

By: Representatives Stevens, Broomfield,  
Barnett (92nd), Holland, Moody, Nettles

To: Appropriations

HOUSE BILL NO. 1544  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL  
3 YEARS 2003 AND 2004.

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 General Fund not otherwise appropriated, for the purpose of  
8 defraying the expenses of the State Department of Health for the  
9 fiscal year beginning July 1, 2003, and ending June 30, 2004.....  
10 ..... \$ 29,891,091.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated out of any money in any special  
13 fund in the State Treasury to the credit of the State Department  
14 of Health which is comprised of special source funds collected by  
15 or otherwise available to the department, for the purpose of  
16 defraying the expenses of the department for the fiscal year  
17 beginning July 1, 2003, and ending June 30, 2004.....  
18 ..... \$ 201,614,093.00.

19 **SECTION 3.** The following sum, or so much thereof as may be  
20 necessary, is hereby appropriated out of any money in the State  
21 Treasury to the credit of the Health Care Expendable Fund, for the  
22 purpose of defraying the expenses of the State Board of Health for  
23 the fiscal year beginning July 1, 2003, and ending June 30, 2004.  
24 ..... \$ 14,150,000.00.

25 The above funds shall be allocated as follows:

26 Maternal and Child Health Care  
27 Program.....\$1,400,000.00



28 Early Intervention Program.....\$ 250,000.00  
 29 Health Department Programs.....\$2,500,000.00  
 30 Mississippi Qualified Health  
 31 Center Grant Program.....\$4,000,000.00  
 32 Trauma Care System.....\$6,000,000.00

33 It is the intention of the Legislature that none of the Six  
 34 Million Dollars (\$6,000,000.00) authorized herein for the Trauma  
 35 Care System shall be expended to the benefit of any hospital  
 36 located outside the boundaries of the State of Mississippi, unless  
 37 otherwise excepted in this paragraph. Further, unless otherwise  
 38 excepted in this paragraph, no such out-of-state hospital shall be  
 39 authorized to receive such funds until such time as the amount  
 40 appropriated for such purpose shall reach an amount of Eight  
 41 Million Dollars (\$8,000,000.00) or more. Funds shall be expended  
 42 by the Mississippi Department of Health for distribution to the  
 43 Regional Medical Center at Memphis, located in Memphis, Tennessee,  
 44 for their participation in the Trauma Care System.

45 **SECTION 4.** Of the funds appropriated under the provisions of  
 46 Sections 1, 2 and 3, not more than the amounts set forth below  
 47 shall be expended for the respective major objects or purposes of  
 48 expenditure:

49 MAJOR OBJECTS OF EXPENDITURE:

50 Personal Services:

51 Salaries, Wages and Fringe Benefits.. \$	92,356,061.00
52 Travel and Subsistence.....	5,134,367.00
53 Contractual Services.....	41,947,538.00
54 Commodities.....	59,883,424.00
55 Capital Outlay:	
56 Other Than Equipment.....	823,000.00
57 Equipment.....	5,857,094.00
58 Subsidies, Loans and Grants.....	<u>39,653,700.00</u>
59 Total..... \$	245,655,184.00

