

By: Senator(s) Hopson, Polk,
Turner-Ford, Barnett, Jackson,
Seymour

To: Appropriations

SENATE BILL NO. 2016

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\$ 257,779,194.00.

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.....\$ 464,922,752.00.

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 this act, not more than the following amount of funds, with the
41 exception of the provisions in this section, shall be expended
42 only for "Personal Services," which includes "Vacancy Funding,"
43 for the following authorized number of employment headcount:



44 FUNDING:

45 General Funds: \$ 109,267,322.00

46 Special Funds: \$ 220,756,589.00

47 Total Funds: \$ 330,023,911.00

48 PERSONAL SERVICES:

49 Employee Salaries, Wages, and

50 Fringe Benefits: \$ 310,232,739.00

51 Progressions: \$ 0.00

52 Vacancy Funding: \$ 19,791,172.00

53 Total Personal Services: \$ 330,023,911.00

54 AUTHORIZED HEADCOUNT:

55 Permanent: 4,968

56 Time-Limited: 353

57 As used in this section, the term "Personal Services" shall

58 mean funds provided under the major object of expenditure category

59 Personal Services for Salaries, Wages, and Fringe Benefits. Funds

60 in this category shall not be transferred to any other category.

61 It is the intention of the Legislature to ensure compliance

62 with the Variable Compensation Plan, as outlined in Section

63 25-9-147, Mississippi Code of 1972. Payment from these funds shall

64 be in accordance with the Variable Compensation Plan promulgated

65 by the Mississippi State Personnel Board. It is the Legislature's

66 intention that no employee's salary falls below the minimum salary

67 established by the Mississippi State Personnel Board.



68 The State Personnel Board shall determine and publish the
69 projected annual cost of "Personal Services" based on monthly and
70 year-to-date payroll expenditures in compliance with the
71 provisions of this act.

72 With the funds herein appropriated, it shall be the agency's
73 responsibility to ensure that no single personnel action or
74 combination of personnel actions, when annualized, exceeds the
75 Fiscal Year 2026 appropriation for "Personal Services" with the
76 exception of escalated funds. Further, it shall be the agency's
77 responsibility to ensure that funds required to be appropriated
78 for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal
79 Year 2026 funds appropriated for that purpose unless programs or
80 positions are added to the agency's Fiscal Year 2026 budget by the
81 Mississippi Legislature.

82 If, at the time the agency takes any action to change
83 "Personal Services," the State Personnel Board determines that the
84 agency has taken or will take an action that would cause the
85 agency to exceed the funds appropriated in this act when
86 annualized for Fiscal Year 2026 or increase the need for "Personal
87 Services" for Fiscal Year 2027, when annualized, the State
88 Personnel Board shall process no salary actions until such time as
89 the requirements of the provisions of this section are met with
90 the exception of new hires determined to be essential for the
91 agency.



92 When used in this section, "Vacancy Funding" shall mean funds
93 included in the Total Personal Services amount listed above and
94 designated for approved vacancies in Fiscal Year 2026. These funds
95 are to be utilized to increase the number of filled headcounts
96 that were authorized but unfilled as of the last day of Fiscal
97 Year 2025. If the agency fills additional headcounts after May 1,
98 2025, until the end of Fiscal Year 2025, the amount of available
99 Vacancy Funding may be proportionally reduced to reflect the
100 updated number of filled headcounts. The agency shall be
101 responsible for ensuring that "Vacancy Funding" is used to
102 increase headcounts and not for promotions, title changes,
103 in-range salary adjustments, or any other mechanism for increasing
104 salaries for current employees.

105 Any transfers or escalations shall be made in accordance with
106 the terms, conditions, and procedures established by law or
107 allowable under the terms set forth within this act. The State
108 Personnel Board shall not escalate positions without written
109 approval from the Department of Finance and Administration. The
110 Department of Finance and Administration shall not provide written
111 approval to escalate any funds for salaries and/or headcounts
112 without proof of availability of new or additional funds above the
113 appropriated level. Unless specifically noted, all Fiscal Year
114 2025 escalated headcounts have been accounted for and shall be
115 converted to authorized time-limited headcounts.



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

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

If the agency's total authorized headcount decreases from Fiscal Year 2025 to Fiscal Year 2026, it will be the agency's discretion as to what headcounts are removed.

SECTION 5. 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>
Services Management	
Number of On-Site Reviews Conducted by	
the Division of Audit	40
Number of On-Site Reviews Conducted for	
DMH Certified Provider Agencies	138



141	Mental Health Services	
142	Percent of Population Lacking Access to	
143	Community-Based Mental Health Care	30.00
144	Percent of DMH Clients Served in the	
145	Community vs. in an Institutional	
146	Setting	98.00
147	Increase by at Least 25% the Utilization	
148	of Alternative Placement/Treatment	
149	Options for Individuals who have had	
150	Multiple Hospitalizations & Do Not	
151	Respond to Traditional Treatment	25.00
152	Number Served by PACT Teams and	
153	Intensive Case Management Teams	2,350
154	Number of Individuals Employed Through	
155	Supported Employment	320
156	Increase Access to Crisis Services by	
157	Tracking the Number of Calls to Mobile	
158	Crisis Response Teams	7,950
159	Number Referred from Mobile Crisis	
160	Response Teams to a Community Mental	
161	Health Center and Scheduled an	
162	Appointment	3,700
163	Number Diverted from a More Restrictive	
164	Environment Due to Mobile Crisis	
165	Response Teams	7,250



