

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

To: Appropriations

HOUSE BILL NO. 1651

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR
3 2006.

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, 2005, and ending June 30, 2006.....

10 \$ 26,794,035.00.

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, 2005, and ending June 30, 2006.....

18 \$ 204,923,129.00.

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, 2005, and ending June 30, 2006.

24 \$ 12,562,607.00.

25 The above funds shall be allocated as follows:

26 Maternal and Child Health Care

27 Program.....\$1,242,943.00

28 Early Intervention Program.....\$ 221,954.00
 29 Health Department Programs.....\$2,219,542.00
 30 Mississippi Qualified Health
 31 Center Grant Program.....\$3,551,267.00
 32 Trauma Care System.....\$5,326,901.00

33 The State Department of Health may transfer a portion of
 34 Trauma Care System funds to the Division of Medicaid for the
 35 development and implementation of an enhanced reimbursement fee
 36 program related to trauma care and services, used to match federal
 37 funds, under a cooperative agreement between the State Department
 38 of Health and the Division of Medicaid.

39 It is the intention of the Legislature that none of the Five
 40 Million Three Hundred Twenty-six Thousand Nine Hundred One Dollars
 41 (\$5,326,901.00) authorized herein for the Trauma Care System shall
 42 be expended to the benefit of any hospital located outside the
 43 boundaries of the State of Mississippi, unless otherwise excepted
 44 in this paragraph. Further, unless otherwise excepted in this
 45 paragraph, no such out-of-state hospital shall be authorized to
 46 receive such funds until such time as the amount appropriated for
 47 such purpose shall reach an amount of Eight Million Dollars
 48 (\$8,000,000.00) or more. Funds shall be expended by the
 49 Mississippi Department of Health for distribution to the Regional
 50 Medical Center at Memphis, located in Memphis, Tennessee, for
 51 their participation in the Trauma Care System.

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

56 MAJOR OBJECTS OF EXPENDITURE:

57 Personal Services:

58	Salaries, Wages and Fringe Benefits.. \$	88,649,766.00
59	Travel and Subsistence.....	4,100,000.00
60	Contractual Services.....	38,654,775.00

61	Commodities.....	54,424,365.00
62	Capital Outlay:	
63	Other Than Equipment.....	0.00
64	Equipment.....	2,864,871.00
65	Subsidies, Loans and Grants.....	<u>43,023,387.00</u>
66	Total.....	\$ 231,717,164.00

67 FUNDING:

68	General Funds.....	\$ 26,794,035.00
69	Special Funds.....	<u>204,923,129.00</u>
70	Total.....	\$ 231,717,164.00

71 AUTHORIZED POSITIONS:

72	Permanent: Full Time.....	1,501
73	Part Time.....	24
74	Time-Limited: Full Time.....	758
75	Part Time.....	14

76 With the funds herein appropriated, it is the intention of
77 the Legislature that it shall be the agency's responsibility to
78 make certain that funds required to be appropriated for "Personal
79 Services" for Fiscal Year 2007 do not exceed Fiscal Year 2006
80 funds appropriated for that purpose, unless programs or positions
81 are added to the agency's Fiscal Year 2007 budget by the
82 Mississippi Legislature. Based on data provided by the
83 Legislative Budget Office, the State Personnel Board shall
84 determine and publish the projected annual cost to fully fund all
85 appropriated positions in compliance with the provisions of this
86 act. It shall be the responsibility of the agency head to insure
87 that no single personnel action increases this projected annual
88 cost and/or the Fiscal Year 2006 appropriation for "Personal
89 Services" when annualized, with the exception of escalated funds.
90 If, at the time the agency takes any action to change "Personal
91 Services," the State Personnel Board determines that the agency
92 has taken an action which would cause the agency to exceed this
93 projected annual cost or the Fiscal Year 2006 "Personal Services"

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

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

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

111 **SECTION 5.** It is the intention of the Legislature that the
112 State Department of Health shall maintain complete accounting and
113 personnel records related to the expenditure of all funds
114 appropriated under this act and that such records shall be in the
115 same format and level of detail as maintained for Fiscal Year
116 2005. It is further the intention of the Legislature that the
117 agency's budget request for Fiscal Year 2007 shall be submitted to
118 the Joint Legislative Budget Committee in a format and level of
119 detail comparable to the format and level of detail provided
120 during the Fiscal Year 2006 budget request process.