60 FUNDING:



61	General Funds.....	\$	29,891,091.00
62	Special Funds.....		<u>215,764,093.00</u>
63	Total.....	\$	245,655,184.00

64 AUTHORIZED POSITIONS:

65	Permanent:	Full Time.....	2,101
66		Part Time.....	48
67	Time-Limited:	Full Time.....	602
68		Part Time.....	17

69 With the funds herein appropriated, it is the intention of  
70 the Legislature that it shall be the agency's responsibility to  
71 make certain that funds required to be appropriated for "Personal  
72 Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004  
73 funds appropriated for that purpose, unless programs or positions  
74 are added to the agency's Fiscal Year 2005 budget by the  
75 Mississippi Legislature. Based on data provided by the  
76 Legislative Budget Office, the State Personnel Board shall  
77 determine and publish the projected annual cost to fully fund all  
78 appropriated positions in compliance with the provisions of this  
79 act. It shall be the responsibility of the agency head to insure  
80 that no single personnel action increases this projected annual  
81 cost and/or the Fiscal Year 2004 appropriation for "Personal  
82 Services" when annualized. If, at the end of any calendar month,  
83 the State Personnel Board determines that the agency has taken  
84 action(s) which would cause the agency to exceed this projected  
85 annual cost or the Fiscal Year 2004 "Personal Services"  
86 appropriated level, when annualized, then only those actions which  
87 reduce the projected annual cost and/or the appropriation  
88 requirement will be processed by the State Personnel Board until  
89 such time as the requirements of this provision are met.

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

92 No general funds authorized to be expended herein shall be  
93 used to replace federal funds and/or other special funds which are



94 being used for salaries authorized under the provisions of this  
95 act and which are withdrawn and no longer available.

96       **SECTION 5.** It is the intention of the Legislature that the  
97 State Department of Health may escalate any special funds and  
98 positions not to exceed Four Million Dollars (\$4,000,000.00).  
99 Such escalation shall be submitted to and approved by the  
100 Department of Finance and Administration in the manner consistent  
101 with the escalation of federal funds.

102       **SECTION 6.** It is the intention of the Legislature that the  
103 Department of Health shall have the authority to expend any  
104 special funds collected or otherwise available, notwithstanding  
105 any restrictions in the general law or statutes earmarking said  
106 funds for a particular use, that are in excess of the amounts  
107 needed for the purpose of such fund, for the purpose of providing  
108 maternal and child health, family planning and disease control  
109 services.

110       **SECTION 7.** It is the intention of the Legislature that with  
111 the funds provided herein, the State Department of Health may  
112 provide and administer without charge, Hepatitis B vaccinations to  
113 Emergency Medical Services (EMS) personnel who are in need of such  
114 vaccinations through job related exposure.

115       **SECTION 8.** In addition to all other sums heretofore  
116 appropriated, the following sum, or so much thereof as may be  
117 necessary, is hereby appropriated out of any money in the State  
118 Treasury to the credit of the Local Governments and Rural Water  
119 Systems Emergency Loan Fund, and the Local Governments and Rural  
120 Water System Improvements Revolving Loan Fund as authorized in  
121 Chapter 521, Laws of 1995, to the State Department of Health for  
122 the purpose of defraying the expenses of the Local Governments and  
123 Rural Water Systems Improvements Board, for the fiscal year  
124 beginning July 1, 2003, and ending June 30, 2004.....  
125 ..... \$ 33,552,000.00.



126           **SECTION 9.** It is the intention of the Legislature that in  
127 the event that there are insufficient Child Care Development Block  
128 Grant Funds, then the Department of Health shall maintain the  
129 Child Care Licensure Program at the same level that the program  
130 was in Fiscal Year 1993 using any other funds.

131           **SECTION 10.** Of the funds appropriated in Section 2, One  
132 Million Dollars (\$1,000,000.00) shall come from the Department of  
133 Human Services, Child Care Development Fund or other appropriate  
134 special funds for the purpose of child care licensure. These  
135 funds are to be transferred to the State Department of Health no  
136 later than July 31, 2003. The State Department of Health shall  
137 make a complete accounting of the uses of these funds to the  
138 Department of Human Services.

139           **SECTION 11.** It is the intention of the Legislature that the  
140 State Department of Health shall expend not more than Fifty  
141 Thousand Dollars (\$50,000.00) of the funds appropriated in Section  
142 1 and allocated in Section 4 for providing the oil known as  
143 "Lorenzo's Oil" for the treatment of the genetic disorder  
144 adrenoleukodystrophy (ALD), to children and Mississippi residents  
145 over the age of twenty-one (21) who have the genetic disorder  
146 adrenoleukodystrophy and for whom Medicaid does not reimburse the  
147 cost of providing the oil. The department may also provide needed  
148 pathology and biannual MRI exams.

