

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

To: Appropriations C;
Appropriations A

HOUSE BILL NO. 1801

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 2025.

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

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, 2024, and ending
10 June 30, 2025.....\$ 4,054,088.00.

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

13 AUTHORIZED HEADCOUNT:

14 Permanent: 28

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 2026 do not exceed Fiscal Year 2025 funds



19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2025 budget by the Mississippi
21 Legislature. The Legislature shall determine the agency's personal
22 services appropriation, which the State Personnel Board shall
23 publish. In accordance with applicable laws, if an agency
24 determines that its personal services amount is insufficient, the
25 agency must contact the State Personnel Board. Any adjustment to
26 the personal services amount must be approved by the State
27 Personnel Director and the State Fiscal Officer after consultation
28 with the Legislative Budget Office. Any adjustment shall be
29 reported to the Legislative Budget Office and the House and Senate
30 Appropriations Chairmen. The agency's personal services
31 appropriation may consist of restricted funds for approved
32 vacancies for Fiscal Year 2025 that may not be utilized for active
33 Fiscal Year 2024 headcount. It shall be the agency's
34 responsibility to ensure that the funds provided for vacancies are
35 used to increase headcount and not for promotions, title changes,
36 in-range salary adjustments, or any other mechanism for increasing
37 salaries for current employees. If the State Personnel Board
38 determines that an agency has used provided vacancy funds for any
39 of the mechanisms previously listed, the State Personnel Board
40 shall not process any additional salary actions for the agency in
41 the current fiscal year, except for new hires determined by the
42 State Personnel Board to be essential for the agency. It is the
43 Legislature's intention that no employee salary falls below the



44 minimum salary established by the Mississippi State Personnel
45 Board.

46 Additionally, the State Personnel Board shall determine and
47 publish the projected annualized payroll costs based on current
48 employees. It shall be the responsibility of the agency head to
49 ensure that actual personnel expenditures for Fiscal Year 2025 do
50 not exceed the data provided by the Legislative Budget Office. If
51 the agency's projected cost for Fiscal Year 2025 exceeds the
52 annualized costs, no salary actions shall be processed by the
53 State Personnel Board except for new hires determined to be
54 essential for the agency.

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

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



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

72 **SECTION 3.** In compliance with the "Mississippi Performance
73 Budget and Strategic Planning Act of 1994," it is the intent of
74 the Legislature that the funds provided herein shall be utilized
75 in the most efficient and effective manner possible to achieve the
76 intended mission of this agency. Based on the funding authorized,
77 this agency shall make every effort to attain the targeted
78 performance measures provided below:

	FY2025
<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	400
Percent of Documented Complaints Resolved within Seven Business Days	15.00

91 A reporting of the degree to which the performance targets
92 set above have been or are being achieved shall be provided in the



93 agency's budget request submitted to the Joint Legislative Budget
94 Committee for Fiscal Year 2026.

95 **SECTION 4.** It is the intention of the Legislature that the
96 State Board of Medical Licensure shall maintain complete
97 accounting and personnel records related to the expenditure of all
98 funds appropriated under this act and that such records shall be
99 in the same format and level of detail as maintained for Fiscal
100 Year 2024. It is further the intention of the Legislature that
101 the agency's budget request for Fiscal Year 2026 shall be
102 submitted to the Joint Legislative Budget Committee in a format
103 and level of detail comparable to the format and level of detail
104 provided during the Fiscal Year 2025 budget request process.

105 **SECTION 5.** It is the intention of the Legislature that
106 whenever two (2) or more bids are received by this agency for the
107 purchase of commodities or equipment, and whenever all things
108 stated in such received bids are equal with respect to price,
109 quality and service, the Mississippi Industries for the Blind
110 shall be given preference. A similar preference shall be given to
111 the Mississippi Industries for the Blind whenever purchases are
112 made without competitive bids.

113 **SECTION 6.** Of the funds provided under the provisions of
114 this act, and as approved by the Mississippi State Board of
115 Medical Licensure (the Board), at the direction of the Board the
116 Executive Director may negotiate and enter into a grant agreement



117 to provide funding in an amount not to exceed Six Hundred Thousand
118 Dollars (\$600,000) for the Mississippi Physician Health Program.

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

124 **SECTION 8.** It is the intention of the Legislature that the
125 funds are appropriated here in accordance with a signed Memorandum
126 of Understanding with the Mississippi Department of Health to
127 assist with the implementation of the Medical Cannabis Act for
128 registering and monitoring compliance with the rules and
129 regulations of the Act.

130 **SECTION 9.** It is further the intention of the Legislature
131 that, for Fiscal Year 2025, the board shall be allowed to recover
132 all costs from a holder of a license who has been found by the
133 board in violation of statute after notice and a hearing as
134 provided by law. The expenses must be direct costs associated
135 with the investigation and conduct of a proceeding for licensure
136 revocation, suspension or restriction.

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



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

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

150 **SECTION 12.** This act shall take effect and be in force from
151 and after July 1, 2024, and shall stand repealed June 30, 2024.

