

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 2848

1 AN ACT TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT ANY INVESTMENT EARNINGS OR INTEREST EARNED ON
 3 AMOUNTS IN A CERTAIN SPECIAL FUND SHALL BE TRANSFERRED TO THE
 4 CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO BRING
 5 FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH IS THE
 6 PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI MUNICIPALITY
 7 AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022, FOR
 8 PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION
 9 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW
 10 THAT PROVIDES FOR THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE
 11 GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING
 12 FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH IS THE
 13 PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI HOSPITAL
 14 SUSTAINABILITY GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT;
 15 TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972,
 16 WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE SKILLED
 17 NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM,
 18 FOR PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER,
 19 IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER A
 20 CERTAIN SUM FROM THE GENERAL FUND TO THE CAPITAL EXPENSE FUND; AND
 21 FOR RELATED PURPOSES.

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

23 **SECTION 1.** Section 27-104-323, Mississippi Code of 1972, is
 24 amended as follows:

25 27-104-323. (1) All funds received by or on behalf of the
 26 State of Mississippi through the Coronavirus Local Fiscal Recovery
 27 Fund in Section 9901 of the American Rescue Plan Act of 2021



28 (Public Law No. 117-2) for distribution to nonentitlement units of
29 local government shall be deposited into the Coronavirus Local
30 Fiscal Recovery Fund created in subsection (2) of this section.

31 (2) There is created in the State Treasury a special fund to
32 be designated as the "Coronavirus Local Fiscal Recovery Fund" to
33 be administered by the Department of Finance and Administration.
34 The special fund shall consist of funds required to be deposited
35 into the special fund by subsection (1) of this section, funds
36 appropriated or otherwise made available by the Legislature in any
37 manner, and funds from any other source designated for deposit
38 into the special fund. The Department of Finance and
39 Administration shall distribute the funds to the nonentitlement
40 units of local government in accordance with the Coronavirus Local
41 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan
42 Act of 2021 (Public Law No. 117-2) and any applicable federal
43 guidelines. Such funds shall only be used as provided in the
44 Coronavirus Local Fiscal Recovery Fund in Section 9901 of the
45 American Rescue Plan Act of 2021 (Public Law No. 117-2) or as
46 authorized by federal rule or regulation or guidelines.

47 (3) Unexpended amounts remaining in the special fund at the
48 end of a fiscal year shall not lapse into the State General Fund
49 but shall remain in the Coronavirus Local Fiscal Recovery Fund.
50 Any investment earnings or interest earned on amounts in the
51 special fund shall be * * * transferred to the credit of the * * *
52 Coronavirus State Fiscal Recovery Fund.



53 **SECTION 2.** Section 49-2-131, Mississippi Code of 1972, is
54 brought forward as follows:

55 49-2-131. (1) This section shall be known and may be cited
56 as the "Mississippi Municipality and County Water Infrastructure
57 Grant Program Act of 2022."

58 (2) There is hereby established within the Mississippi
59 Department of Environmental Quality the Mississippi Municipality
60 and County Water Infrastructure (MCWI) Grant Program under which
61 municipalities, counties and certain public utilities not
62 regulated by the Public Service Commission may apply until
63 February 1, 2023, for reimbursable grants to make necessary
64 investments in water, wastewater, and stormwater infrastructure to
65 be funded by the Legislature utilizing Coronavirus State Fiscal
66 Recovery Funds made available under the federal American Rescue
67 Plan Act of 2021 (ARPA). Such grants shall be made available to
68 municipalities and counties to be matched with the Coronavirus
69 Local Fiscal Recovery Funds awarded or to be awarded to them under
70 ARPA on a one-to-one matching basis. Coronavirus Local Fiscal
71 Recovery Funds that a county transfers to a municipality or that a
72 county or municipality transfers to a public utility not regulated
73 by the Public Service Commission are eligible on a one-to-one
74 matching basis. Municipalities that received less than One
75 Million Dollars (\$1,000,000.00) in the total allocation of
76 Coronavirus Local Fiscal Recovery Funds are eligible for a
77 two-to-one match only on the Coronavirus Local Fiscal Recovery



78 Funds awarded or to be awarded to them under ARPA. The
79 Mississippi Department of Environmental Quality shall only accept
80 two (2) rounds of submissions under the Mississippi Municipality
81 and County Water Infrastructure (MCWI) Grant Program. The second
82 round of submissions shall be the final round. The dollar amount
83 for professional fees that can be allocated as a part of a
84 county's, municipality's or public utility's matching share is not
85 to exceed four percent (4%) of the total project cost.

