

By: Senator(s) Hopson, Polk, Hill, Butler,  
Frazier

To: Appropriations

## SENATE BILL NO. 3017

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2026.

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

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, 2025, and ending June 30, 2026.....  
9 .....\$ 249,654,729.00.

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, 2025, and ending  
15 June 30, 2026.....\$ 417,806,906.00.

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: 4,968



Time-Limited: 353

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2026 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2026 that may be utilized to fill vacant Fiscal Year 2025 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2026 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2026 projected cost exceeds the annualized costs, no salary actions shall be processed by the



69 State Personnel Board except for new hires determined to be  
70 essential for the agency.

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

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

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

88 **SECTION 5.** In compliance with the "Mississippi Performance  
89 Budget and Strategic Planning Act of 1994," it is the intent of  
90 the Legislature that the funds provided herein shall be utilized  
91 in the most efficient and effective manner possible to achieve the  
92 intended mission of this agency. Based on the funding authorized,



93 this agency shall make every effort to attain the targeted  
94 performance measures provided below:

95 FY2026

96 Performance Measures Target

97 Services Management

98 Number of On-Site Reviews Conducted by  
99 the Division of Audit 40

100 Number of On-Site Reviews Conducted for  
101 DMH Certified Provider Agencies 138

102 Mental Health Services

103 Percent of Population Lacking Access to  
104 Community-Based Mental Health Care 30.00

105 Percent of DMH Clients Served in the  
106 Community vs. in an Institutional  
107 Setting 98.00

108 Increase by at Least 25% the Utilization  
109 of Alternative Placement/Treatment  
110 Options for Individuals who have had  
111 Multiple Hospitalizations & Do Not  
112 Respond to Traditional Treatment 25.00

113 Number Served by PACT Teams and  
114 Intensive Case Management Teams 2,350

115 Number of Individuals Employed Through  
116 Supported Employment 320

117 Increase Access to Crisis Services by



118	Tracking the Number of Calls to Mobile	
119	Crisis Response Teams	7,950
120	Number Referred from Mobile Crisis	
121	Response Teams to a Community Mental	
122	Health Center and Scheduled an	
123	Appointment	3,700
124	Number Diverted from a More Restrictive	
125	Environment Due to Mobile Crisis	
126	Response Teams	7,250
127	Increase the Number of Certified Peer	
128	Supt Specialists in the State	235
129	IDD Services	
130	Number of Individuals on Planning List	
131	for Home and Community-Based Services	2,850
132	Percent of DMH Institutionalized Clients	
133	who Could be Served in the Community	100.00
134	Percent of DMH Clients Served in the	
135	Community vs. in an Institutional	
136	Setting	87.00
137	Number of People Added from Planning	
138	List to ID/DD Waiver Services	250
139	Children & Youth Services	
140	Percent of Children with Serious Mental	
141	Illness Served by Local	
142	Multidisciplinary Assessment & Planning	



143	(MAP) Teams	3.00
144	Number Served by MAP Teams	1,037
145	Number of Children & Youth that are	
146	Served by Wraparound Facilitation	1,572
147	3% Alcohol Tax-alcohol/drug Prg	
148	Number of Residential Beds Made	
149	Available Statewide due to the Three	
150	Percent Tax Supplements	226
151	Number Receiving Residential Substance	
152	Use Disorder Treatment	1,665
153	Crisis Stabilization Units	
154	Average Length of Time from Mental	
155	Health Crisis to Receipt of Community	
156	Mental Health Crisis Service (Minutes)	1.50
157	Percent of People Receiving Mental	
158	Health Crisis Services who were Treated	
159	at Community Mental Health Centers vs.	
160	Institutions	98.00
161	Diversion Rate of Admissions to State	
162	Hospitals (% of People)	90.00
163	Number of Involuntary Admissions	1,900
164	Number of Voluntary Admissions	2,200
165	MI - Institutional Care	
166	Number Served Adult Acute Psychiatric	2,200
167	Maintain Readmission Rates within	



168	National Trends	5.00
169	MI - Support Services	
170	Support as an Overall Percent of Total	
171	Budget	6.15
172	IDD - Institutional Care	
173	Number of People Served in Residential	
174	IID Programs	695
175	Number of People Transitioned from	
176	Facility to ICF/IID Community Home	14
177	IDD - Group Homes	
178	Number of People Served in the 10-bed	
179	ICF/IID Community Homes	571
180	Percent of People Served in the	
181	Community vs. in an Institutional	
182	Setting	85.00
183	IDD - Community Programs	
184	Number of People Added from Planning	
185	List to ID/DD Waiver Services	200
186	Number of People Enrolled in the 1915i	1,100
187	IDD - Support Services	
188	Support as a Percent of Total Budget	5.00
189	A reporting of the degree to which the performance targets	
190	set above have been or are being achieved shall be provided in the	
191	agency's budget request submitted to the Joint Legislative Budget	
192	Committee for Fiscal Year 2027.	





