

## Senate Amendments to House Bill No. 1745

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:

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.

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

125  
FY2026

126	<u>Performance Measures</u>	<u>Target</u>
127	Administrative Services	
128	Admin as a Percent of Total Budget	3.40
129	Third Party Liability Cost Avoided (Thou)	1,743,540.00
130	Percent of Clean Claims Processed within	
131	30 Days of Receipt	99.50
132	Percent of Clean Claims Processed within	
133	90 Days of Receipt	100.00
134	Percent of Applications Processed within	
135	Std. of Promptness - Medicaid	90.00
136	Third Party Funds Recovered	8,839,795.00
137	Number of Providers Submitting	
138	Electronic Claims	29,000
139	Turnover Rate of Employees	20.00
140	Medical Services	
141	Costs of Emergency Room Visits	174,987,258.00
142	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  
217 request, to the Chair of the Senate Public Health and Welfare  
218 Committee, the House Public Health and Human Services Committee,  
219 the House and Senate Medicaid Committees, the House and Senate  
220 Appropriations Committees, the Legislative Budget Office and the  
221 PEER Committee. A summary of this cash flow projection shall also  
222 be presented in the report referenced in the above paragraph.

223           **SECTION 10.** Of the funds appropriated under the provisions  
224 of this act in an amount not to exceed, Two Million Seven Hundred  
225 Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose  
226 of funding a temporary program to provide nonemergency  
227 transportation to locations for necessary dialysis services for  
228 end-stage renal disease patients who are sixty-five (65) years of  
229 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".

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

**SECTION 14.** The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based 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, and shall stand repealed from and after  
300 June 30, 2025.

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

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.

SS15\HB1745A.J

Amanda White  
Secretary of the Senate