

Senate Amendments to House Bill No. 1809

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 State General
7 Fund not otherwise appropriated, for the purposes of defraying the
8 expenses of the Department of Rehabilitation Services for the
9 fiscal year beginning July 1, 2024, and ending June 30, 2025.....
10\$ 31,663,477.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in any special fund in
13 the State Treasury to the credit of the Department of
14 Rehabilitation Services which is comprised of special source funds
15 collected by or otherwise available to the department for the
16 support of the various offices of the department, for the purpose
17 of defraying the expenses of the department for the fiscal year
18 beginning July 1, 2024, and ending June 30, 2025.....
19\$ 219,338,956.00.

20 **SECTION 3.** Of the funds appropriated under the provisions of
21 Section 2, Three Million Six Hundred Eighty-one Thousand Eight

22 Hundred Two Dollars (\$3,681,802.00) shall be derived from the
23 Health Care Expendable Fund created in Section 43-13-407,
24 Mississippi Code of 1972. The above funds shall be allocated as
25 follows:

26	Fully match all available federal	
27	funds.....	\$ 2,782,590.00.
28	Independent Living Program which	
29	includes the State Attendant	
30	Care Program.....	\$ 854,903.00.
31	Deaf and hard of hearing.....	\$ 44,309.00.

32 **SECTION 4.** Of the funds appropriated under the provisions of
33 this act, the following positions are authorized:

34 AUTHORIZED HEADCOUNT:

35	Permanent:	859
36	Time-Limited:	185

37 With the funds herein appropriated, it shall be the agency's
38 responsibility to make certain that funds required for Personal
39 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
40 appropriated for that purpose unless programs or positions are
41 added to the agency's Fiscal Year 2025 budget by the Mississippi
42 Legislature. The Legislature shall determine the agency's personal
43 services appropriation, which the State Personnel Board shall
44 publish. In accordance with applicable laws, if an agency
45 determines that its personal services amount is insufficient, the
46 agency must contact the State Personnel Board. Any adjustment to
47 the personal services amount must be approved by the State

48 Personnel Director and the State Fiscal Officer after consultation
49 with the Legislative Budget Office. Any adjustment shall be
50 reported to the Legislative Budget Office and the House and Senate
51 Appropriations Chairmen. The agency's personal services
52 appropriation may consist of restricted funds for approved
53 vacancies for Fiscal Year 2025 that may not be utilized for active
54 Fiscal Year 2024 headcount. It shall be the agency's
55 responsibility to ensure that the funds provided for vacancies are
56 used to increase headcount and not for promotions, title changes,
57 in-range salary adjustments, or any other mechanism for increasing
58 salaries for current employees. If the State Personnel Board
59 determines that an agency has used provided vacancy funds for any
60 of the mechanisms previously listed, the State Personnel Board
61 shall not process any additional salary actions for the agency in
62 the current fiscal year, except for new hires determined by the
63 State Personnel Board to be essential for the agency. It is the
64 Legislature's intention that no employee salary falls below the
65 minimum salary established by the Mississippi State Personnel
66 Board.

67 Additionally, the State Personnel Board shall determine and
68 publish the projected annualized payroll costs based on current
69 employees. It shall be the responsibility of the agency head to
70 ensure that actual personnel expenditures for Fiscal Year 2025 do
71 not exceed the data provided by the Legislative Budget Office. If
72 the agency's projected cost for Fiscal Year 2025 exceeds the
73 annualized costs, no salary actions shall be processed by the

74 State Personnel Board except for new hires determined to be
75 essential for the agency.

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

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

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

93 **SECTION 5.** It is the intention of the Legislature that the
94 Department of Rehabilitation Services shall maintain complete
95 accounting and personnel records related to the expenditure of all
96 funds appropriated under this act and that such records shall be
97 in the same format and level of detail as maintained for Fiscal
98 Year 2024. It is further the intention of the Legislature that
99 the agency's budget request for Fiscal Year 2026 shall be

100 submitted to the Joint Legislative Budget Committee in a format
101 and level of detail comparable to the format and level of detail
102 provided during the Fiscal Year 2025 budget request process.

103 **SECTION 6.** The Office of Vocational Rehabilitation for the
104 Blind shall remain accredited by using not more than Five Hundred
105 Dollars (\$500.00) of the funds appropriated along with matching
106 funds for payment of fees to an accreditation agency recommended
107 by the Rehabilitation Services Administration.

