

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

To: Appropriations C;  
Appropriations A

HOUSE BILL NO. 1800  
(As Sent to Governor)

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 .....\$ 847,968,406.00.

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 .....\$ 940,637,381.00.

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.....\$ 6,451,388,505.00.

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.....  
46 poverty.....\$ 9,000,000.00.  
47 Medical Program Matching Funds.....\$ 54,230,003.00.

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

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

54 AUTHORIZED HEADCOUNT:

55 Permanent: 927  
56 Time-Limited: 82

57 With the funds herein appropriated, it shall be the agency's  
58 responsibility to make certain that funds required for Personal  
59 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
60 appropriated for that purpose unless programs or positions are  
61 added to the agency's Fiscal Year 2025 budget by the Mississippi  
62 Legislature. The Legislature shall determine the agency's  
63 personal services appropriation, which the State Personnel Board  
64 shall publish. The agency's personal services appropriation may  
65 consist of restricted funds for approved vacancies for Fiscal Year  
66 2025 that may be utilized to fill vacant Fiscal Year 2024  
67 headcount. It shall be the agency's responsibility to ensure that  
68 the funds provided for vacancies are used to increase headcount  
69 and not for promotions, title changes, in-range salary adjustments



70 or any other mechanism for increasing salaries for current  
71 employees. It is the Legislature's intention that no employee  
72 salary falls below the minimum salary established by the  
73 Mississippi State Personnel Board.

74 Additionally, the State Personnel Board shall determine and  
75 publish the projected annualized payroll costs based on current  
76 employees. It shall be the responsibility of the agency head to  
77 ensure that actual personnel expenditures for Fiscal Year 2025 do  
78 not exceed the data provided by the Legislative Budget Office. If  
79 the agency's Fiscal Year 2025 projected cost exceeds the  
80 annualized costs, no salary actions shall be processed by the  
81 State Personnel Board except for new hires determined to be  
82 essential for the agency.

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

92 No general funds authorized to be expended herein shall be  
93 used to replace federal funds and/or other special funds used for



94 salaries authorized under the provisions of this act and which are  
95 withdrawn and no longer available.

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

100 **SECTION 6.** It is the intention of the Legislature that the  
101 Governor's Office - Division of Medicaid shall maintain complete  
102 accounting and personnel records related to the expenditure of all  
103 funds appropriated under this act and that such records shall be  
104 in the same format and level of detail as maintained for Fiscal  
105 Year 2024. It is further the intention of the Legislature that  
106 the agency's budget request for Fiscal Year 2026 shall be  
107 submitted to the Joint Legislative Budget Committee in a format  
108 and level of detail comparable to the format and level of detail  
109 provided during the Fiscal Year 2025 budget request process with  
110 the Children's Health Insurance Program (CHIP) being separated  
111 from the Medical Services Program and submitted as a separate  
112 program. All Medicaid 1915 (C) Home and Community Based Services  
113 Waivers shall be presented as a budget program separate from the  
114 Medical Services Program. In addition, the performance measures  
115 reported for the Medical Services Program shall include an  
116 unduplicated case count of individuals served by eligibility  
117 status, and the number and the costs of emergency room visits.



118           **SECTION 7.** In compliance with the "Mississippi Performance  
 119 Budget and Strategic Planning Act of 1994," it is the intent of  
 120 the Legislature that the funds provided herein shall be utilized  
 121 in the most efficient and effective manner possible to achieve the  
 122 intended mission of this agency. Based on the funding authorized,  
 123 this agency shall make every effort to attain the targeted  
 124 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	
90 Days of Receipt	100.00
Percent of Applications Processed within	
Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	7,686,779.00
Number of Providers Submitting	
Electronic Claims	29,000
Turnover Rate of Employees (%)	15.00
Medical Services	
Costs of Emergency Room Visits	173,254,711.00
Number of Emergency Room Visits	422,358



