

**Senate Amendments to House Bill No. 1801**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE 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:**

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>
81 Licensure	
82       Percent of Licensees who Renew Online	100.00
83       Percent of Individual License Renewals	
84             Issued within Seven Business Days	100.00
85 Investigative	
86       Recidivism Rate for Those Receiving	
87             Disciplinary Actions	4.00
88       Number of Documented Complaints Received	400
89       Percent of Documented Complaints	
90             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 29, 2024.

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

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.

SS15\HB1801A.J

Amanda White  
Secretary of the Senate