

By: Senator(s) Gordon, Little, Burton,
Huggins, Moffatt, Thames

To: Appropriations

SENATE BILL NO. 3040
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF MENTAL HEALTH AND CERTAIN PROGRAMS OF THE DIVISION
3 OF ALCOHOL AND DRUG ABUSE, FOR FISCAL YEARS 2006 AND 2007.

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 support and
8 maintenance of the Department of Mental Health for the fiscal year
9 beginning July 1, 2006, and ending June 30, 2007.....
10 \$ 216,928,858.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is hereby authorized for expenditure out of any special
13 source funds which are collected by or otherwise become available
14 for the support and maintenance of the Department of Mental Health
15 for the fiscal year beginning July 1, 2006, and ending
16 June 30, 2007..... \$ 328,909,661.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 Section 2, Eighteen Million Three Hundred Forty Thousand
19 Seventy-five Dollars (\$18,340,075.00) shall be derived from the
20 Health Care Expendable Fund created in Section 43-13-407,
21 Mississippi Code of 1972, for the support and maintenance of the
22 Department of Mental Health. The funds provided for in this
23 section shall be allocated as follows:

24 \$ 5,225,891.00 Expenses of the Department of Mental
25 Health.

59	Subsidies, Loans and Grants.....		<u>4,866,772.00</u>
60	Total.....	\$	12,056,532.00

61 FUNDING:

62	General Funds.....	\$	3,233,309.00
63	Special Funds.....		<u>8,823,223.00</u>
64	Total.....	\$	12,056,532.00

65 AUTHORIZED POSITIONS:

66	Permanent: Full Time.....	79
67	Part Time.....	0
68	Time-Limited: Full Time.....	21
69	Part Time.....	0

70 **SERVICE BUDGET**

71 MAJOR OBJECTS OF EXPENDITURE:

72 Personal Services:

73	Salaries, Wages and Fringe Benefits..	\$	0.00
74	Travel and Subsistence.....		0.00
75	Contractual Services.....		1,147,251.00
76	Commodities.....		0.00
77	Capital Outlay:		
78	Other Than Equipment.....		0.00
79	Equipment.....		0.00
80	Subsidies, Loans and Grants.....		<u>53,609,862.00</u>
81	Total.....	\$	54,757,113.00

82 FUNDING:

83	General Funds.....	\$	19,442,993.00
84	Special Funds.....		<u>35,314,120.00</u>
85	Total.....	\$	54,757,113.00

86 AUTHORIZED POSITIONS:

87	Permanent: Full Time.....	0
88	Part Time.....	0
89	Time-Limited: Full Time.....	0
90	Part Time.....	0

91 **EAST MISSISSIPPI STATE HOSPITAL**

92	MAJOR OBJECTS OF EXPENDITURE:	
93	Personal Services:	
94	Salaries, Wages and Fringe Benefits.. \$	40,642,791.00
95	Travel and Subsistence.....	40,000.00
96	Contractual Services.....	3,234,112.00
97	Commodities.....	6,073,861.00
98	Capital Outlay:	
99	Other Than Equipment.....	25,000.00
100	Equipment.....	475,832.00
101	Subsidies, Loans and Grants.....	<u>3,200,000.00</u>
102	Total..... \$	53,691,596.00

103	FUNDING:	
104	General Funds..... \$	35,298,526.00
105	Special Funds.....	<u>18,393,070.00</u>
106	Total..... \$	53,691,596.00

107	AUTHORIZED POSITIONS:	
108	Permanent: Full Time.....	1,236
109	Part Time.....	4
110	Time-Limited: Full Time.....	102
111	Part Time.....	23

ELLISVILLE STATE SCHOOL AND FARM

113	MAJOR OBJECTS OF EXPENDITURE:	
114	Personal Services:	
115	Salaries, Wages and Fringe Benefits.. \$	55,897,738.00
116	Travel and Subsistence.....	126,000.00
117	Contractual Services.....	4,653,109.00
118	Commodities.....	5,252,965.00
119	Capital Outlay:	
120	Other Than Equipment.....	400,000.00
121	Equipment.....	489,344.00
122	Subsidies, Loans and Grants.....	<u>15,532,898.00</u>
123	Total..... \$	82,352,054.00

