

House Amendments to Senate Bill No. 3021

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the support and
7 maintenance of the Department of Mental Health for the fiscal year
8 beginning July 1, 2024, and ending June 30, 2025.....
9\$ 234,534,597.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the support and maintenance of the Department of Mental Health
14 for the fiscal year beginning July 1, 2024, and ending
15 June 30, 2025.....\$ 427,710,570.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 2 of this act, Twenty Million Nine Hundred Fifty-one
18 Thousand Eight Hundred Eighty-six Dollars (\$20,951,886.00) shall
19 be derived from the Health Care Expendable Fund created in Section
20 43-13-407, Mississippi Code of 1972, for the support and

21 maintenance of the Department of Mental Health. The funds
22 provided for in this section shall be allocated as follows:

23	\$ 16,797,843.00	Expenses of the Department of Mental
24		Health, payment of Medicaid state share,
25		or prepayment of Medicaid state share.
26	\$ 379,417.00	Alzheimer's disease services
27		development and implementation of Senate
28		Bill No. 2100, 1997 Regular Session.
29	\$ 636,374.00	Crisis Centers
30	\$ 2,000,000.00	Fentanyl and drug abuse education program
31		pursuant to Section 41-29-323,
32		Mississippi Code of 1972, and the
33		Mississippi Collaborative Response to
34		Mental Health Act established in House
35		Bill No. 1222, 2023 Regular Session
36	<u>\$ 1,138,252.00</u>	Physician services at community mental
37		health centers.
38	\$ 20,951,886.00	TOTAL

39 **SECTION 4.** Of the funds appropriated under the provisions of
40 Sections 1 and 2 of this act, the following positions are
41 authorized:

42 AUTHORIZED HEADCOUNT:

43	Permanent:	5,827
44	Time-Limited:	422

45 With the funds herein appropriated, it shall be the agency's
46 responsibility to make certain that funds required for Personal

47 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
48 appropriated for that purpose unless programs or positions are
49 added to the agency's Fiscal Year 2025 budget by the Mississippi
50 Legislature. The Legislature shall determine the agency's personal
51 services appropriation, which the State Personnel Board shall
52 publish. In accordance with applicable laws, if an agency
53 determines that its personal services amount is insufficient, the
54 agency must contact the State Personnel Board. Any adjustment to
55 the personal services amount must be approved by the State
56 Personnel Director and the State Fiscal Officer after consultation
57 with the Legislative Budget Office. Any adjustment shall be
58 reported to the Legislative Budget Office and the House and Senate
59 Appropriations Chairmen. The agency's personal services
60 appropriation may consist of restricted funds for approved
61 vacancies for Fiscal Year 2025 that may not be utilized for active
62 Fiscal Year 2024 headcount. It shall be the agency's
63 responsibility to ensure that the funds provided for vacancies are
64 used to increase headcount and not for promotions, title changes,
65 in-range salary adjustments, or any other mechanism for increasing
66 salaries for current employees. If the State Personnel Board
67 determines that an agency has used provided vacancy funds for any
68 of the mechanisms previously listed, the State Personnel Board
69 shall not process any additional salary actions for the agency in
70 the current fiscal year, except for new hires determined by the
71 State Personnel Board to be essential for the agency. It is the
72 Legislature's intention that no employee salary falls below the

73 minimum salary established by the Mississippi State Personnel
74 Board.

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

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

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

97 None of the funds herein appropriated shall be used in
98 violation of the Internal Revenue Service's Publication 15-A

99 relating to the reporting of income paid to contract employees, as
100 interpreted by the Office of the State Auditor.

101 **SECTION 5.** In compliance with the "Mississippi Performance
102 Budget and Strategic Planning Act of 1994," it is the intent of
103 the Legislature that the funds provided herein shall be utilized
104 in the most efficient and effective manner possible to achieve the
105 intended mission of this agency. Based on the funding authorized,
106 this agency shall make every effort to attain the targeted
107 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	40
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	193
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations & Do Not	

