
177	Elderly & Disabled - Persons Served	22,200
178	Elderly & Disabled - Funded Slots	22,200
179	Elderly & Disabled - Total Authorized Slots	22,200
180	Assisted Living - Persons Served	1,200
181	Assisted Living - Funded Slots	1,200
182	Assisted Living - Total Authorized Slots	1,200
183	Independent Living - Persons Served	5,800
184	Independent Living - Funded Slots	5,800
185	Independent Living - Total Authorized Slots	5,800
186	Traumatic Brain Injury - Persons Served	1,200
187	Traumatic Brain Injury - Funded Slots	1,200
188	Traumatic Brain Injury - Total	
189	Authorized Slots	1,200
190	Intellectual Disability - Persons Served	4,150
191	Intellectual Disability - Funded Slots	4,150
192	Intellectual Disability - Total	
193	Authorized Slots	4,150
194	Percent Change in Persons On Waiting	





195	List (E&D)	10.00
196	Percent Change in Persons On Waiting	
197	List (AL)	10.00
198	Percent Change in Persons On Waiting	
199	List (IL)	10.00
200	Percent Change in Persons On Waiting	
201	List (TBI)	10.00
202	Percent Change in Persons On Waiting	
203	List (IDD)	10.00

204 A reporting of the degree to which the performance targets  
205 set above have been or are being achieved shall be provided in the  
206 agency's budget request submitted to the Joint Legislative Budget  
207 Committee for Fiscal Year 2026.

208 **SECTION 8.** It is the intention of the Legislature that  
209 whenever two (2) or more bids are received by this agency for the  
210 purchase of commodities or equipment, and whenever all things  
211 stated in such received bids are equal with respect to price,  
212 quality and service, the Mississippi Industries for the Blind  
213 shall be given preference. A similar preference shall be given to  
214 the Mississippi Industries for the Blind whenever purchases are  
215 made without competitive bids.

216 **SECTION 9.** The Governor's Office - Division of Medicaid  
217 shall provide statistical and financial reports on a monthly basis  
218 to the Legislative Budget Office and the PEER Committee. These  
219 reports shall include, but are not limited to, an accounting of



all funds spent in the medical program, the CHIP program, the  
Dialysis Transportation program, and each of the Home and  
Community Based Waiver programs, and an accounting of all funds  
spent in the administrative program, participant statistics and  
any other information requested by the Legislative Budget Office  
and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform  
its cash flow projections on a predetermined monthly schedule and  
make this and any other information requested available, upon  
request, to the Chair of the Senate Public Health and Welfare  
Committee, the House Public Health and Human Services Committee,  
the House and Senate Medicaid Committees, the House and Senate  
Appropriations Committees, the Legislative Budget Office and the  
PEER Committee. A summary of this cash flow projection shall also  
be presented in the report referenced in the above paragraph.

**SECTION 10.** Of the funds appropriated under the provisions  
of this act in an amount not to exceed, Two Million Seven Hundred  
Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose  
of funding a temporary program to provide nonemergency  
transportation to locations for necessary dialysis services for  
end-stage renal disease patients who are sixty-five (65) years of  
age or older or are disabled as determined under Section  
1614(a)(3) of the federal Social Security Act, as amended, whose  
income did not exceed one hundred thirty-five percent (135%) of  
the nonfarm official poverty level as defined by the Office of



Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

**SECTION 11.** Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided to maintain five (5) additional slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation.

**SECTION 12.** Of the funds appropriated in Section 1, Eight Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is provided to maintain additional slots in the Assisted Living Home and Community Based Waiver program and One Million One Hundred Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00) is provided to maintain additional slots in the Elderly and Disabled Home and Community Based Waiver program.

**SECTION 13.** Of the funds appropriated in Section 2 and Section 3, One Million Nine Hundred Thirty-four Thousand Two Hundred Ninety-two Dollars (\$1,934,292.00) is provided to maintain One Hundred (100) slots for the Department of Rehabilitation Services and Ten Million Two Hundred Seventy-two Thousand Six Hundred Seventy-six Dollars (\$10,272,676.00) to maintain Two Hundred (200) slots for the Department of Mental Health for the Home and Community Based waiver program for Independent Living and



the IDD Waiver program. These funds shall be used to maintain these additional slots.

**SECTION 14.** It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2025, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2025 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
- b. Medication Management for People with Asthma (MMA) or successive measure.
- c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
- d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established



for similar Medicaid recipients who are not enrolled in the MS-CAN program.

**SECTION 15.** It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

**SECTION 16.** The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

**SECTION 17.** The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.



319           **SECTION 18.** This act shall take effect and be in force from  
320 and after July 1, 2024, and shall stand repealed June 30, 2024.