124 FUNDING:

125	General Funds.....	\$	17,636,442.00
126	Special Funds.....		<u>64,715,612.00</u>
127	Total.....	\$	82,352,054.00

128 AUTHORIZED POSITIONS:

129	Permanent:	Full Time.....	1,602
130		Part Time.....	31
131	Time-Limited:	Full Time.....	54
132		Part Time.....	0

133 **MISSISSIPPI STATE HOSPITAL**

134 MAJOR OBJECTS OF EXPENDITURE:

135 Personal Services:

136	Salaries, Wages and Fringe Benefits..	\$	91,729,672.00
137	Travel and Subsistence.....		62,989.00
138	Contractual Services.....		12,682,461.00
139	Commodities.....		10,903,836.00
140	Capital Outlay:		
141	Other Than Equipment.....		106,859.00
142	Equipment.....		437,036.00
143	Subsidies, Loans and Grants.....		<u>6,484,975.00</u>
144	Total.....	\$	122,407,828.00

145 FUNDING:

146	General Funds.....	\$	82,059,876.00
147	Special Funds.....		<u>40,347,952.00</u>
148	Total.....	\$	122,407,828.00

149 AUTHORIZED POSITIONS:

150	Permanent:	Full Time.....	2,818
151		Part Time.....	10
152	Time-Limited:	Full Time.....	203
153		Part Time.....	0

154 **CENTRAL MISSISSIPPI RESIDENTIAL CENTER**

155 MAJOR OBJECTS OF EXPENDITURE:

156 Personal Services:

157	Salaries, Wages and Fringe Benefits..	\$	3,971,408.00
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158	Travel and Subsistence.....		9,460.00
159	Contractual Services.....		673,924.00
160	Commodities.....		618,638.00
161	Capital Outlay:		
162	Other Than Equipment.....		60,000.00
163	Equipment.....		55,953.00
164	Subsidies, Loans and Grants.....		<u>2,000.00</u>
165	Total.....	\$	5,391,383.00
166	FUNDING:		
167	General Funds.....	\$	4,336,402.00
168	Special Funds.....		<u>1,054,981.00</u>
169	Total.....	\$	5,391,383.00
170	AUTHORIZED POSITIONS:		
171	Permanent: Full Time.....	153	
172	Part Time.....	0	
173	Time-Limited: Full Time.....	13	
174	Part Time.....	0	
175	BROOKHAVEN JUVENILE REHABILITATION FACILITY		
176	MAJOR OBJECTS OF EXPENDITURE:		
177	Personal Services:		
178	Salaries, Wages and Fringe Benefits..	\$	3,887,175.00
179	Travel and Subsistence.....		7,300.00
180	Contractual Services.....		584,389.00
181	Commodities.....		377,955.00
182	Capital Outlay:		
183	Other Than Equipment.....		7,000.00
184	Equipment.....		41,640.00
185	Subsidies, Loans and Grants.....		<u>6,000.00</u>
186	Total.....	\$	4,911,459.00
187	FUNDING:		
188	General Funds.....	\$	4,864,209.00
189	Special Funds.....		<u>47,250.00</u>
190	Total.....	\$	4,911,459.00

191	AUTHORIZED POSITIONS:		
192	Permanent:	Full Time.....	111
193		Part Time.....	0
194	Time-Limited:	Full Time.....	9
195		Part Time.....	0

196 **SPECIALIZED TREATMENT FACILITY**

197 MAJOR OBJECTS OF EXPENDITURE:

198	Personal Services:		
199	Salaries, Wages and Fringe Benefits..	\$	3,748,915.00
200	Travel and Subsistence.....		12,257.00
201	Contractual Services.....		516,258.00
202	Commodities.....		345,121.00
203	Capital Outlay:		
204	Other Than Equipment.....		30,000.00
205	Equipment.....		64,138.00
206	Subsidies, Loans and Grants.....		<u>492,836.00</u>
207	Total.....	\$	5,209,525.00

208 FUNDING:

209	General Funds.....	\$	1,910,950.00
210	Special Funds.....		<u>3,298,575.00</u>
211	Total.....	\$	5,209,525.00

212 AUTHORIZED POSITIONS:

213	Permanent:	Full Time.....	80
214		Part Time.....	0
215	Time-Limited:	Full Time.....	0
216		Part Time.....	0

217 **DIVISION OF ALCOHOL AND DRUG ABUSE**

218 MAJOR OBJECTS OF EXPENDITURE:

219	Personal Services:		
220	Salaries, Wages and Fringe Benefits..	\$	336,930.00
221	Travel and Subsistence.....		23,100.00
222	Contractual Services.....		48,827.00
223	Commodities.....		8,700.00