108 **SECTION 7.** Of the funds appropriated herein, the Mississippi
109 Department of Rehabilitation Services through the Office of
110 Vocational Rehabilitation for the Blind is authorized to expend an
111 amount not to exceed One Hundred Thousand Dollars (\$100,000.00)
112 for the National Federation for the Blind (NFB) News line service
113 to allow blind and visually impaired persons to access newspapers
114 through toll-free telephone calls.

115 **SECTION 8.** It is the intention of the Legislature that
116 whenever two (2) or more bids are received by this agency for the
117 purchase of commodities or equipment, and whenever all things
118 stated in such received bids are equal with respect to price,
119 quality and service, the Mississippi Industries for the Blind
120 shall be given preference. A similar preference shall be given to
121 the Mississippi Industries for the Blind whenever purchases are
122 made without competitive bids.

123 **SECTION 9.** In compliance with the "Mississippi Performance
124 Budget and Strategic Planning Act of 1994," it is the intent of
125 the Legislature that the funds provided herein shall be utilized

126 in the most efficient and effective manner possible to achieve the
 127 intended mission of this agency. Based on the funding authorized,
 128 this agency shall make every effort to attain the targeted
 129 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
132 Disability Determination Services	
133 Number of Dispositions	60,000
134 Processing Time (Days)	150
135 Voc Rehabilitation For The Blind	
136 Blind & Visually Impaired Served (Persons)	2,050
137 Number of Persons Rehabilitated	295
138 Independent Living (Number Served)	720
139 Percent Change in Persons Employed	
140 Compared to Persons Served	14.00
141 Vocational Rehabilitation	
142 Number of Clients Served	15,050
143 Number of Clients Rehabilitated	2,545
144 Percent Change of Persons Employed	
145 Compared to Persons Served	16.00
146 Persons Employed with Pay Rate Greater	
147 than Federal or State Minimum Wage	2,545
148 Persons with Significant Disabilities	
149 Leaving VR With Competitive, Self, or	
150 BEP Employment, Wage = or > Than Minimum	1,588
151 Spinal Cord & Head Injury Program	

152	Number of Clients Served	1,050
153	Percent Change in Number of Spinal Cord	
154	& Brain injuries per Year	3.00
155	Special Disability Programs	
156	Number of Clients Served	3,100
157	Percent Change in Persons Receiving HCBW	
158	Services Compared to Waiting List	25.00
159	Ratio of Cost to HCBW Services per	
160	Person Compared to an Institutional	
161	Setting	38.00
162	Support Services	
163	Percent of Total Budget	2.00

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

168 **SECTION 10.** Of the funds appropriated in Section 1, it is
169 the intention of the Legislature that One Million Five Hundred
170 Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be
171 allocated to the Spinal Cord & Head Injury Trust supported from
172 General Fund court assessments.

173 **SECTION 11.** Of the funds appropriated in Section 1 and
174 Section 2 of this act, it is the intention of the Legislature that
175 continued funding at or above the Fiscal Year 2024 appropriated
176 amount shall be provided for Forty-one Hundred (4,100) slots in

177 the Home and Community Based Waiver programs for Independent
178 Living and Spinal Cord/Traumatic Brain Injury Waiver programs.

179 **SECTION 12.** It is the intention of the Legislature that the
180 funds herein appropriated shall be expended in compliance with
181 Section 27-104-25, Mississippi Code of 1972, that no state agency
182 shall incur obligations or indebtedness in excess of their
183 appropriation and that the responsible officers, either personally
184 or upon their official bonds, shall be held responsible for
185 actions contrary to this provision.

186 **SECTION 13.** The money herein appropriated shall be paid by
187 the State Treasurer out of any money in the State Treasury to the
188 credit of the proper fund or funds as set forth in this act, upon
189 warrants issued by the State Fiscal Officer; and the State Fiscal
190 Officer shall issue his warrants upon requisitions signed by the
191 proper person, officer or officers, in the manner provided by law.

192 **SECTION 14.** This act shall take effect and be in force from
193 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 FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR
3 FISCAL YEAR 2025.

SS15\HB1809A.J

Amanda White
Secretary of the Senate