125	Respond to Traditional Treatment	25.00
126	Number served by PACT Teams and	
127	intensive case management teams	2,300
128	Number of Individuals Employed Through	
129	Supported Employment	441
130	Increase Access to Crisis Services by	
131	Tracking the Number of Calls to Mobile	
132	Crisis Response Teams	10,648
133	Number Referred from Mobile Crisis	
134	Response Teams to a Community Mental	
135	Health Center and Scheduled an	
136	Appointment	2,100
137	Number Diverted from a More Restrictive	
138	Environment Due to Mobile Crisis	
139	Response Teams	160
140	Increase the Number of Certified Peer	
141	Supt Specialists in the State	210
142	Idd Services	
143	Number of Individuals on Planning List	
144	for Home and Community-Based Services	2,700
145	Percent of DMH Institutionalized Clients	
146	who Could be Served in the Community	100.00
147	Percent of DMH Clients Served in the	
148	Community vs. in an Institutional	
149	Setting	89.00
150	Number of People Added from Planning	

151	List to ID/DD Waiver Services	300
152	Children & Youth Services	
153	Percent of Children with Serious Mental	
154	Illness Served by Local	
155	Multidisciplinary Assessment & Planning	
156	(MAP) Teams	1.20
157	Number Served by MAP Teams	810
158	Number of Children & Youth that are	
159	Served by Wraparound Facilitation	1,736
160	3% Alcohol Tax-alcohol/drug Prg	
161	Number of Residential Beds Made	
162	Available Statewide due to the Three	
163	Percent Tax Supplements	226
164	Number Receiving Residential Substance	
165	Use Disorder Treatment	1,529
166	Crisis Stabilization Units	
167	Average Length of Time from Mental	
168	Health Crisis to Receipt of Community	
169	Mental Health Crisis Service (Minutes)	1.50
170	Percent of People Receiving Mental	
171	Health Crisis Services who were Treated	
172	at Community Mental Health Centers vs.	
173	Institutions	98.00
174	Diversion Rate of Admissions to State	
175	Hospitals (% of People)	90.00
176	Number of Involuntary Admissions	1,600

177	Number of Voluntary Admissions	1,700
178	Mi - Institutional Care	
179	Number Served Adult Acute Psychiatric	1,246
180	Maintain Readmission Rates within	
181	National Trends	3.95
182	Mi - Support Services	
183	Support as an Overall Percent of Total	
184	Budget	5.30
185	Idd - Institutional Care	
186	Number of People Served in Residential	
187	IID Programs	687
188	Number of People Transitioned from	
189	Facility to ICF/IID Community Home	28
190	Idd - Group Homes	
191	Number of People Served in the 10-bed	
192	ICF/IID Community Homes	573
193	Percent of People Served in the	
194	Community vs. in an Institutional	
195	Setting	67.00
196	Idd - Community Programs	
197	Number of People Added from Planning	
198	List to ID/DD Waiver Services	115
199	Number of People Enrolled in the 1915i	531
200	Idd - Support Services	
201	Support as a Percent of Total Budget	4.30

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

206 **SECTION 6.** The Department of Mental Health and its
207 facilities shall have the authority, within funding and spending
208 authority appropriated under the provisions of this act to
209 transfer funds to the Division of Medicaid in payment of Medicaid
210 match and designate that the funds thus transferred shall be
211 applied to Medicaid match obligations arising in the subsequent
212 fiscal year.

213 **SECTION 7.** Any person within the Department of Mental Health
214 who must work on a statutory holiday or any holiday proclaimed by
215 the Governor may, at the discretion of the Director of the
216 Institution and the Executive Director of the Department of Mental
217 Health and within available personnel funds, be paid "call-back
218 pay" in lieu of "compensatory time credit."

219 **SECTION 8.** Of the funds appropriated to the "Service
220 Budget," funds are included for the support of community mental
221 health services for Fiscal Year 2025.

222 Provided, however, that none of the funds appropriated for
223 the support of community mental health services shall be made
224 available to any Regional Mental Health/Intellectual Disability
225 Center which does not receive from each of its participating
226 counties a dollar amount equivalent to what the proceeds of a
227 three-fourths (3/4) mill tax on all taxable property in the county

228 in Fiscal Year 1982 would have been or the amount of funds
229 contributed to the center by the county in Fiscal Year 1984,
230 whichever shall be greater. By means of performance contracts,
231 the Department of Mental Health shall disburse the funds
232 appropriated in this section for services for the mentally ill,
233 intellectually disabled and alcohol/drug abusers. The State Board
234 of Mental Health and the Department of Mental Health shall be
235 responsible for selecting the types of services which shall be
236 provided with the funds appropriated in this section, for
237 developing and monitoring performance contracts and for holding
238 contractors accountable for utilization of funds.