121 **SECTION 6.** In compliance with the "Mississippi Performance
122 Budget and Strategic Planning Act of 1994," it is the intent of
123 the Legislature that the funds provided herein shall be utilized
124 in the most efficient and effective manner possible to achieve the
125 intended mission of this agency. Based on the funding authorized,

126 this agency shall make every effort to attain the targeted
127 performance measures provided below:

128		FY2006
129	<u>Performance Measures</u>	<u>Target</u>
130	Chronic Illness	
131	Patients Served (Persons)	4600
132	Home Health Visits (Visits)	99,816
133	Hypertension Visits (Visits)	7,672
134	Diabetes Treatment Visits (Visits)	377
135	Maternal & Child Health	
136	Maternity Patients Served (Persons)	7,500
137	WIC Patients Served per Month (Persons)	101,000
138	Family Planning Patients Served (Persons)	97,233
139	Environmental Health	
140	General Sanitation Inspections (Actions)	20,080
141	Food Establishments Inspected (Sites)	30,000
142	Water Supplies Tested (Actions)	1,390
143	Disease Prevention	
144	Vaccinations Administered (Doses)	350,000
145	STD Diagnostic Treatment & Follow-up	
146	Services (Persons)	26,000
147	TB Cases & Contacts Investigated (Actions)	1,500
148	H Care Planning & Licensure	
149	Declaratory for CON Reviews (Actions)	400
150	Ambulance Services Lic/Permitted (Entities)	685
151	Nurse's Aides Certified (Persons)	3,000
152	Professional Licenses Issued (Actions)	4,899
153	Support Services	
154	Percentage of Total Budget (%)	6.59

155 A reporting of the degree to which the performance targets
156 set above have been or are being achieved shall be provided in the
157 agency's budget request submitted to the Joint Legislative Budget
158 Committee for Fiscal Year 2007.

159 **SECTION 7.** It is the intent of the Legislature that the
160 Mississippi Department of Health shall have authority to escalate
161 the various budgets in both funds and positions, with the approval
162 of the State Fiscal Officer, from any special funds collected or
163 available, in the current fiscal year or any prior fiscal year,
164 not to exceed Five Million Dollars (\$5,000,000.00), to the agency
165 for expenditure. Upon such approval, the Mississippi Department
166 of Health may expend such funds in the manner authorized by law.

167 The Executive Director of the Mississippi Department of
168 Health shall submit to the Department of Finance and
169 Administration a certified statement providing a detailed
170 explanation for any escalation, including a justification for the
171 establishment of any new positions or reclassification of existing
172 positions and the existence of any required matching funds for
173 those positions, and an assessment of the impact on the agency's
174 General Fund Budget for the three (3) fiscal years following the
175 fiscal year in which the escalation is requested.

176 **SECTION 8.** It is the intention of the Legislature that with
177 the funds provided herein, the State Department of Health may
178 provide and administer without charge, Hepatitis B vaccinations to
179 Emergency Medical Services (EMS) personnel who are in need of such
180 vaccinations through job related exposure.

181 **SECTION 9.** In addition to all other sums heretofore
182 appropriated, the following sum, or so much thereof as may be
183 necessary, is hereby appropriated out of any money in the State
184 Treasury to the credit of the Local Governments and Rural Water
185 Systems Emergency Loan Fund, and the Local Governments and Rural
186 Water System Improvements Revolving Loan Fund as authorized in
187 Chapter 521, Laws of 1995, to the State Department of Health for
188 the purpose of defraying the expenses of the Local Governments and
189 Rural Water Systems Improvements Board, for the fiscal year
190 beginning July 1, 2005, and ending June 30, 2006.....
191 \$ 33,552,000.00.