86 (3) For purposes of this section, unless the context
87 requires otherwise, the following terms shall have the meanings
88 ascribed herein:

89 (a) "MCWI Grant Program" means the Mississippi
90 Municipality and County Water Infrastructure Grant Program.

91 (b) "ARPA" means the federal American Rescue Plan Act
92 of 2021, Public Law 117-2, which amends Title VI of the Social
93 Security Act.

94 (c) "State Recovery Funds" means Coronavirus State
95 Fiscal Recovery Funds awarded through Section 602 of Title VI of
96 the Social Security Act amended by Section 9901 of the federal
97 American Rescue Plan Act of 2021, Public Law 117-2.

98 (d) "Local Recovery Funds" means Coronavirus Local
99 Fiscal Recovery Funds awarded through Section 603 of Title VI of
100 the Social Security Act amended by Section 9901 of the federal
101 American Rescue Plan Act of 2021, Public Law 117-2.



102 (e) "Department" means the Department of Environmental
103 Quality.

104 (f) "Professional fees" means fees for the services of
105 attorneys and engineering, surveying, and environmental studies.

106 (g) "Project" means the infrastructure improvements
107 defined in an application that (i) complies with all requirements
108 of ARPA, and (ii) is eligible for a grant award under this
109 section.

110 (4) (a) On or before July 1, 2022, the Department of
111 Environmental Quality shall promulgate rules and regulations
112 necessary to administer the MCWI Grant Program prescribed under
113 this section, including application procedures and deadlines. The
114 department is exempt from compliance with the Mississippi
115 Administrative Procedures Law in fulfilling the requirements of
116 this section.

117 (b) The Department of Health shall advise the
118 Mississippi Department of Environmental Quality regarding all such
119 rules and regulations as related to the federal Safe Drinking
120 Water Act.

121 (5) Funding under the MCWI Grant Program shall be allocated
122 to projects certified by the Mississippi Department of
123 Environmental Quality as eligible for federal funding, including,
124 but not be limited to, the following:

125 (a) Construction of publicly owned treatment works;



- 126 (b) Projects pursuant to the implementation of a
127 nonpoint source pollution management program established under the
128 Clean Water Act (CWA);
- 129 (c) Decentralized wastewater treatment systems that
130 treat municipal wastewater or domestic sewage;
- 131 (d) Management and treatment of stormwater or
132 subsurface drainage water;
- 133 (e) Water conservation, efficiency, or reuse measures;
- 134 (f) Development and implementation of a conservation
135 and management plan under the CWA;
- 136 (g) Watershed projects meeting the criteria set forth
137 in the CWA;
- 138 (h) Energy consumption reduction for publicly owned
139 treatment works;
- 140 (i) Reuse or recycling of wastewater, stormwater, or
141 subsurface drainage water;
- 142 (j) Facilities to improve drinking water quality;
- 143 (k) Transmission and distribution, including
144 improvements of water pressure or prevention of contamination in
145 infrastructure and lead service line replacements;
- 146 (l) New sources to replace contaminated drinking water
147 or increase drought resilience, including aquifer storage and
148 recovery system for water storage;
- 149 (m) Storage of drinking water, such as to prevent
150 contaminants or equalize water demands;



151 (n) Purchase of water systems and interconnection of
152 systems;

153 (o) New community water systems;

154 (p) Culvert repair, resizing, and removal, replacement
155 of storm sewers, and additional types of stormwater
156 infrastructure;

157 (q) Dam and reservoir rehabilitation, if the primary
158 purpose of dam or reservoir is for drinking water supply and
159 project is necessary for the provision of drinking water;

160 (r) Broad set of lead remediation projects eligible
161 under EPA grant programs authorized by the Water Infrastructure
162 Improvements for the Nation (WIIN) Act; and

163 (s) Any eligible drinking water, wastewater or
164 stormwater project through ARPA guidelines, guidance, rules,
165 regulations and other criteria, as may be amended from time to
166 time, by the United States Department of the Treasury.

