

By: Senator(s) Gordon

To: Appropriations

SENATE BILL NO. 3220

1 AN ACT TO AMEND SECTION 5 OF HOUSE BILL NO. 1794, 2002
2 REGULAR SESSION, TO DELETE THE PROVISION THAT PROHIBITS THE
3 DIVISION OF MEDICAID FROM EXPENDING MORE THAN 25% OF ITS
4 APPROPRIATED FUNDS DURING ANY QUARTER OF FISCAL YEAR 2003; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 5 of House Bill No. 1794, 2002 Regular
8 Session, is amended as follows:

9 Section 5. Of the funds appropriated under the provisions of
10 Sections 1, 2, 3 and 4, not more than the amounts set forth below
11 shall be expended for the respective major objects or purposes of
12 expenditure:

13 MAJOR OBJECTS OF EXPENDITURE:

14 Personal Services:

15 Salaries, Wages and Fringe Benefits.. \$	21,173,577.00
16 Travel and Subsistence.....	504,406.00
17 Contractual Services.....	64,201,878.00
18 Commodities.....	560,400.00
19 Capital Outlay:	
20 Other Than Equipment.....	0.00
21 Equipment.....	720,000.00
22 Subsidies, Loans and Grants.....	<u>2,791,432,447.00</u>
23 Total..... \$	2,878,592,708.00

24 FUNDING:

25 General Funds..... \$	246,826,757.00
26 Special Funds.....	<u>2,631,765,951.00</u>
27 Total..... \$	2,878,592,708.00

28 AUTHORIZED POSITIONS:

29	Permanent:	Full Time.....	615
30		Part Time.....	0
31	Time-Limited:	Full Time.....	1
32		Part Time.....	0

33 * * * In no event shall the Governor's Office - Division of
 34 Medicaid make any obligations for medical services which exceed
 35 the total level of funds appropriated in this act, and the
 36 Executive Director of the Division of Medicaid shall ensure
 37 complete compliance with Section 43-13-117, Mississippi Code of
 38 1972, by instituting cost containment measures or by discontinuing
 39 authorized Medicaid programs to the extent allowed under federal
 40 law.

41 Funds are provided herein to adjust the Variable Compensation
 42 Plan to ensure that all full-time employees receive a pay increase
 43 equal to fifty percent (50%) of the realignment component of the
 44 Variable Compensation Plan or Six Hundred Dollars (\$600.00),
 45 whichever is greater, beginning on January 1, 2003.

46 With the funds herein appropriated, it is the intention of
 47 the Legislature that it shall be the agency's responsibility to
 48 make certain that funds required to be appropriated for "Personal
 49 Services" for Fiscal Year 2004 do not exceed Fiscal Year 2003
 50 funds appropriated for that purpose, unless programs, positions or
 51 pay increases are added to the agency's budget by the Mississippi
 52 Legislature. Based on data provided by the Legislative Budget
 53 Office, the State Personnel Board shall, on July 1, 2002, publish
 54 separate annual projection reports, based on July 1, 2002, data,
 55 for the period of July 1, 2002, through December 31, 2002, and
 56 January 1, 2003, through June 30, 2003, that project the annual
 57 cost to fully fund all appropriated positions in compliance with
 58 the provisions of this act. It shall be the responsibility of the
 59 agency head to ensure that no single personnel action increases
 60 this projected cost and/or the Fiscal Year 2003 appropriation for
 61 "Personal Services," as annualized on a semiannual basis in



62 accordance with the provisions of this act. If, at the end of any
63 calendar month, the State Personnel Board determines that the
64 agency has taken action(s) which would cause the agency to exceed
65 this projected annual cost or the Fiscal Year 2003 "Personal
66 Services" appropriated level, when annualized in compliance with
67 the provisions of this act, then only those actions which reduce
68 the projected annual cost and/or the appropriation requirement
69 will be processed by the State Personnel Board until such time as
70 the requirements of this provision are met.

71 Any transfers or escalations shall be made in accordance with
72 the terms, conditions and procedures established by law.

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

77 **SECTION 2.** This act shall take effect and be in force from
78 and after July 1, 2002.

