

By: Senator(s) Hopson, Polk,  
McCaughn, Berry, Tate, Thompson

To: Appropriations

## SENATE BILL NO. 2025

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE  
2 EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL  
3 YEAR 2026.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 Treasury to the credit of the Mississippi State Board of Pharmacy,  
8 for the purpose of defraying the expenses incurred by said board  
9 for the fiscal year beginning July 1, 2025, and ending  
10 June 30, 2026.....\$ 4,154,101.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 this act, not more than the following amount of funds, with the  
13 exception of the provisions in this section, shall be expended  
14 only for "Personal Services," which includes "Vacancy Funding,"  
15 for the following authorized number of employment headcount:

16 FUNDING:

17	General Funds:	\$	0.00
18	Special Funds:	\$	2,799,541.00



19                   Total Funds:                                 \$ 2,799,541.00

20       PERSONAL SERVICES:

21                   Employee Salaries, Wages, and

22                   Fringe Benefits:                             \$ 2,444,590.00

23                   Progressions:                                 \$             0.00

24                   Vacancy Funding:                             \$     354,951.00

25                   Total Personal Services:                     \$ 2,799,541.00

26       AUTHORIZED HEADCOUNT:

27                   Permanent:                                   21

28                   Time-Limited:                                 0

29       As used in this section, the term "Personal Services" shall  
30 mean funds provided under the major object of expenditure category  
31 Personal Services for Salaries, Wages, and Fringe Benefits. Funds  
32 in this category shall not be transferred to any other category.

33       It is the intention of the Legislature to ensure compliance  
34 with the Variable Compensation Plan, as outlined in Section  
35 25-9-147, Mississippi Code of 1972. Payment from these funds shall  
36 be in accordance with the Variable Compensation Plan promulgated  
37 by the Mississippi State Personnel Board. It is the Legislature's  
38 intention that no employee's salary falls below the minimum salary  
39 established by the Mississippi State Personnel Board.

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



44 With the funds herein appropriated, it shall be the agency's  
45 responsibility to ensure that no single personnel action or  
46 combination of personnel actions, when annualized, exceeds the  
47 Fiscal Year 2026 appropriation for "Personal Services" with the  
48 exception of escalated funds. Further, it shall be the agency's  
49 responsibility to ensure that funds required to be appropriated  
50 for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal  
51 Year 2026 funds appropriated for that purpose unless programs or  
52 positions are added to the agency's Fiscal Year 2026 budget by the  
53 Mississippi Legislature.

54 If, at the time the agency takes any action to change  
55 "Personal Services," the State Personnel Board determines that the  
56 agency has taken or will take an action that would cause the  
57 agency to exceed the funds appropriated in this act when  
58 annualized for Fiscal Year 2026 or increase the need for "Personal  
59 Services" for Fiscal Year 2027, when annualized, the State  
60 Personnel Board shall process no salary actions until such time as  
61 the requirements of the provisions of this section are met with  
62 the exception of new hires determined to be essential for the  
63 agency.

64 When used in this section, "Vacancy Funding" shall mean funds  
65 included in the Total Personal Services amount listed above and  
66 designated for approved vacancies in Fiscal Year 2026. These funds  
67 are to be utilized to increase the number of filled headcounts  
68 that were authorized but unfilled as of the last day of Fiscal



69 Year 2025. If the agency fills additional headcounts after May 1,  
70 2025, until the end of Fiscal Year 2025, the amount of available  
71 Vacancy Funding may be proportionally reduced to reflect the  
72 updated number of filled headcounts. The agency shall be  
73 responsible for ensuring that "Vacancy Funding" is used to  
74 increase headcounts and not for promotions, title changes,  
75 in-range salary adjustments, or any other mechanism for increasing  
76 salaries for current employees.

77 Any transfers or escalations shall be made in accordance with  
78 the terms, conditions, and procedures established by law or  
79 allowable under the terms set forth within this act. The State  
80 Personnel Board shall not escalate positions without written  
81 approval from the Department of Finance and Administration. The  
82 Department of Finance and Administration shall not provide written  
83 approval to escalate any funds for salaries and/or headcounts  
84 without proof of availability of new or additional funds above the  
85 appropriated level. Unless specifically noted, all Fiscal Year  
86 2025 escalated headcounts have been accounted for and shall be  
87 converted to authorized time-limited headcounts.

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

92 None of the funds herein appropriated shall be used in  
93 violation of the Internal Revenue Service's Publication 15-A



94 relating to the reporting of income paid to contract employees, as  
95 interpreted by the Office of the State Auditor.

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

99 The Legislature authorized one (1) new headcount, which is  
100 included in the authorized headcount above for Fiscal Year 2026.

101 New Headcount Authorized:

102 Attorney - 1

103 **SECTION 3.** In compliance with the "Mississippi Performance  
104 Budget and Strategic Planning Act of 1994," it is the intent of  
105 the Legislature that the funds provided herein shall be utilized  
106 in the most efficient and effective manner possible to achieve the  
107 intended mission of this agency. Based on the funding authorized,  
108 this agency shall make every effort to attain the targeted  
109 performance measures provided below:

110		FY2026
111	<u>Performance Measures</u>	<u>Target</u>
112	Licensure	
113	Percent of Licenses Issued within Ten	
114	Business Days	100.00
115	Percent of Renewals Issued within Two	
116	Business Days	100.00
117	Compliance	
118	Number of Written Complaints Received	140



119	Percent of Written Complaints Resolved	
120	within Six Months	100.00
121	Number of Investigations Conducted Due	
122	to the Diversion of Prescription Drugs,	
123	Impaired	20
124	Number of Investigations Conducted Due	
125	to the Pharmacists and Pharmacy	
126	Technicians	35
127	Recidivism Rate for Those Receiving	
128	Disciplinary Actions (% Avg of Three	
129	Years)	5.00
130	Prescription Monitoring Prg	
131	Percent of In-State Physicians	
132	Registered to PMP	100.00
133	Percent of Licensed APRNs Registered to PMP	100.00
134	Percent of Pharmacists Registered to PMP	100.00
135	A reporting of the degree to which the performance targets	
136	set above have been or are being achieved shall be provided in the	
137	agency's budget request submitted to the Joint Legislative Budget	
138	Committee for Fiscal Year 2027.	
139	<b>SECTION 4.</b> It is the intention of the Legislature that	
140	whenever two (2) or more bids are received by this agency for the	
141	purchase of commodities or equipment, and whenever all things	
142	stated in such received bids are equal with respect to price,	
143	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 5.** It is the intention of the Legislature that the Board of Pharmacy 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 6.** It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

**SECTION 7.** In accordance with the Pharmacy Benefit Prompt Pay Act, Sections 73-21-151 through 73-21-163, Mississippi Code of 1972, the Mississippi Board of Pharmacy may escalate the appropriate funds not to exceed Five Hundred Thousand Dollars (\$500,000.00) of its budget during the fiscal year for the



purposes of conducting compliance examinations and regulatory oversight as authorized by the act.

**SECTION 8.** In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

**SECTION 9.** 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 10.** This act shall take effect and be in force from and after July 1, 2025.

