

**Senate Amendments to House Bill No. 1651**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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 ..... \$     26,794,034.00.

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.** Of the funds appropriated under the provisions of  
20 Section 2, Twelve Million Five Hundred Sixty-two Thousand Six  
21 Hundred Seven Dollars (\$12,562,607.00) shall be derived from the  
22 Health Care Expendable Fund created in Section 43-13-407,  
23 Mississippi Code of 1972, for the support and maintenance of the  
24 State Department of Health. The funds provided for in this  
25 section 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.. \$ 88,649,765.00

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..... 43,023,387.00

66 Total..... \$ 231,717,163.00

67 FUNDING:

68 General Funds..... \$ 26,794,034.00

69 Special Funds..... 204,923,129.00

70 Total..... \$ 231,717,163.00

71 AUTHORIZED POSITIONS:

72 Permanent: Full Time..... 1,701

73 Part Time..... 24

74 Time-Limited: Full Time..... 558

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:

	FY2006
<u>Performance Measures</u>	<u>Target</u>
130 Chronic Illness	
131 Patients Served (Persons)	4,600
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 ..... \$ 33,256,500.00.

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..... \$ 8,000,000.00.

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 Fifty Thousand Dollars (\$750,000.00) 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 3, the  
228 amounts of One Hundred Ten Thousand Nine Hundred Seventy-seven  
229 Dollars (\$110,977.00) shall be allocated to the T. K. Martin  
230 Center at Mississippi State University and One Hundred Ten  
231 Thousand Nine Hundred Seventy-seven Dollars (\$110,977.00) shall be  
232 allocated to the Regional Rehabilitation Center in Tupelo for the  
233 Early Intervention Program.

234       **SECTION 15.** Of the funds appropriated herein, Fifty Thousand  
235 Dollars (\$50,000.00) is provided for the Breast and Cervical  
236 Cancer Program.

237       **SECTION 16.** In addition to all other funds heretofore  
238 appropriated, the following sum, or so much thereof as may be  
239 necessary, is hereby appropriated out of any money in any special  
240 fund in the State Treasury to the credit of the State Department

241 of Health which is comprised of special source funds collected by  
242 or otherwise available to the department, for the purpose of  
243 funding the Federal Bioterrorism Preparedness Program to the State  
244 Department of Health for the fiscal year beginning July 1, 2005,  
245 and ending June 30, 2006..... \$ 10,048,191.00.

246 **SECTION 17.** In addition to all other sums herein  
247 appropriated, the following sum, or so much thereof as may be  
248 necessary is hereby appropriated out of the Health Care Expendable  
249 Fund in the State Treasury, for the purpose of defraying the cost  
250 of the Mississippi Qualified Health Center Grant Program, for the  
251 period beginning on passage of this act and ending on June 30,  
252 2005.....\$ 160,000.00.

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

259 **SECTION 19.** This act shall take effect and be in force from  
260 and after July 1, 2005, except for Section 17 which shall take  
261 effect and be in force from and after its passage.

SS05\HB1651A.J

John O. Gilbert  
Secretary of the Senate