167 (6) The governing authority of a municipality, county or
168 public utility that is not regulated by the Public Service
169 Commission may submit an application for grant funds under this
170 section if the applicant is an operator-member of Mississippi 811,
171 Inc., as defined in Section 77-13-3. Applicants shall certify to
172 the department that each expenditure of the funds awarded to them
173 under this section is in compliance with ARPA guidelines,
174 guidance, rules, regulations and other criteria, as may be amended
175 from time to time, by the United States Department of the Treasury



176 regarding the use of monies from the State Coronavirus State
177 Fiscal Recovery Funds. Subsequent submissions will be due by the
178 dates established by the department.

179 (7) An application for a grant under this section shall be
180 submitted at such time, be in such form, and contain such
181 information as the department prescribes. Each application for
182 grant funds shall include the following at a minimum: (a)
183 applicant contact information; (b) project description and type of
184 project; (c) project map; (d) estimate of population affected by
185 the project; (e) disadvantaged community criteria (population,
186 median household income, unemployment, current water/sewer rates);
187 (f) estimated project cost; (g) list of match funds of direct
188 Coronavirus Local Fiscal Recovery Funds received and to be
189 received from the federal government, a certification that such
190 funds have been or will be used for the project detailed in the
191 application, and documentation of commitment; (h) estimated
192 project schedule and readiness to proceed; (i) engineering
193 services agreement; (j) engineering reports; and (k) information
194 about status of obtaining any required permits.

195 (8) The department must apply a system for use in ranking
196 the grant applications received, unless the Legislature funds all
197 eligible grant requests under the program. When applying the
198 ranking system, the department shall apply a greater weight to
199 projects that have approved engineering/design, plans and permits
200 if the department has deemed the project is ready to begin



201 construction within six (6) months. Projects that are included on
202 the municipal or county engineer's approved list and provide
203 applicable supporting documentation shall receive additional
204 consideration awarded to the application. The ranking system
205 shall include the following factors, at a minimum: (a) the
206 environmental impact of the proposed project; (b) the proposed
207 project's ability to address noncompliance with state/federal
208 requirements; (c) the extent to which the project promotes
209 economic development; (d) the number of people served by the
210 project and the number of communities the project serves; (e)
211 impacts of the proposed project on disadvantaged/overburdened
212 communities; (f) the grant applicant's prior efforts to secure
213 funding to address the proposed project's objectives; (g) the
214 grant applicant's proposed contribution of other funds or in-kind
215 cost-sharing to the proposed project; (h) the grant applicant's
216 long-term plans for the financial and physical operation and
217 maintenance of the project; (i) the grant applicant's capacity to
218 initiate construction in a timely manner and complete the proposed
219 project by the deadline specified by the United States Department
220 of Treasury rules for ARPA funds; (j) the extent to which the
221 project benefits multiple political subdivisions in a regional
222 manner; (k) the project's ability to enhance public service
223 infrastructure, including transportation and emergency access; and
224 (l) any other factors as determined by the department.



225 (9) The grant program shall include a specific emphasis on
226 addressing the needs of an economically disadvantaged community,
227 including providing safe, reliable drinking water in areas that
228 lack infrastructure, providing sewage treatment capacity in
229 unsewered areas and providing regional development of
230 infrastructure to serve multiple communities.

231 (10) Applications shall be reviewed and scored as they are
232 received, unless the Legislature funds all eligible grant requests
233 under the program. The Mississippi Department of Environmental
234 Quality shall certify whether each project submitted is a
235 "necessary investment" in water, wastewater, or stormwater
236 infrastructure as defined in the American Rescue Plan Act and all
237 applicable guidance issued by the United States Department of the
238 Treasury. The Department of Environmental Quality shall review
239 the lists of recommended water infrastructure projects and issue
240 its list of recommended projects to the Mississippi Department of
241 Health for its advice. Grant agreements shall be executed between
242 the recipient and the Mississippi Department of Environmental
243 Quality. All final awards shall be determined at the discretion
244 of the executive director of the department. Any funds awarded to
245 the City of Jackson under this section shall be deposited in the
246 Capital City Water/Sewer Projects Fund of the State Treasury.
247 Funds shall be obligated to a grantee upon the execution of a
248 grant agreement between the department and the approved applicant.
249 Funds shall be made available to a grantee when the department