224	Capital Outlay:		
225	Other Than Equipment.....		0.00
226	Equipment.....		18,300.00
227	Subsidies, Loans and Grants.....		<u>4,700,000.00</u>
228	Total.....	\$	5,135,857.00

229 FUNDING:

230	General Funds.....	\$	0.00
231	Special Funds.....		<u>5,135,857.00</u>
232	Total.....	\$	5,135,857.00

233 AUTHORIZED POSITIONS:

234	Permanent: Full Time.....	6
235	Part Time.....	0
236	Time-Limited: Full Time.....	0
237	Part Time.....	0

238 **BOSWELL REGIONAL CENTER**

239 MAJOR OBJECTS OF EXPENDITURE:

240 Personal Services:

241	Salaries, Wages and Fringe Benefits..	\$	20,829,292.00
242	Travel and Subsistence.....		45,000.00
243	Contractual Services.....		3,097,352.00
244	Commodities.....		2,304,374.00

245 Capital Outlay:

246	Other Than Equipment.....		250,000.00
247	Equipment.....		320,176.00
248	Subsidies, Loans and Grants.....		<u>5,575,680.00</u>
249	Total.....	\$	32,421,874.00

250 FUNDING:

251	General Funds.....	\$	9,086,058.00
252	Special Funds.....		<u>23,335,816.00</u>
253	Total.....	\$	32,421,874.00

254 AUTHORIZED POSITIONS:

255	Permanent: Full Time.....	495
256	Part Time.....	3

257 Time-Limited: Full Time..... 110
 258 Part Time..... 2

NORTH MISSISSIPPI STATE HOSPITAL

260 MAJOR OBJECTS OF EXPENDITURE:

261 Personal Services:

262 Salaries, Wages and Fringe Benefits.. \$ 5,402,446.00
 263 Travel and Subsistence..... 30,000.00
 264 Contractual Services..... 931,556.00
 265 Commodities..... 1,132,191.00
 266 Capital Outlay:
 267 Other Than Equipment..... 30,000.00
 268 Equipment..... 71,000.00
 269 Subsidies, Loans and Grants..... 0.00
 270 Total..... \$ 7,597,193.00

271 FUNDING:

272 General Funds..... \$ 6,666,193.00
 273 Special Funds..... 931,000.00
 274 Total..... \$ 7,597,193.00

275 AUTHORIZED POSITIONS:

276 Permanent: Full Time..... 188
 277 Part Time..... 0
 278 Time-Limited: Full Time..... 3
 279 Part Time..... 0

NORTH MISSISSIPPI REGIONAL CENTER

281 MAJOR OBJECTS OF EXPENDITURE:

282 Personal Services:

283 Salaries, Wages and Fringe Benefits.. \$ 39,329,933.00
 284 Travel and Subsistence..... 115,300.00
 285 Contractual Services..... 4,719,549.00
 286 Commodities..... 5,640,525.00
 287 Capital Outlay:
 288 Other Than Equipment..... 65,000.00
 289 Equipment..... 830,511.00

290 Subsidies, Loans and Grants..... 13,920,026.00
 291 Total..... \$ 64,620,844.00

292 FUNDING:

293 General Funds..... \$ 10,637,267.00
 294 Special Funds..... 53,983,577.00
 295 Total..... \$ 64,620,844.00

296 AUTHORIZED POSITIONS:

297 Permanent: Full Time..... 980
 298 Part Time..... 11
 299 Time-Limited: Full Time..... 163
 300 Part Time..... 12

301 **HUDSPETH REGIONAL CENTER**

302 MAJOR OBJECTS OF EXPENDITURE:

303 Personal Services:

304 Salaries, Wages and Fringe Benefits.. \$ 33,308,734.00
 305 Travel and Subsistence..... 122,500.00
 306 Contractual Services..... 4,109,425.00
 307 Commodities..... 3,791,800.00

308 Capital Outlay:

309 Other Than Equipment..... 260,100.00
 310 Equipment..... 339,900.00
 311 Subsidies, Loans and Grants..... 11,949,031.00
 312 Total..... \$ 53,881,490.00