239 **SECTION 9.** Ellisville State School is authorized to draw up
240 to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest
241 earned on funds invested in Ellisville State School Client's Trust
242 Fund for the purpose of supplementing the cost related to
243 supplies, property, and equipment in direct care.

244 **SECTION 10.** The Department of Mental Health and its
245 facilities shall have the express legal authority, within funding
246 and spending authority appropriated under the provisions of this
247 act to purchase land for use by residential facilities operated by
248 the department, either directly or by means of transferring funds
249 to the Bureau of Building, Grounds and Real Property Management,
250 and to transfer such funds to the Bureau of Building, Grounds, and
251 Real Property Management for the purposes of constructing and
252 equipping group homes for persons with mental illness,
253 intellectual disability, and/or substance abuse; constructing and

254 equipping such other buildings as may be required for treatment of
255 persons with mental illness, intellectual disability, and/or
256 substance abuse; repair and renovate existing buildings; and to
257 construct, repair and/or renovate employee housing. Any
258 intermediate care facilities for individuals with intellectual
259 disabilities (ICF/IID) constructed with funds authorized in this
260 section shall be authorized to participate in Medicaid funding
261 available for such services.

262 **SECTION 11.** It is the intention of the Legislature that the
263 Department of Mental Health shall maintain complete accounting and
264 personnel records related to the expenditure of all funds
265 appropriated under this act and that such records shall be in the
266 same format and level of detail as maintained for Fiscal Year
267 2024. It is further the intention of the Legislature that the
268 agency's budget request for Fiscal Year 2026 shall be submitted to
269 the Joint Legislative Budget Committee in a format and level of
270 detail comparable to the format and level of detail provided
271 during the Fiscal Year 2025 budget request process.

272 **SECTION 12.** It is the intention of the Legislature that none
273 of the funds provided herein shall be used to pay certain
274 utilities for state-furnished housing for any employees. Such
275 utilities shall include electricity, natural gas, butane, propane,
276 cable and phone services. Where actual cost cannot be determined,
277 the agency shall be required to provide meters to be in compliance
278 with legislative intent. Such state-furnished housing shall
279 include single-family and multifamily residences but shall not

280 include any dormitory residences. Allowances for such utilities
281 shall be prohibited.

282 **SECTION 13.** It is the intention of the Legislature that the
283 Executive Director of the Department of Mental Health shall have
284 authority to transfer cash from one special fund treasury fund to
285 another special fund treasury fund under the control of the
286 Department of Mental Health. The purpose of this authority is to
287 more efficiently use available cash reserves. It is further the
288 intention of the Legislature that the Executive Director of the
289 Department of Mental Health shall submit written justification for
290 the transfer to the Legislative Budget Office and the Department
291 of Finance and Administration. None of the funds transferred with
292 this section may be transferred to the Central Office for Personal
293 Services.

294 **SECTION 14.** Of the funds appropriated under the provisions
295 of this act, Twenty-nine Million Eight Hundred Ninety-seven
296 Thousand One Hundred Sixty-nine Dollars (\$29,897,169.00) is
297 provided to the Department of Mental Health to expand those
298 community-based services that will improve the State of
299 Mississippi's compliance with the Olmstead decision of the United
300 States Supreme Court. Further, it is the intention of the
301 Legislature that the Department of Mental Health shall have the
302 authority to transfer such sums from this source as are necessary
303 to implement or improve those community services that are more
304 appropriately addressed by the Mississippi Department of Education
305 and/or the Mississippi Department of Rehabilitation Services to

306 those agencies for that purpose. Further, it is the intention of
307 the Legislature that any sums received from this source that are
308 not expended during the fiscal year ending June 30, 2024, by the
309 Mississippi Department of Mental Health shall be reappropriated
310 for the same purpose during the fiscal year ending June 30, 2025.
311 Further, it is the intention of the Legislature that the
312 Department of Mental Health shall account for the expenditure of
313 these funds in sufficient detail to clearly show the purposes for
314 which such funds were expended. The Executive Director of the
315 Department of Mental Health shall report any such reappropriation
316 to the Legislative Budget Office no later than fifteen (15) days
317 after the effective date of the reappropriation.