143	Medicaid Recipients - Enrolled (Persons)	776,139
144	Child Physical Exams (Ages 0-20)	320,851
145	Adult Physical Exams (21-Older)	10,700
146	Number of Fraud & Abuse Cases Investigated	325
147	Number of Medicaid Providers	40,000
148	Number of Medicaid Beneficiaries	
149	Assigned to a Managed Care Company	420,000
150	Percent of MSCAN Diabetic Members Aged	
151	17-75 Receiving HBA1c Test	89.58
152	Percent of MSCAN Members with Persistent	
153	Asthma are Appropriately Prescribed	
154	Medication	71.08
155	Rate of EPSDT Well Child Screening (%)	75.00
156	Percent Change in Number of Recipients	
157	Enrolled From Last Year	-10.00
158	Percent Change in Number of Providers	
159	From Last Year	-12.22
160	Children's Health Insur Prg (chip)	
161	Number of CHIP Enrollees	43,000
162	Percent of CHIP Applications Processed	
163	within Std. of Promptness	90.00
164	Home & Comm-based Waiver Prg	
165	Elderly & Disabled - Persons Served	21,590
166	Elderly & Disabled - Funded Slots	21,130
167	Elderly & Disabled - Total Authorized Slots	22,200



168	Assisted Living - Persons Served	990
169	Assisted Living - Funded Slots	960
170	Assisted Living - Total Authorized Slots	1,100
171	Independent Living - Persons Served	3,140
172	Independent Living - Funded Slots	3,075
173	Independent Living - Total Authorized Slots	5,800
174	Traumatic Brain Injury - Persons Served	1,045
175	Traumatic Brain Injury - Funded Slots	1,025
176	Traumatic Brain Injury - Total	
177	Authorized Slots	1,150
178	Intellectual Disability - Persons Served	3,200
179	Intellectual Disability - Funded Slots	3,150
180	Intellectual Disability - Total	
181	Authorized Slots	4,150
182	Percent Change in Persons On Waiting	
183	List (E&D)	10.00
184	Percent Change in Persons On Waiting	
185	List (AL)	10.00
186	Percent Change in Persons On Waiting	
187	List (IL)	10.00
188	Percent Change in Persons On Waiting	
189	List (TBI)	10.00
190	Percent Change in Persons On Waiting	
191	List (IDD)	10.00





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

196 **SECTION 8.** It is the intention of the Legislature that  
197 whenever two (2) or more bids are received by this agency for the  
198 purchase of commodities or equipment, and whenever all things  
199 stated in such received bids are equal with respect to price,  
200 quality and service, the Mississippi Industries for the Blind  
201 shall be given preference. A similar preference shall be given to  
202 the Mississippi Industries for the Blind whenever purchases are  
203 made without competitive bids.

204 **SECTION 9.** The Governor's Office - Division of Medicaid  
205 shall provide statistical and financial reports on a monthly basis  
206 to the Legislative Budget Office and the PEER Committee. These  
207 reports shall include, but are not limited to, an accounting of  
208 all funds spent in the medical program, the CHIP program, the  
209 Dialysis Transportation program, and each of the Home and  
210 Community Based Waiver programs, and an accounting of all funds  
211 spent in the administrative program, participant statistics and  
212 any other information requested by the Legislative Budget Office  
213 and the PEER Committee.

214 The Governor's Office - Division of Medicaid shall perform  
215 its cash flow projections on a predetermined monthly schedule and  
216 make this and any other information requested available, upon



217 request, to the Chair of the Senate Public Health and Welfare  
218 Committee, the House Public Health and Human Services Committee,  
219 the House and Senate Medicaid Committees, the House and Senate  
220 Appropriations Committees, the Legislative Budget Office and the  
221 PEER Committee. A summary of this cash flow projection shall also  
222 be presented in the report referenced in the above paragraph.

223         **SECTION 10.** Of the funds appropriated under the provisions  
224 of this act in an amount not to exceed, Two Million Seven Hundred  
225 Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose  
226 of funding a temporary program to provide nonemergency  
227 transportation to locations for necessary dialysis services for  
228 end-stage renal disease patients who are sixty-five (65) years of  
229 age or older or are disabled as determined under Section  
230 1614(a)(3) of the federal Social Security Act, as amended, whose  
231 income did not exceed one hundred thirty-five percent (135%) of  
232 the nonfarm official poverty level as defined by the Office of  
233 Management and Budget and whose eligibility was covered under the  
234 former category of eligibility known as Poverty Level Aged and  
235 Disabled (PLADS).