250 obtains the necessary support for reimbursement. The department
251 is authorized to conduct additional rounds of grants as needed;
252 however, in the first round no more than forty percent (40%) of
253 the total funds appropriated for each grant program may be awarded
254 by the department, and the remaining funds may be awarded in the
255 final round which shall occur no later than six (6) months from
256 the previous round. To ensure equitable treatment between the
257 categories of projects, no less than twenty percent (20%) awarded
258 under this section shall be allocated to each of the three (3)
259 categories of drinking water projects, wastewater projects and
260 stormwater projects. In the final round, any funds not requested
261 may be allocated to any category.

262 (11) Grant funds shall be used prospectively; however, grant
263 funds may be used to reimburse expenses incurred before the
264 enactment of this program if the costs are adequately documented
265 and comply with applicable ARPA guidelines. An applicant must
266 agree to obtain all necessary state and federal permits and follow
267 all state bidding and contracting laws and fiscally sound
268 practices in the administration of the funds.

269 (12) (a) Monies must be disbursed under this section in
270 compliance with the guidelines, guidance, rules, regulations or
271 other criteria, as may be amended from time to time, of the United
272 States Department of the Treasury regarding the use of monies from
273 the Coronavirus State Fiscal Recovery Fund, established by the
274 American Rescue Plan of 2021.



275 (b) The use of funds allocated under this program shall
276 be subject to audit by the United States Department of the
277 Treasury's Office of Inspector General and the Mississippi Office
278 of the State Auditor. Each person receiving funds under these
279 programs found to be fully or partially noncompliant with the
280 requirements in this section shall return to the state all or a
281 portion of the funds received.

282 (13) The department shall submit to the Lieutenant Governor,
283 Speaker of the House, House and Senate Appropriations Chairmen,
284 and the Legislative Budget Office quarterly reports and annual
285 reports that are due by the dates established in the Compliance
286 and Reporting Guidance by the United States Department of
287 Treasury. The reports shall contain the applications received,
288 the score of the applications, the amount of grant funds awarded
289 to each applicant, the amount of grant funds expended by each
290 applicant, and status of each applicant's project. The score of
291 the applications is not required if the award was provided in the
292 final round of grants and the Legislature provided the total
293 amount of funds for all eligible grant requests.

294 (14) Grant funds shall be available under this section
295 through December 31, 2026, or on the date of the fund expenditure
296 deadline provided by the federal government, whichever occurs
297 later. Each grant recipient shall certify for any project for
298 which a grant is awarded that if the project is not completed by
299 December 31, 2026, and the United States Congress does not enact



300 an extension of the deadline on the availability of ARPA funds,
301 then the grant recipient will complete the project through other
302 funds.

303 (15) The Mississippi Department of Environmental Quality may
304 retain an amount not to exceed five percent (5%) of the total
305 funds allocated to the program to defray administrative costs.

306 (16) The department shall be exempt from provisions of the
307 Public Procurement Review Board for any requirements of personal
308 or professional service contracts or the pre-approval of the
309 solicitation for such contracts used in the execution of its
310 responsibilities under this section. This subsection shall stand
311 repealed on January 1, 2026.

312 (17) The provisions of this section shall stand repealed on
313 January 1, 2027.

314 **SECTION 3.** Section 41-3-16.1, Mississippi Code of 1972, is
315 brought forward as follows:

316 41-3-16.1. (1) (a) The State Department of Health
317 (department) shall establish a grant program to be known as the
318 ARPA Rural Water Associations Infrastructure Grant Program
319 (program) to assist rural water associations and entities in the
320 construction of eligible drinking water infrastructure projects as
321 provided in the Final Rule for the Coronavirus State and Local
322 Fiscal Recovery Funds as established by the federal American
323 Rescue Plan Act (ARPA).