149           **SECTION 12.** In addition to all other funds heretofore  
150 appropriated, the following sum, or so much thereof as may be  
151 necessary, is hereby appropriated out of any money deposited in  
152 the State Treasury from the Mississippi Tobacco Pilot Program as  
153 authorized in the case Mike Moore Attorney General ex rel. State  
154 of Mississippi v. The American Tobacco Company et al. (Chancery  
155 Court of Jackson County, Mississippi, Cause No. 94-1429) to the  
156 State Department of Health for the fiscal year beginning  
157 July 1, 2003, and ending June 30, 2004..... \$    8,000,000.00.



158 It is the intention of the Legislature that of the funds  
159 appropriated in this section, an amount of Two Million Five  
160 Hundred Thousand Dollars (\$2,500,000.00) is provided to fund the  
161 School Tobacco Nurse Program.

162 **SECTION 13.** Of the funds appropriated in Section 1, Seven  
163 Hundred Fifty Thousand Dollars (\$750,000.00) are provided for the  
164 purpose of purchasing AIDS drugs and other necessary AIDS related  
165 medical services.

166 **SECTION 14.** Of the funds appropriated in Section 3, the  
167 amounts of One Hundred Twenty-five Thousand Dollars (\$125,000.00)  
168 shall be allocated to the T. K. Martin Center at Mississippi State  
169 University and One Hundred Twenty-five Thousand Dollars  
170 (\$125,000.00) shall be allocated to the Regional Rehabilitation  
171 Center in Tupelo for the Early Intervention Program.

172 **SECTION 15.** Of the funds appropriated herein, Fifty Thousand  
173 Dollars (\$50,000.00) is provided for the Osteoporosis Program.

174 **SECTION 16.** In addition to all other funds heretofore  
175 appropriated, the following sum, or so much thereof as may be  
176 necessary, is hereby appropriated out of any money in any special  
177 fund in the State Treasury to the credit of the State Department  
178 of Health which is comprised of special source funds collected by  
179 or otherwise available to the department, for the purpose of  
180 funding the Federal Bioterrorism Preparedness Program to the State  
181 Department of Health for the fiscal year beginning July 1, 2003,  
182 and ending June 30, 2004..... \$ 12,300,000.00.

183 **SECTION 17.** Of the funds provided under the provisions of  
184 this act, Two Hundred Seventy-seven Thousand Three Hundred  
185 Seventy-three Dollars (\$277,373.00) may be used to reallocate or  
186 reclassify existing positions of this agency.

187 **SECTION 18.** In addition to all other sums heretofore  
188 appropriated, an amount not to exceed the following sum is  
189 appropriated out of any money in the State Treasury to the credit  
190 of the State Department of Health, for the purpose of providing



191 funds to the Regional Medical Center at Memphis for trauma care  
192 provided to indigent Mississippi patients for the fiscal year  
193 ending June 30, 2003..... \$ 500,000.00.

194 The amount of funds provided to the Regional Medical Center  
195 at Memphis under this section shall not exceed the actual amount  
196 determined by the State Department of Health's distribution  
197 formula for trauma fund disbursements.

198 In order to receive the funds provided under this section,  
199 the Regional Medical Center at Memphis shall provide to the State  
200 Department of Health such data regarding trauma services and  
201 payments as required by the department in accordance with the  
202 submission schedule established by the department.

203 **SECTION 19.** The money herein appropriated shall be paid by  
204 the State Treasurer out of any money in the State Treasury to the  
205 credit of the proper fund or funds as set forth in this act, upon  
206 warrants issued by the State Fiscal Officer; and the State Fiscal  
207 Officer shall issue his warrants upon requisitions signed by the  
208 proper person, officer or officers, in the manner provided by law.

209 **SECTION 20.** This act shall take effect and be in force from  
210 and after July 1, 2003, except for Section 18 which shall take  
211 effect and be in force from and after its passage.

