

By: Representatives Holland, Barnett, Davis, Flaggs, Gibbs, Malone, Markham, Read, Shows, Stevens, Scott To: Appropriations

HOUSE BILL NO. 1734

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE -
2 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 SUCH LAW FOR THE FISCAL YEAR
5 2005.

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

7 SECTION 1. The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any money in the State
9 General Fund not otherwise appropriated, to the Governor's Office
10 - 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, 2004, and ending June 30, 2005.....
15 \$ 247,025,158.00.

16 SECTION 2. The following sum, or so much thereof as may be
17 necessary, is hereby appropriated out of any money in the State
18 Treasury 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, 2004, and ending June 30, 2005.....
22 \$ 180,014,150.00.

23 SECTION 3. The following sum, or so much thereof as may be
24 necessary, is hereby appropriated out of any money in any special
25 fund in the State Treasury to the credit of the Governor's Office
26 - Division of Medicaid which is comprised of special source funds
27 collected by or otherwise available to the commission, 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, 2004, and ending
31 June 30, 2005..... \$ 2,879,011,007.00.

32 Prior period recovery of funds may be maintained and expended
33 by the division when the recovery is received or finalized.

34 **SECTION 4.** The following sum, or so much thereof as may be
35 necessary, is hereby appropriated out of any money in the State
36 Treasury to the credit of the Health Care Expendable Fund, for the
37 purpose of defraying the expenses of the Governor's Office -
38 Division of Medicaid for the fiscal year beginning July 1, 2004,
39 and ending June 30, 2005..... \$ 75,057,956.00.

40 The above funds shall be allocated as follows:

41	CHIP Program at 200% level of poverty...\$	6,673,389.00
42	Eyeglasses for adults.....\$	1,620,680.00
43	Home and Community Waiver Program.....\$	4,571,271.00
44	Expand coverage for Poverty Level Aged and	
45	Disabled group.....\$	9,056,740.00
46	Disabled worker buy-in to the Medicaid	
47	program.....\$	1,749,381.00
48	Dental fee increase.....\$	2,097,350.00
49	Miscellaneous.....\$	286,002.00
50	Medical Services Program Matching Funds.\$	49,003,144.00

51 It is the intention of the Legislature that funds may be
52 shifted among the above allocated line items where needed in the
53 discretion of the Executive Director of the Division of Medicaid.

54 **SECTION 5.** Of the funds appropriated under the provisions of
55 Sections 1, 2, 3 and 4, not more than the amounts set forth below
56 shall be expended for the respective major objects or purposes of
57 expenditure:

58 MAJOR OBJECTS OF EXPENDITURE:

59 Personal Services:

60	Salaries, Wages and Fringe Benefits.. \$	24,332,895.00
61	Travel and Subsistence.....	628,538.00

62	Contractual Services.....	89,080,998.00
63	Commodities.....	700,500.00
64	Capital Outlay:	
65	Other Than Equipment.....	0.00
66	Equipment.....	277,000.00
67	Subsidies, Loans and Grants.....	<u>3,266,088,340.00</u>
68	Total.....	\$ 3,381,108,271.00

69 FUNDING:

70	General Funds.....	\$ 247,025,158.00
71	Special Funds.....	<u>3,134,083,113.00</u>
72	Total.....	\$ 3,381,108,271.00

73 AUTHORIZED POSITIONS:

74	Permanent: Full Time.....	571
75	Part Time.....	0
76	Time-Limited: Full Time.....	10
77	Part Time.....	0

78 With the funds herein appropriated, it is the intention of
79 the Legislature that it shall be the agency's responsibility to
80 make certain that funds required to be appropriated for "Personal
81 Services" for Fiscal Year 2006 do not exceed Fiscal Year 2005
82 funds appropriated for that purpose, unless programs or positions
83 are added to the agency's Fiscal Year 2006 budget by the
84 Mississippi Legislature. Based on data provided by the
85 Legislative Budget Office, the State Personnel Board shall
86 determine and publish the projected annual cost to fully fund all
87 appropriated positions in compliance with the provisions of this
88 act. It shall be the responsibility of the agency head to insure
89 that no single personnel action increases this projected annual
90 cost and/or the Fiscal Year 2005 appropriation for "Personal
91 Services" when annualized, with the exception of escalated funds.
92 If, at the time the agency takes any action to change "Personal
93 Services," the State Personnel Board determines that the agency
94 has taken an action which would cause the agency to exceed this

95 projected annual cost or the Fiscal Year 2005 "Personal Services"
96 appropriated level, when annualized, then only those actions which
97 reduce the projected annual cost and/or the appropriation
98 requirement will be processed by the State Personnel Board until
99 such time as the requirements of this provision are met.

100 Any transfers or escalations shall be made in accordance with
101 the terms, conditions and procedures established by law or
102 allowable under the terms set forth within this act. The State
103 Personnel Board shall not escalate positions without written
104 approval from the Department of Finance and Administration. The
105 Department of Finance and Administration shall not provide written
106 approval to escalate any funds for salaries and/or positions
107 without proof of availability of new or additional funds above the
108 appropriated level.