324 (b) Rural water associations and any entity that
325 received funding under the ARPA Rural Water Associations
326 Infrastructure Grant Program or the Mississippi Municipality and
327 County Water Infrastructure (MCWI) Grant Program before April 14,
328 2023, shall be ineligible for additional grants under this
329 section.

330 (2) The program shall be funded from appropriations by the
331 Legislature to the department from the Coronavirus State Fiscal
332 Recovery Fund, and the department shall expend all such funds for
333 the purposes provided in subsection (1) of this section.

334 (3) The department shall obligate the funds by the deadline
335 set by the rules and guidelines of the United States Department of
336 the Treasury and will adhere to the Treasury's rules and
337 guidelines for reporting and monitoring projects funded through
338 ARPA.

339 (4) (a) The department shall develop a system for use in
340 ranking the grant applications received. The ranking system shall
341 include the following factors, at a minimum: (a) the
342 environmental impact of the proposed project; (b) the proposed
343 project's ability to address noncompliance with state/federal
344 requirements; (c) the extent to which the project promotes
345 economic development; (d) the number of people served by the
346 project (both new and existing users); (e) impacts of the proposed
347 project on disadvantaged/ overburdened communities; (f) the grant
348 applicant's prior efforts to secure funding to address the



349 proposed project's objectives; (g) the grant applicant's proposed
350 contribution of other funds or in-kind cost-sharing to the
351 proposed project; (h) the grant applicant's long-term plans for
352 the financial and physical operation and maintenance of the
353 project; and (i) the grant applicant's capacity to initiate
354 construction in a timely manner and complete the proposed project
355 by the deadline specified by rules and guidelines of the United
356 States Department of the Treasury for ARPA funds.

357 (b) For the second round of grant awards, the
358 department shall apply a greater weight to grant applications that
359 promote consolidation of separate systems. In order to receive
360 the additional weight, the systems that will consolidate shall be
361 in a proximity of each other as determined by the department.

362 (c) In addition to the points awarded under paragraph
363 (b) of this subsection, an additional ten (10) points shall be
364 added to any application with at least one (1) system that has
365 consolidated after January 1, 2018, and before application to this
366 program and is otherwise eligible under this section.

367 (5) An application for a grant under this section shall be
368 submitted at such time, be in such form, and contain such
369 information as the department prescribes.

370 (6) (a) Upon the approval of an application for a grant
371 under this section, the department shall enter into a project
372 grant agreement with each grantee to establish the terms of the
373 grant for the project, including the amount of the grant.



374 (b) (i) For the first award of grants, the maximum
375 amount of funds that may be provided to any rural water
376 association or entity from all grants under the program is Two
377 Million Five Hundred Thousand Dollars (\$2,500,000.00).

378 (ii) For the second round of grant awards, the
379 maximum amount of funds that may be provided to any eligible
380 association or entity from all grants under the program is Two
381 Million Dollars (\$2,000,000.00).

382 (c) Associations or entities that received funding
383 under the first round of grant awards for this program or received
384 funding in the Mississippi Municipality and County Water
385 Infrastructure Grant Program Act of 2022 are ineligible to receive
386 funding under the second round.

387 (7) The department shall have all powers necessary to
388 implement and administer the program. Of the funds appropriated
389 to the department for the program, not more than five percent (5%)
390 may be used by the department to cover the department's costs of
391 administering the program.

392 (8) In carrying out its responsibilities under the program,
393 for any contract under the purview of the Public Procurement
394 Review Board (PPRB), the department shall be exempt from any
395 requirement that the PPRB approve any personal or professional
396 services contracts or pre-approve any solicitation of such
397 contracts. This subsection shall stand repealed on July 1, 2026.



398 (9) The department shall submit an annual report regarding
399 the program no later than December 31 of each year to the
400 Lieutenant Governor, the Speaker of the House, and the Chairmen of
401 the Senate and House Appropriations Committees.

402 (10) For the purposes of this section, "entity" means:

403 (a) Any entity operating as a rural water association,
404 regardless of whether such entities were user created, were
405 initially organized not for profit, or have been granted
406 tax-exempt status under state or federal law.

407 (b) Any nonprofit water or sewer provider not owned by
408 the municipality or county and are not a Rural Water Association.

409 (c) Any entity eligible under this program shall be
410 currently operating as a not-for-profit entity.