192 **SECTION 10.** Of the funds appropriated in Section 2, One
193 Million Dollars (\$1,000,000.00) shall come from the Department of
194 Human Services, Child Care Development Fund or other appropriate
195 special funds for the purpose of child care licensure. These
196 funds are to be transferred to the State Department of Health no
197 later than July 31, 2005. The State Department of Health shall
198 make a complete accounting of the uses of these funds to the
199 Department of Human Services.

200 **SECTION 11.** It is the intention of the Legislature that the
201 State Department of Health shall expend not more than Fifty
202 Thousand Dollars (\$50,000.00) of the funds appropriated in Section
203 1 and allocated in Section 4 for providing the oil known as
204 "Lorenzo's Oil" for the treatment of the genetic disorder
205 adrenoleukodystrophy (ALD), to children and Mississippi residents
206 over the age of twenty-one (21) who have the genetic disorder
207 adrenoleukodystrophy and for whom Medicaid does not reimburse the
208 cost of providing the oil. The department may also provide needed
209 pathology and biannual MRI exams.

210 **SECTION 12.** In addition to all other funds heretofore
211 appropriated, the following sum, or so much thereof as may be
212 necessary, is hereby appropriated out of any money deposited in
213 the State Treasury from the Mississippi Tobacco Pilot Program as
214 authorized in the case Mike Moore Attorney General ex rel. State
215 of Mississippi v. The American Tobacco Company et al. (Chancery
216 Court of Jackson County, Mississippi, Cause No. 94-1429) to the
217 State Department of Health for the fiscal year beginning
218 July 1, 2005, and ending June 30, 2006..... \$ 5,000,000.00.

219 It is the intention of the Legislature that of the funds
220 appropriated in this section, an amount not less than Two Million
221 Five Hundred Thousand Dollars (\$2,500,000.00) is provided to fund
222 the School Tobacco Nurse Program.

223 **SECTION 13.** Of the funds appropriated in Section 1, Seven
224 Hundred Thousand Dollars (\$700,000.00) are provided for the

225 purpose of purchasing AIDS drugs and other necessary AIDS related
226 medical services.

227 **SECTION 14.** Of the funds appropriated in Section 1, Fifty
228 Thousand Dollars (\$50,000.00) shall be provided to the Southern
229 AIDS Commission, Inc. for the purpose of providing technical
230 assistance, and providing for the expansion of education on causes
231 and prevention of HIV/AIDS, and providing delivery services to
232 persons infected with HIV.

233 **SECTION 15.** Of the funds appropriated in Section 3, the
234 amounts of One Hundred Ten Thousand Nine Hundred Seventy-seven
235 Dollars (\$110,977.00) shall be allocated to the T. K. Martin
236 Center at Mississippi State University and One Hundred Ten
237 Thousand Nine Hundred Seventy-seven Dollars (\$110,977.00) shall be
238 allocated to the Regional Rehabilitation Center in Tupelo for the
239 Early Intervention Program.

240 **SECTION 16.** Of the funds appropriated herein, Fifty Thousand
241 Dollars (\$50,000.00) is provided for the Breast and Cervical
242 Cancer Program.

243 **SECTION 17.** In addition to all other funds heretofore
244 appropriated, the following sum, or so much thereof as may be
245 necessary, is hereby appropriated out of any money in any special
246 fund in the State Treasury to the credit of the State Department
247 of Health which is comprised of special source funds collected by
248 or otherwise available to the department, for the purpose of
249 funding the Federal Bioterrorism Preparedness Program to the State
250 Department of Health for the fiscal year beginning July 1, 2005,
251 and ending June 30, 2006..... \$ 14,280,000.00.

252 **SECTION 18.** The money herein appropriated shall be paid by
253 the State Treasurer out of any money in the State Treasury to the
254 credit of the proper fund or funds as set forth in this act, upon
255 warrants issued by the State Fiscal Officer; and the State Fiscal
256 Officer shall issue his warrants upon requisitions signed by the
257 proper person, officer or officers, in the manner provided by law.

258 **SECTION 19.** This act shall take effect and be in force from
259 and after July 1, 2005.