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

113 **SECTION 6.** The funds authorized herein shall be used to fund
114 all operations of the agency with the following prohibitions:

115 (1) The agency shall not fill any current or future vacant
116 positions;

117 (2) The agency shall not take any action to promote or
118 otherwise award salary increases through reallocation,
119 reclassification, realignment, education benchmark, career ladder,
120 or any other means to increase salaries of employees or positions
121 except as allowed under the provisions set forth in House Bill No.
122 1279, 2004 Regular Legislative Session;

123 (3) The agency shall not expend funds for out-of-state
124 travel except as allowed under the provisions set forth in House
125 Bill No. 1279, 2004 Regular Legislative Session;

126 (4) The agency shall not expend funds for the purchase of or
127 contract for cellular phones, two-way radios or pagers, except for

128 support of employees in the Department of Public Safety and the
129 Bureau of Narcotics as recommended by Information Technology
130 Services or as allowed under the provisions set forth in House
131 Bill No. 1279, 2004 Regular Legislative Session;

132 (5) The agency shall not expend funds to publish or
133 distribute any annual reports or other publications;

134 (6) The agency shall not expend funds for public relation
135 activities regarding the functions, programs or services of the
136 agency except as allowed under the provisions set forth in House
137 Bill No. 1279, 2004 Regular Legislative Session;

138 (7) The agency shall not advertise the functions, programs
139 or services of the agency except that the Mississippi Development
140 Authority is authorized to expend funds for advertising to carry
141 out the purposes of key programs administered by the authority;

142 (8) The agency shall not expend funds for staff development
143 or training services;

144 (9) The agency shall not expend funds for the purchase of
145 new or replacement equipment or furniture, excluding lease
146 purchase payments on agreements in effect upon passage of this
147 appropriation bill, except as allowed under the provisions set
148 forth in House Bill No. 1279, 2004 Regular Legislative Session.

149 **SECTION 7.** It is the intention of the Legislature that none
150 of the funds appropriated above shall be expended unless members
151 of the Mississippi House of Representatives and Mississippi Senate
152 are notified at least five (5) days prior to a public ceremony
153 announcing the award of any grant in their district or any public
154 announcement or ceremony regarding the groundbreaking or opening
155 of a facility, roadway or bridge for which the Legislature has
156 made funds available. Any signage regarding any public event or
157 any new facility, roadway or bridge shall include the following
158 language: "Funds were made available for this project by the
159 Mississippi State Legislature."

160 **SECTION 8.** It is the intention of the Legislature that the
 161 Governor's Office - Division of Medicaid shall maintain complete
 162 accounting and personnel records related to the expenditure of all
 163 funds appropriated under this act and that such records shall be
 164 in the same format and level of detail as maintained for Fiscal
 165 Year 2004. It is further the intention of the Legislature that
 166 the agency's budget request for Fiscal Year 2006 shall be
 167 submitted to the Joint Legislative Budget Committee in a format
 168 and level of detail comparable to the format and level of detail
 169 provided during the Fiscal Year 2005 budget request process.

170 **SECTION 9.** In compliance with the "Mississippi Performance
 171 Budget and Strategic Planning Act of 1994," it is the intent of
 172 the Legislature that the funds provided herein shall be utilized
 173 in the most efficient and effective manner possible to achieve the
 174 intended mission of this agency. Based on the funding authorized,
 175 this agency shall make every effort to attain the targeted
 176 performance measures provided below:

177	FY2005
178 <u>Performance Measures</u>	<u>Target</u>
179 Administrative Services	
180 Admin as a Percent of Total Budget (%)	2.80
181 Medical Services	
182 Recipients (Persons)	725,000
183 Recipients in Managed Care (Persons)	0
184 Primary Care Physicians (Persons)	8,400

185 A reporting of the degree to which the performance targets
 186 set above have been or are being achieved shall be provided in the
 187 agency's budget request submitted to the Joint Legislative Budget
 188 Committee for Fiscal Year 2006.

189 **SECTION 10.** It is the intention of the Legislature that the
 190 Executive Director of the Division of Medicaid may authorize
 191 increases in any major objects of expenditures in total amounts
 192 not to exceed twenty-five percent (25%) of the appropriated amount

193 of each major object of expenditure, provided that other major
194 objects of expenditure are decreased by a corresponding dollar
195 amount.

196 **SECTION 11.** Of the funds appropriated under the provisions
197 of Section 3, Eighty Million Dollars (\$80,000,000.00) shall be
198 derived from the Budget Contingency Fund created in Section
199 27-103-301, Mississippi Code of 1972.

200 **SECTION 12.** The money herein appropriated shall be paid by
201 the State Treasurer out of any money in the State Treasury to the
202 credit of the proper fund or funds as set forth in this act, upon
203 warrants issued by the State Fiscal Officer; and the State Fiscal
204 Officer shall issue his warrants upon requisitions signed by the
205 proper person, officer or officers, in the manner provided by law.

206 **SECTION 13.** This act shall take effect and be in force from
207 and after July 1, 2004.