193       **SECTION 6.** The Department of Mental Health and its  
194 facilities shall have the authority, within funding and spending  
195 authority appropriated under the provisions of this act to  
196 transfer funds to the Division of Medicaid in payment of Medicaid  
197 match and designate that the funds thus transferred shall be  
198 applied to Medicaid match obligations arising in the subsequent  
199 fiscal year.

200       **SECTION 7.** Any person within the Department of Mental Health  
201 who must work on a statutory holiday or any holiday proclaimed by  
202 the Governor may, at the discretion of the Director of the  
203 Institution and the Executive Director of the Department of Mental  
204 Health and within available personnel funds, be paid "call-back  
205 pay" in lieu of "compensatory time credit."

206       **SECTION 8.** Of the funds appropriated to the "Service  
207 Budget," funds are included for the support of community mental  
208 health services for Fiscal Year 2026.

209       Provided, however, that none of the funds appropriated for  
210 the support of community mental health services shall be made  
211 available to any Regional Mental Health/Intellectual Disability  
212 Center which does not receive from each of its participating  
213 counties a dollar amount equivalent to what the proceeds of a  
214 three-fourths (3/4) mill tax on all taxable property in the county  
215 in Fiscal Year 1982 would have been or the amount of funds  
216 contributed to the center by the county in Fiscal Year 1984,  
217 whichever shall be greater. By means of performance contracts,



the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

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

**SECTION 10.** The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or



substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

**SECTION 11.** It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2025. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2027 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2026 budget request process.

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



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

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

**SECTION 14.** Of the funds appropriated under the provisions of this act, Twenty-nine Million Seven Hundred Ninety Thousand One Hundred Thirteen Dollars (\$29,790,113.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the



Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2025, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2026. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

**SECTION 15.** Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with Community Mental Health Centers, or suitable entities, for the purpose of operating the Crisis Stabilization Units at Grenada, Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the Crisis Stabilization Units to the Chairmen of the Senate and House Public Health and Appropriations Committees.

**SECTION 16.** It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things



317 stated in such received bids are equal with respect to price,  
318 quality and service, the Mississippi Industries for the Blind  
319 shall be given preference. A similar preference shall be given to  
320 the Mississippi Industries for the Blind whenever purchases are  
321 made without competitive bids.

322       **SECTION 17.** The Department of Finance and Administration  
323 (DFA) shall transfer funds back to the Department of Mental  
324 Health, upon the request of the Department of Mental Health, where  
325 the funds received by DFA from the Department of Mental Health  
326 were special funds (neither general funds or bond funds) and where  
327 those funds are not required for the payment of costs already  
328 incurred on a building or repair project. For the purposes of  
329 this section, the term "special funds" includes any state source  
330 special funds, including, but not limited to, funds from the  
331 Health Care Expendable Fund. The duty of DFA to transfer funds  
332 back to the Department of Mental Health under this section applies  
333 to any funds described in this section that were transferred to  
334 DFA, regardless of the year that the transfer was made by the  
335 Department of Mental Health.

336       **SECTION 18.** None of the funds provided in Section 1, 2, or 3  
337 of this act shall be used to pay Medicaid match for the eleven  
338 (11) Community Mental Health Centers.

339       **SECTION 19.** Of the funds appropriated in Section 1 of this  
340 act, it is the intention of the Legislature that Three Million  
341 Nine Hundred Ten Thousand Seven Hundred Two Dollars



(\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

**SECTION 20.** Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

**SECTION 21.** Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

**SECTION 22.** Of the funds appropriated in Section 1 and Section 2 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2025 appropriated amount shall be provided for Three Thousand (3,000) slots in the ID/DD Home and Community Based Waiver program.

**SECTION 23.** The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Mental Health for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3162, 2024 Regular Session, to the Department of Mental Health for the purpose of entering into a subgrant with Canopy Children's Solutions for the



367 construction and renovation of the CARES Center, including the  
368 children and youth Psychiatric Residential Treatment Facility for  
369 Trauma Recovery, for the fiscal year beginning July 1, 2025, and  
370 ending June 30, 2026.....\$ 20,000,000.00.

371 Notwithstanding the amount reappropriated under this section,  
372 the amount that may be expended under the authority of this  
373 section shall not exceed the unexpended balance of the funds  
374 remaining as of June 30, 2025, from the amount authorized for the  
375 previous fiscal year. In addition, this reappropriation shall not  
376 change the purpose for which the funds were originally authorized.

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 2023 as follows:

380 <u>Vendor</u>	<u>Fiscal Year</u>	<u>Amount</u>
381 National Research Institute	2023	\$ 14,500.00
382 National Council for Mental Well Being	2023	\$ 119.75

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, 2025, and shall stand repealed from and after  
391 June 30, 2025.