411 (d) "Entity" under this subsection does not include any
412 state agency. No state agency shall be eligible under this
413 program.

414 **SECTION 4.** Section 41-9-371, Mississippi Code of 1972, is
415 brought forward as follows:

416 41-9-371. (1) There is established the Mississippi Hospital
417 Sustainability Grant Program which shall be administered by the
418 State Department of Health.

419 (2) In order to strengthen, improve and preserve access to
420 Mississippi hospital care services for all Mississippians and in
421 recognition of the challenges incurred by Mississippi hospitals as
422 a result of the COVID-19 pandemic, funds from the program shall be



423 distributed, upon appropriation by the Legislature, to each
424 hospital licensed by the State of Mississippi, except for
425 hospitals operated by the United States Department of Veterans
426 Affairs and hospitals operated by the State Department of Mental
427 Health. Licensed specialty hospitals that are recognized as such
428 by the State Department of Health, except for those excluded under
429 this subsection, are eligible for grants under the program.

430 (3) The department shall distribute grants to each eligible
431 hospital based upon the following formula:

432 (a) Each hospital that has fewer than one hundred (100)
433 licensed beds and that is not classified as a critical access
434 hospital that operates an emergency department shall be eligible
435 to receive Six Hundred Twenty-five Thousand Dollars (\$625,000.00)
436 to defray the costs of providing emergency department services.

437 (b) Each rural hospital that has fewer than one hundred
438 (100) licensed beds and that is classified as a critical access
439 hospital that operates an emergency department shall be eligible
440 to receive Five Hundred Thousand Dollars (\$500,000.00) to defray
441 the costs of providing emergency department services.

442 (c) Each hospital that operates an emergency department
443 and that has more than one hundred (100) licensed beds shall be
444 eligible to receive One Million Dollars (\$1,000,000.00).

445 (d) Each hospital with fewer than two hundred (200)
446 licensed beds with the majority of such beds being dedicated to
447 providing specialty services such as women's health services,



448 long-term acute care, rehabilitation or psychiatric services shall
449 be eligible to receive Five Hundred Thousand Dollars
450 (\$500,000.00).

451 (e) Each rural hospital with fewer than one hundred
452 (100) licensed beds with no emergency department shall be eligible
453 to receive Three Hundred Thousand Dollars (\$300,000.00) to defray
454 the costs of providing access to hospital care in rural
455 communities.

456 (f) In addition to the funds provided in paragraphs (a)
457 through (e) of this subsection, each small rural hospital with
458 fifty (50) beds or less which operated an emergency department
459 shall be eligible to receive Two Hundred Fifty Thousand Dollars
460 (\$250,000.00) to defray the costs of providing access to hospital
461 care in rural communities.

462 (g) In addition to the funds distributed in paragraphs
463 (a) through (c) and (e) through (f) of this subsection, any
464 remaining funds appropriated for the purposes of this grant
465 program shall be distributed to hospitals receiving funds in
466 paragraphs (a) through (c) and (e) through (f) of this subsection
467 on a pro rata amount by dividing the total amount of the remaining
468 funds by the number of licensed beds attributable to all licensed
469 Mississippi hospitals except for licensed beds attributable to
470 hospitals described in paragraph (d) of this subsection and for
471 licensed beds attributable to hospitals operated by the United
472 States Department of Veterans Affairs and hospitals operated by



473 the State Department of Mental Health and determining a dollar
474 amount for each bed, and then multiplying that dollar amount by
475 the number of licensed beds of that hospital.

476 (4) The department shall adopt such reasonable rules as
477 necessary for the administration of the program, but shall not
478 place additional qualification requirements on hospitals other
479 than the minimum requirements in this section.

480 (5) The Mississippi Hospital Association shall form a work
481 group to review the delivery of hospital services in Mississippi
482 and shall make recommendations regarding the changes needed to
483 sustain access to hospital care to the Lieutenant Governor,
484 Speaker of the House, Chairmen of the House and Senate Public
485 Health Committees with copies to the Governor and the State Health
486 Officer.