318 **SECTION 15.** Of the funds appropriated in this act, the
319 Department of Mental Health, with approval by the board, may
320 contract with Community Mental Health Centers, or suitable
321 entities, for the purpose of operating the Crisis Intervention
322 Centers at Grenada, Batesville, Brookhaven, Cleveland, Corinth,
323 Laurel and Newton. The department shall provide quarterly
324 progress reports on the operation of the crisis intervention
325 centers to the Chairmen of the Senate and House Public Health and
326 Appropriations Committees.

327 **SECTION 16.** It is the intention of the Legislature that
328 whenever two (2) or more bids are received by this agency for the
329 purchase of commodities or equipment, and whenever all things
330 stated in such received bids are equal with respect to price,
331 quality and service, the Mississippi Industries for the Blind

332 shall be given preference. A similar preference shall be given to
333 the Mississippi Industries for the Blind whenever purchases are
334 made without competitive bids.

335 **SECTION 17.** The Department of Finance and Administration
336 (DFA) shall transfer funds back to the Department of Mental
337 Health, upon the request of the Department of Mental Health, where
338 the funds received by DFA from the Department of Mental Health
339 were special funds (neither general funds or bond funds) and where
340 those funds are not required for the payment of costs already
341 incurred on a building or repair project. For the purposes of
342 this section, the term "special funds" includes any state source
343 special funds, including, but not limited to, funds from the
344 Health Care Expendable Fund. The duty of DFA to transfer funds
345 back to the Department of Mental Health under this section applies
346 to any funds described in this section that were transferred to
347 DFA, regardless of the year that the transfer was made by the
348 Department of Mental Health.

349 **SECTION 18.** It is the intention of the Legislature that the
350 Department of Mental Health may provide, upon the availability of
351 funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope
352 Village for Children Program.

353 **SECTION 19.** None of the funds provided in Section 1, 2, or 3
354 of this act shall be used to pay Medicaid match for the eleven
355 (11) Community Mental Health Centers.

356 **SECTION 20.** Of the funds appropriated in Section 1 of this
357 act, it is the intention of the Legislature that Three Million

358 Nine Hundred Ten Thousand Seven Hundred Two Dollars
359 (\$3,910,702.00) shall be allocated to the Crisis Intervention
360 Mental Health Fund supported by General Fund court assessments.

361 **SECTION 21.** Of the funds appropriated in this act, the
362 Department of Mental Health shall fund ten (10) Programs of
363 Assertive Community Treatment (PACT) Teams and provide supportive
364 employment for individuals with intellectual and developmental
365 disabilities.

366 **SECTION 22.** Notwithstanding any other provision, the
367 Department of Mental Health shall have the authority to escalate
368 its headcount for any additional operational needs related to
369 Coronavirus State Fiscal Recovery Funds upon approval of the
370 Department of Finance and Administration and the State Personnel
371 Board.

372 **SECTION 23.** Of the funds appropriated in Section 1 and
373 Section 2 of this act, it is the intention of the Legislature that
374 Thirty Million Eight Hundred Eighty-seven Thousand Four Hundred
375 Forty Dollars (\$30,887,440.00) is provided for Two Thousand Nine
376 Hundred Fifty (2,950) ID/DD Home and Community Based Waiver slots.

377 **SECTION 24.** With the funds appropriated herein, the
378 Department of Mental Health is authorized to make payment for
379 expenses incurred during Fiscal Year 2021 and 2022 as follows:

<u>Vendor</u>	<u>Fiscal Year</u>	<u>Amount</u>
381 Covington County Hospital	2021	\$ 91,800.00
382 Personal Pharmacy Care	2022	\$ 8,222.00

383 **SECTION 25.** The money herein appropriated shall be paid by
384 the State Treasurer out of any money in the State Treasury to the
385 credit of the proper fund or funds as set forth in this act, upon
386 warrants issued by the State Fiscal Officer; and the State Fiscal
387 Officer shall issue his warrants upon requisitions signed by the
388 proper person, officer or officers in the manner provided by law.

389 **SECTION 26.** This act shall take effect and be in force from
390 and after July 1, 2024, and shall stand repealed from and after
391 June 29, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2025.

HR13\SB3021A.J

Andrew Ketchings
Clerk of the House of Representatives