236         **SECTION 11.** Of the funds appropriated in Section 1 and  
237 Section 3 of this act, it is the intention of the Legislature that  
238 Two Million Six Hundred Forty Thousand Four Hundred Ninety-one  
239 Dollars (\$2,640,491.00) of which Six Hundred Two Thousand Two  
240 Hundred Sixty Dollars (\$602,260.00) is in General Funds and Two  
241 Million Thirty-eight Thousand Two Hundred Thirty-one Dollars



242 (\$2,038,231.00) is in Special Funds provided for the purpose of  
243 funding Presumptively Eligible Pregnant Women as passed in HB 539,  
244 Regular Session 2024.

245         **SECTION 12.** It is the intention of the Legislature that the  
246 funds appropriated in this act to the Governor's Office - Division  
247 of Medicaid for the Mississippi Coordinated Access Network  
248 (MS-CAN) program be used in the most efficient and effective  
249 manner possible to achieve the intended mission of the division.  
250 The division and the coordinated care organizations with which the  
251 division has contracted to conduct the MS-CAN program shall  
252 establish baselines for the health-related outcome measurement for  
253 each of the following health focus areas for presentation at the  
254 Joint Legislative Budget Committee hearings for Fiscal Year 2025,  
255 which will be used as the baseline levels for establishing targets  
256 for improvements in quality of care performance measures for the  
257 MS-CAN program in Fiscal Year 2025 and later fiscal years:

258             a. Comprehensive Diabetes Care (CDC) or successive measure.

259             b. Medication Management for People with Asthma (MMA) or  
260 successive measure.

261             c. Annual Monitoring for Patients on Persistent Medications  
262 (MPM) or successive measure.

263             d. Adult BMI Assessment (ABA) and Weight Assessment and  
264 Counseling for Nutrition and Physical Activity for  
265 Children/Adolescents (WCC) or successive measure.



266 In addition, for comparison purposes, these same baselines  
267 for the health-related outcome measurements shall be established  
268 for similar Medicaid recipients who are not enrolled in the MS-CAN  
269 program.

270 **SECTION 13.** It is the intention of the Legislature that the  
271 Governor's Office - Division of Medicaid and the Department of  
272 Human Services shall continue to work together to implement  
273 Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid  
274 and Human Services Transparency and Fraud Prevention Act".

275 **SECTION 14.** Of the funds appropriated in Sections 1, 2, and  
276 3 of this act, it is the intention of the Legislature that  
277 continued funding at or above the Fiscal Year 2024 appropriated  
278 amount shall be provided for forty-one hundred (4,100) slots for  
279 the Department of Rehabilitation Services Home and Community Based  
280 Waiver programs, and for two thousand nine hundred fifty (2,950)  
281 slots for the Department of Mental Health for the Home and  
282 Community Based waiver program for Independent Living and the IDD  
283 Waiver program.

284 **SECTION 15.** The Governor's Office - Division of Medicaid is  
285 authorized to expend funds appropriated herein as necessary to  
286 provide currently existing home and community based services  
287 through any CMS approved state plan or home and community based  
288 services waiver to individuals who qualify for those services to  
289 avoid institutionalization or to transition an individual from an  
290 institution to any home and community based setting. Provision of



291 such services shall not count against any limit imposed under this  
292 act. It is the intention of the Legislature that the cost of  
293 providing home and community based services shall not exceed the  
294 cost of nursing facility services, as determined by the Division.

295 **SECTION 16.** Of the funds appropriated herein, no more than  
296 Five Hundred Three Thousand Five Hundred Twenty-two Dollars  
297 (\$503,522.00) may be used to pay invoices to certain vendors for  
298 expenses incurred in FY 2020 and 2022.

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

305 **SECTION 18.** This act shall take effect and be in force from  
306 and after July 1, 2024.