166	Increase the Number of Certified Peer	
167	Supt Specialists in the State	235
168	IDD Services	
169	Number of Individuals on Planning List	
170	for Home and Community-Based Services	2,850
171	Percent of DMH Institutionalized Clients	
172	who Could be Served in the Community	100.00
173	Percent of DMH Clients Served in the	
174	Community vs. in an Institutional	
175	Setting	87.00
176	Number of People Added from Planning	
177	List to ID/DD Waiver Services	250
178	Children & Youth Services	
179	Percent of Children with Serious Mental	
180	Illness Served by Local	
181	Multidisciplinary Assessment & Planning	
182	(MAP) Teams	3.00
183	Number Served by MAP Teams	1,037
184	Number of Children & Youth that are	
185	Served by Wraparound Facilitation	1,572
186	3% Alcohol Tax-alcohol/drug Prg	
187	Number of Residential Beds Made	
188	Available Statewide due to the Three	
189	Percent Tax Supplements	226
190	Number Receiving Residential Substance	



191	Use Disorder Treatment	1,665
192	Crisis Stabilization Units	
193	Average Length of Time from Mental	
194	Health Crisis to Receipt of Community	
195	Mental Health Crisis Service (Minutes)	1.50
196	Percent of People Receiving Mental	
197	Health Crisis Services who were Treated	
198	at Community Mental Health Centers vs.	
199	Institutions	98.00
200	Diversion Rate of Admissions to State	
201	Hospitals (% of People)	90.00
202	Number of Involuntary Admissions	1,900
203	Number of Voluntary Admissions	2,200
204	MI - Institutional Care	
205	Number Served Adult Acute Psychiatric	2,200
206	Maintain Readmission Rates within	
207	National Trends	5.00
208	MI - Support Services	
209	Support as an Overall Percent of Total	
210	Budget	6.15
211	IDD - Institutional Care	
212	Number of People Served in Residential	
213	IID Programs	695
214	Number of People Transitioned from	
215	Facility to ICF/IID Community Home	14



216 IDD - Group Homes
 217 Number of People Served in the 10-bed
 218 ICF/IID Community Homes 571
 219 Percent of People Served in the
 220 Community vs. in an Institutional
 221 Setting 85.00
 222 IDD - Community Programs
 223 Number of People Added from Planning
 224 List to ID/DD Waiver Services 200
 225 Number of People Enrolled in the 1915i 1,100
 226 IDD - Support Services
 227 Support as a Percent of Total Budget 5.00
 228 A reporting of the degree to which the performance targets
 229 set above have been or are being achieved shall be provided in the
 230 agency's budget request submitted to the Joint Legislative Budget
 231 Committee for Fiscal Year 2027.

232 **SECTION 6.** The Department of Mental Health and its
 233 facilities shall have the authority, within funding and spending
 234 authority appropriated under the provisions of this act to
 235 transfer funds to the Division of Medicaid in payment of Medicaid
 236 match and designate that the funds thus transferred shall be
 237 applied to Medicaid match obligations arising in the subsequent
 238 fiscal year.

239 **SECTION 7.** Any person within the Department of Mental Health
 240 who must work on a statutory holiday or any holiday proclaimed by



the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

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

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



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

270 **SECTION 10.** The Department of Mental Health and its
271 facilities shall have the express legal authority, within funding
272 and spending authority appropriated under the provisions of this
273 act to purchase land for use by residential facilities operated by
274 the department, either directly or by means of transferring funds
275 to the Bureau of Building, Grounds and Real Property Management,
276 and to transfer such funds to the Bureau of Building, Grounds, and
277 Real Property Management for the purposes of constructing and
278 equipping group homes for persons with mental illness,
279 intellectual disability, and/or substance abuse; constructing and
280 equipping such other buildings as may be required for treatment of
281 persons with mental illness, intellectual disability, and/or
282 substance abuse; repair and renovate existing buildings; and to
283 construct, repair and/or renovate employee housing. Any
284 intermediate care facilities for individuals with intellectual
285 disabilities (ICF/IID) constructed with funds authorized in this
286 section shall be authorized to participate in Medicaid funding
287 available for such services.

288 **SECTION 11.** It is the intention of the Legislature that the
289 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, Forty-five Million Seven Hundred Twelve Thousand One Hundred Thirty-eight Dollars (\$45,712,138.00) 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 stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health



were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds, including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

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

SECTION 19. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Three Million 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



390 its headcount for any additional operational needs related to
391 Coronavirus State Fiscal Recovery Funds upon approval of the
392 Department of Finance and Administration and the State Personnel
393 Board.

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

399 **SECTION 23.** The following sum, or so much thereof as may be
400 necessary, is reappropriated out of any money in the Capital
401 Expense Fund not otherwise appropriated for the Department of
402 Mental Health for the purpose of reauthorizing the expenditure of
403 Capital Expense Fund, as appropriated in SB 3162, 2024 Regular
404 Session, to the Department of Mental Health for the purpose of
405 entering into a subgrant with Canopy Children's Solutions for the
406 construction and renovation of the CARES Center, including the
407 children and youth Psychiatric Residential Treatment Facility for
408 Trauma Recovery, for the fiscal year beginning July 1, 2025, and
409 ending June 30, 2026.....\$ 20,000,000.00.

410 Notwithstanding the amount reappropriated under this section,
411 the amount that may be expended under the authority of this
412 section shall not exceed the unexpended balance of the funds
413 remaining as of June 30, 2025, from the amount authorized for the



previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 24. Of the funds appropriated in Section 1 of this act, One Hundred Sixty-four Thousand Eight Hundred Fifty-nine Dollars (\$164,859.00) is provided for the Division of Autism Services created in HB 807, 2025 Regular Session.

SECTION 25. Of the funds appropriated in Section 1 of this act, Twenty-five Thousand Dollars (\$25,000.00) is provided for the Special Olympics of Mississippi.

SECTION 26. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Year 2023 as follows:

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

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2025.