313 FUNDING:

314 General Funds..... \$ 8,912,376.00
 315 Special Funds..... 44,969,114.00
 316 Total..... \$ 53,881,490.00

317 AUTHORIZED POSITIONS:

318 Permanent: Full Time..... 924
 319 Part Time..... 28
 320 Time-Limited: Full Time..... 42
 321 Part Time..... 0

322 **SOUTH MISSISSIPPI REGIONAL CENTER**

323	MAJOR OBJECTS OF EXPENDITURE:	
324	Personal Services:	
325	Salaries, Wages and Fringe Benefits.. \$	23,157,093.00
326	Travel and Subsistence.....	77,000.00
327	Contractual Services.....	3,736,164.00
328	Commodities.....	2,420,483.00
329	Capital Outlay:	
330	Other Than Equipment.....	102,500.00
331	Equipment.....	367,637.00
332	Subsidies, Loans and Grants.....	<u>5,842,459.00</u>
333	Total..... \$	35,703,336.00

334	FUNDING:	
335	General Funds..... \$	7,529,545.00
336	Special Funds.....	<u>28,173,791.00</u>
337	Total..... \$	35,703,336.00

338	AUTHORIZED POSITIONS:	
339	Permanent: Full Time.....	582
340	Part Time.....	8
341	Time-Limited: Full Time.....	97
342	Part Time.....	3

SOUTH MISSISSIPPI STATE HOSPITAL

344	MAJOR OBJECTS OF EXPENDITURE:	
345	Personal Services:	
346	Salaries, Wages and Fringe Benefits.. \$	5,109,310.00
347	Travel and Subsistence.....	11,000.00
348	Contractual Services.....	396,288.00
349	Commodities.....	102,635.00
350	Capital Outlay:	
351	Other Than Equipment.....	20,000.00
352	Equipment.....	51,202.00
353	Subsidies, Loans and Grants.....	<u>10,000.00</u>
354	Total..... \$	5,700,435.00

355 FUNDING:

356	General Funds.....	\$	5,314,712.00
357	Special Funds.....		<u>385,723.00</u>
358	Total.....	\$	5,700,435.00

359 AUTHORIZED POSITIONS:

360	Permanent:	Full Time.....	144
361		Part Time.....	0
362	Time-Limited:	Full Time.....	1
363		Part Time.....	0

364 Funds are provided herein to adjust the Variable Compensation
365 Plan to ensure that all full-time employees receive a pay increase
366 equal to the realignment component of the Variable Compensation
367 Plan or Fifteen Hundred Dollars (\$1,500.00), whichever is greater,
368 with not more than one-half (1/2) to be awarded on July 1, 2006,
369 with the remainder to be awarded on January 1, 2007.

370 With the funds herein appropriated, it is the intention of
371 the Legislature that it shall be the agency's responsibility to
372 make certain that funds required to be appropriated for "Personal
373 Services" for Fiscal Year 2008 do not exceed Fiscal Year 2007
374 funds appropriated for that purpose, unless programs or positions
375 are added to the agency's Fiscal Year 2008 budget by the
376 Mississippi Legislature. Based on data provided by the
377 Legislative Budget Office, the State Personnel Board shall
378 determine and publish the projected annual cost to fully fund all
379 appropriated positions in compliance with the provisions of this
380 act. It shall be the responsibility of the agency head to insure
381 that no single personnel action increases this projected annual
382 cost and/or the Fiscal Year 2007 appropriation for "Personal
383 Services" when annualized, with the exception of escalated funds.
384 If, at the time the agency takes any action to change "Personal
385 Services," the State Personnel Board determines that the agency
386 has taken an action which would cause the agency to exceed this
387 projected annual cost or the Fiscal Year 2007 "Personal Services"
388 appropriated level, when annualized, then only those actions which

389 reduce the projected annual cost and/or the appropriation
390 requirement will be processed by the State Personnel Board until
391 such time as the requirements of this provision are met.

392 Any transfers or escalations shall be made in accordance with
393 the terms, conditions and procedures established by law or
394 allowable under the terms set forth within this act. The State
395 Personnel Board shall not escalate positions without written
396 approval from the Department of Finance and Administration. The
397 Department of Finance and Administration shall not provide written
398 approval to escalate any funds for salaries and/or positions
399 without proof of availability of new or additional funds above the
400 appropriated level.