487 **SECTION 5.** Section 37-106-64, Mississippi Code of 1972, is
488 brought forward as follows:

489 37-106-64. (1) There is established the "Skilled Nursing
490 Home and Hospital Nurses Retention Loan Repayment Program" for new
491 nursing graduates to be administered by the Mississippi
492 Postsecondary Education Financial Assistance Board.

493 (2) Subject to the availability of funds, an eligible
494 applicant for an initial award must have:

495 (a) Legal residency in the State of Mississippi;

496 (b) Gained employment within the last year for the
497 first time as a full-time licensed practical nurse or licensed



498 registered nurse at a skilled nursing home in the State of
499 Mississippi or a general acute care hospital in the State of
500 Mississippi that is licensed by the Mississippi State Department
501 of Health;

502 (c) A current relevant Mississippi professional
503 license; and

504 (d) Outstanding qualifying educational loans, received
505 at any point during the recipients postsecondary education career,
506 which may include the principal, interest and related expenses
507 such as the required interest premium on the unpaid balances of
508 government and commercial loans obtained by the recipient for
509 educational expense.

510 (3) Persons who have received funds from state-forgivable
511 loan programs established under Mississippi law, or who are in
512 default or delinquent on any federal, state, local or commercial
513 qualifying educational loan, shall not be eligible for this
514 program.

515 (4) Recipients in the program shall be selected on a
516 first-come, first-served basis from all eligible applicants. The
517 Mississippi Postsecondary Education Financial Assistance Board
518 shall renew eligible applicants approved in prior years only if
519 the renewal applicant continues to meet the standards set forth in
520 this act, and the renewal applicant has not received full funding
521 provided by this subsection (4).



522 (5) Awards for recipients who are employed at a skilled
523 nursing home or a licensed general acute care hospital in the
524 state may be a maximum of Six Thousand Dollars (\$6,000.00) for
525 each year of employment up to three (3) years.

526 (6) A recipient shall not be penalized for ending employment
527 at a skilled nursing home or a licensed general acute care
528 hospital in the State of Mississippi if the recipient begins
529 working for another skilled nursing home or licensed general acute
530 care hospital in the State of Mississippi during the year on which
531 the award is based.

532 (7) Awards shall be granted on a year-to-year basis, and
533 recipients have no obligation to seek a subsequent award.

534 (8) Awards shall be paid annually, after the expiration of
535 the year of employment for which the award was granted, to the
536 recipient's lender or loan service provider, to be applied to the
537 outstanding balance. Monies paid by the recipient or on the
538 recipient's behalf toward qualifying educational loans before
539 payment of the award shall not be eligible for reimbursement
540 through the program.

541 (9) During the employment year for which the award is
542 granted, a recipient shall at all times keep the State Financial
543 Aid Board informed of any changes to the recipient's current,
544 correct and complete employment information and status.



545 (10) Recipients who fail to maintain a relevant Mississippi
546 professional license or fail to fulfill the year of employment on
547 which the award was based forfeit any right to the award.

548 (11) The Mississippi Postsecondary Education Financial
549 Assistance Board, in collaboration with the State Board of Nursing
550 and any other applicable state agency as determined by the
551 Mississippi Postsecondary Education Financial Assistance Board,
552 shall attempt to track award recipients under this program through
553 their third employment year, unless the recipient leaves
554 employment at a skilled nursing home or a licensed general acute
555 care hospital in the state at an earlier date. Data collected
556 shall include each recipients' place of employment and any other
557 pertinent information necessary to determine the efficacy of the
558 program in retaining nurses in skilled nursing homes or licensed
559 general acute care hospitals in the State of Mississippi.

560 (12) The Mississippi Postsecondary Education Financial
561 Assistance Board shall promulgate regulations necessary for the
562 proper administration of this section, including setting a fiscal
563 year policy for the program and application dates and deadlines.

564 (13) This section shall stand repealed on July 1, 2027.

565 **SECTION 6.** Upon the effective date of this act, the State
566 Treasurer, in conjunction with the State Fiscal Officer, shall
567 transfer the sum of Zero Dollars (\$0.00) from the from the General
568 Fund (Fund No. 2999000000) to the Capital Expense Fund (Fund No.
569 6499C00000).



570 **SECTION 7.** This act shall take effect and be in force from
571 and after its passage.

