

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

To: Appropriations C;
Appropriations A

HOUSE BILL NO. 1745

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S
2 OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL
3 ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE
4 EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR
5 2026.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State General
9 Fund not otherwise appropriated, to the Governor's
10 Office - Division of Medicaid for the purpose of providing medical
11 assistance under the Mississippi Medicaid Law and defraying the
12 expenses of the administration of such law, as provided in Section
13 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year
14 beginning July 1, 2025, and ending June 30, 2026.....
15\$ 845,826,036.00.

16 **SECTION 2.** The following sum, or so much thereof as may be
17 necessary, is appropriated out of any money in the State Treasury
18 to the credit of the Medical Care Fund created by Section
19 43-13-143, Mississippi Code of 1972, for the purpose of providing



20 medical assistance under the Mississippi Medicaid Law for the
21 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
22\$ 814,742,678.00.

23 **SECTION 3.** The following sum, or so much thereof as may be
24 necessary, is appropriated out of any money in any special fund in
25 the State Treasury to the credit of the Governor's
26 Office - Division of Medicaid which is comprised of special source
27 funds collected by or otherwise available to the Division, for the
28 purpose of providing medical assistance under the Mississippi
29 Medicaid Law and defraying the expenses of the administration of
30 such law, for the fiscal year beginning July 1, 2025, and ending
31 June 30, 2026.....\$ 6,370,914,540.00.

32 Prior period recovery of funds may be maintained and expended
33 by the division when the recovery is received or finalized. Any
34 recoveries due to audits or third party recoveries may be used to
35 offset the cost of such audits and third party recoveries and as
36 such, the division may escalate Contractual Services as needed for
37 these purposes.

38 **SECTION 4.** The following sum, or so much thereof as may be
39 necessary, is appropriated out of any money in the State Treasury
40 to the credit of the Health Care Expendable Fund, for the purpose
41 of defraying the expenses of the Governor's Office - Division of
42 Medicaid for the fiscal year beginning July 1, 2025, and ending
43 June 30, 2026.....\$ 63,230,003.00.

44 The above funds shall be allocated as follows:



45 CHIP Program at up to 209% level of.....
46 poverty.....\$ 9,000,000.00.
47 Medical Program Matching Funds.....\$ 54,230,003.00.

48 It is the intention of the Legislature that funds may be
49 shifted among the above allocated line items where needed at the
50 discretion of the Executive Director of Governor's Office -
51 Division of Medicaid.

52 **SECTION 5.** Of the funds appropriated under the provisions of
53 this act, the following positions are authorized:

54 AUTHORIZED HEADCOUNT:

55 Permanent: 890

56 Time-Limited: 82

57 With the funds herein appropriated, it shall be the agency's
58 responsibility to make certain that funds required for Personal
59 Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds
60 appropriated for that purpose unless programs or positions are
61 added to the agency's Fiscal Year 2026 budget by the Mississippi
62 Legislature. The Legislature shall determine the agency's
63 personal services appropriation, which the State Personnel Board
64 shall publish. The agency's personal services appropriation may
65 consist of restricted funds for approved vacancies for Fiscal Year
66 2026 that may be utilized to fill vacant Fiscal Year 2025
67 headcount. It shall be the agency's responsibility to ensure that
68 the funds provided for vacancies are used to increase headcount
69 and not for promotions, title changes, in-range salary adjustments



70 or any other mechanism for increasing salaries for current
71 employees. It is the Legislature's intention that no employee
72 salary falls below the minimum salary established by the
73 Mississippi State Personnel Board.

74 Additionally, the State Personnel Board shall determine and
75 publish the projected annualized payroll costs based on current
76 employees. It shall be the responsibility of the agency head to
77 ensure that actual personnel expenditures for Fiscal Year 2026 do
78 not exceed the data provided by the Legislative Budget Office. If
79 the agency's Fiscal Year 2026 projected cost exceeds the
80 annualized costs, no salary actions shall be processed by the
81 State Personnel Board except for new hires determined to be
82 essential for the agency.

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

92 No general funds authorized to be expended herein shall be
93 used to replace federal funds and/or other special funds used for



94 salaries authorized under the provisions of this act and which are
95 withdrawn and no longer available.

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

100 **SECTION 6.** It is the intention of the Legislature that the
101 Governor's Office - Division of Medicaid shall maintain complete
102 accounting and personnel records related to the expenditure of all
103 funds appropriated under this act and that such records shall be
104 in the same format and level of detail as maintained for Fiscal
105 Year 2025. It is further the intention of the Legislature that
106 the agency's budget request for Fiscal Year 2027 shall be
107 submitted to the Joint Legislative Budget Committee in a format
108 and level of detail comparable to the format and level of detail
109 provided during the Fiscal Year 2026 budget request process with
110 the Children's Health Insurance Program (CHIP) being separated
111 from the Medical Services Program and submitted as a separate
112 program. All Medicaid 1915 (C) Home and Community Based Services
113 Waivers shall be presented as a budget program separate from the
114 Medical Services Program. In addition, the performance measures
115 reported for the Medical Services Program shall include an
116 unduplicated case count of individuals served by eligibility
117 status, and the number and the costs of emergency room visits.



SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2026
<u>Performance Measures</u>	<u>Target</u>
Administrative Services	
Admin as a Percent of Total Budget	3.40
Third Party Liability Cost Avoided (Thou)	1,743,540.00
Percent of Clean Claims Processed within	
30 Days of Receipt	99.50
Percent of Clean Claims Processed within	
90 Days of Receipt	100.00
Percent of Applications Processed within	
Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	8,839,795.00
Number of Providers Submitting	
Electronic Claims	29,000
Turnover Rate of Employees	20.00
Medical Services	
Costs of Emergency Room Visits	174,987,258.00
Number of Emergency Room Visits	426,582



143	Medicaid Recipients - Enrolled	733,395
144	Child Physical Exams (Ages 0-20)	324,060
145	Adult Physical Exams (21-Older)	10,807
146	Number of Fraud & Abuse Cases Investigated	325
147	Number of Medicaid Providers	36,773
148	Number of Medicaid Beneficiaries	
149	Assigned to a Managed Care Company	440,000
150	Percent of MSCAN Diabetic Members Aged	
151	17-75 Receiving HBA1c Test	90.47
152	Percent of MSCAN Members with Persistent	
153	Asthma are Appropriately Prescribed	
154	Medication	71.96
155	Rate of EPSDT Well Child Screening	75.00
156	Percent Change in Number of Recipients	
157	Enrolled From Last Year	10.00
158	Percent Change in Number of Providers	
159	From Last Year	2.52
160	Children's Health Insur Prg (chip)	
161	Number of CHIP Enrollees	55,000
162	Percent of CHIP Applications Processed	
163	within Std. of Promptness	90.00
164	Home & Comm-based Waiver Prg	
165	Elderly & Disabled - Persons Served	21,590
166	Elderly & Disabled - Funded Slots	20,121
167	Elderly & Disabled - Total Authorized Slots	22,200



168	Assisted Living - Persons Served	990
169	Assisted Living - Funded Slots	918
170	Assisted Living - Total Authorized Slots	1,100
171	Independent Living - Persons Served	3,140
172	Independent Living - Funded Slots	3,615
173	Independent Living - Total Authorized Slots	5,800
174	Traumatic Brain Injury - Persons Served	1,045
175	Traumatic Brain Injury - Funded Slots	1,050
176	Traumatic Brain Injury - Total	
177	Authorized Slots	1,150
178	Intellectual Disability - Persons Served	3,200
179	Intellectual Disability - Funded Slots	3,250
180	Intellectual Disability - Total	
181	Authorized Slots	4,150
182	Percent Change in Persons On Waiting	
183	List (E&D)	2.00
184	Percent Change in Persons On Waiting	
185	List (AL)	2.00
186	Percent Change in Persons On Waiting	
187	List (IL)	2.00
188	Percent Change in Persons On Waiting	
189	List (TBI)	2.00
190	Percent Change in Persons On Waiting	
191	List (IDD)	2.00



192 A reporting of the degree to which the performance targets
193 set above have been or are being achieved shall be provided in the
194 agency's budget request submitted to the Joint Legislative Budget
195 Committee for Fiscal Year 2027.

196 **SECTION 8.** It is the intention of the Legislature that
197 whenever two (2) or more bids are received by this agency for the
198 purchase of commodities or equipment, and whenever all things
199 stated in such received bids are equal with respect to price,
200 quality and service, the Mississippi Industries for the Blind
201 shall be given preference. A similar preference shall be given to
202 the Mississippi Industries for the Blind whenever purchases are
203 made without competitive bids.

204 **SECTION 9.** The Governor's Office - Division of Medicaid
205 shall provide statistical and financial reports on a monthly basis
206 to the Legislative Budget Office and the PEER Committee. These
207 reports shall include, but are not limited to, an accounting of
208 all funds spent in the medical program, the CHIP program, the
209 Dialysis Transportation program, and each of the Home and
210 Community Based Waiver programs, and an accounting of all funds
211 spent in the administrative program, participant statistics and
212 any other information requested by the Legislative Budget Office
213 and the PEER Committee.

214 The Governor's Office - Division of Medicaid shall perform
215 its cash flow projections on a predetermined monthly schedule and
216 make this and any other information requested available, upon



request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the



division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2026, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2026 and later fiscal years:

a. Comprehensive Diabetes Care (CDC) or successive measure.

b. Medication Management for People with Asthma (MMA) or successive measure.

c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.

d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 12. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".



266 **SECTION 13.** Of the funds appropriated in Sections 1, 2, and
267 3 of this act, it is the intention of the Legislature that
268 continued funding at or above the Fiscal Year 2024 appropriated
269 amount shall be provided for forty-one hundred (4,100) slots for
270 the Department of Rehabilitation Services Home and Community Based
271 Waiver programs, and for two thousand nine hundred fifty (2,950)
272 slots for the Department of Mental Health for the Home and
273 Community Based waiver program for Independent Living and the IDD
274 Waiver program.

275 **SECTION 14.** The Governor's Office - Division of Medicaid is
276 authorized to expend funds appropriated herein as necessary to
277 provide currently existing home and community based services
278 through any CMS approved state plan or home and community based
279 services waiver to individuals who qualify for those services to
280 avoid institutionalization or to transition an individual from an
281 institution to any home and community based setting. Provision of
282 such services shall not count against any limit imposed under this
283 act. It is the intention of the Legislature that the cost of
284 providing home and community based services shall not exceed the
285 cost of nursing facility services, as determined by the Division.

286 **SECTION 15.** With the funds appropriated herein, the
287 Mississippi Division of Medicaid is authorized to make payments
288 for expenses incurred during prior fiscal years for an amount not
289 to exceed Six Hundred Seventeen Thousand Five Hundred Seventy-nine



290 Dollars and Eighty Cents (\$617,579.80). These payments are for
291 invoices from Solventum and Health Management System.

292 **SECTION 16.** The money herein appropriated shall be paid by
293 the State Treasurer out of any money in the State Treasury to the
294 credit of the proper fund or funds as set forth in this act, upon
295 warrants issued by the State Fiscal Officer; and the State Fiscal
296 Officer shall issue his warrants upon requisitions signed by the
297 proper person, officer or officers, in the manner provided by law.

298 **SECTION 17.** This act shall take effect and be in force from
299 and after July 1, 2025.