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

405 **SECTION 5.** In compliance with the "Mississippi Performance
406 Budget and Strategic Planning Act of 1994," it is the intent of
407 the Legislature that the funds provided herein shall be utilized
408 in the most efficient and effective manner possible to achieve the
409 intended mission of this agency. Based on the funding authorized,
410 this agency shall make every effort to attain the targeted
411 performance measures provided below:

	FY07
<u>Performance Measures</u>	<u>Target</u>
Services Management	
State Institutions Operated (Number of)	12
Units Monitored, etc (Number of)	1,450
Grants Administered (Number of)	461
Mental Health Services	
Group Homes - Alternative Living (Beds)	261
Halfway Houses (Beds)	35
Psychotropic Drugs Purchased (Prescriptions)	9,800

422	Mental Retardation Services	
423	Community Living Clients (Clients)	220
424	Work Activity & Employment Related (Clients)	1,000
425	Children & Youth Services	
426	Group Homes (Beds)	107
427	Chemical Dependency (Beds)	20
428	3% Alcohol Tax-alcohol/drug Prg	
429	Residential Treatment Beds (Beds)	753
430	Out-Patient Admissions (Number of)	12,000
431	Mi - Institutional Care	
432	Patient & Resident Days (Number of)	652,315
433	Operating Cost per Patient & Resident	
434	Day (\$)	258
435	Mi - Pre/post Inst Care	
436	Clients Served (Number of)	871
437	Mi - Support Services	
438	Support as a Percent of Total Budget (%)	5.75
439	Mr - Institutional Care	
440	Patient & Resident Days (Number of)	518,307
441	Operating Cost per Patient & Resident	
442	Day (\$)	262
443	Independent Living Skills (Client Days)	2,816
444	Mr - Group Homes	
445	ICF/MR Patient & Resident Days (Number of)	200,297
446	Non ICF/MR Patient & Resident	
447	Days (Number of)	86,923
448	Mr - Community Programs	
449	Home & Community Based Waiver	
450	Clients (Number of)	1,925
451	Non Home & Community Based Waiver	
452	Clients (Number of)	2,119
453	Units of Service Delivered (Number of)	2,352,303
454	Mr - Support Services	

455	Support as a Percent of Total Budget (%)	4.60
456	Mi - Crisis Intervention Ctr	
457	Patient & Resident Days (Number of)	36,239
458	Mi - Residential Apartments	
459	Patient & Resident Days (Number of)	6,935
460	Mi - Residential Homes	
461	Patient & Resident Days (Number of)	3,650
462	Mi - Footprints Adult Day Svcs	
463	Clients Served (Number of)	25

464 A reporting of the degree to which the performance targets
465 set above have been or are being achieved shall be provided in the
466 agency's budget request submitted to the Joint Legislative Budget
467 Committee for Fiscal Year 2008.

468 **SECTION 6.** Of the funds appropriated under the provisions of
469 Section 1, authorized for expenditure in Sections 2 and 3, and
470 allocated in Section 4 to the "Central Office," funds are included
471 for an Alzheimer's education and training program.

472 **SECTION 7.** Of the funds appropriated under the provisions of
473 Section 1, authorized for expenditure under the provisions of
474 Sections 2 and 3, and allocated under the provisions of Section 4,
475 funds in the amount of Two Hundred Thousand Dollars (\$200,000.00)
476 may be expended for the support of a pilot project to provide
477 authority for East Mississippi State Hospital and Mississippi
478 State Hospital to contract with local hospitals located in
479 counties with a population of less than fifty thousand (50,000) to
480 provide emergency inpatient care to individuals committed by the
481 Chancery Court to East Mississippi State Hospital or Mississippi
482 State Hospital for treatment of mental illness if, at the time
483 that such commitment is made, a bed is not available for admission
484 to East Mississippi State Hospital or Mississippi State Hospital.
485 East Mississippi State Hospital and Mississippi State Hospital
486 shall have the authority to contract with local hospitals located
487 in counties with a population of less than fifty thousand (50,000)

488 for inpatient emergency care for a period not to exceed seven (7)
489 days at a rate not to exceed One Hundred and Fifty Dollars
490 (\$150.00) per day with East Mississippi State Hospital or
491 Mississippi State Hospital providing One Hundred Dollars (\$100.00)
492 and the local government providing Fifty Dollars (\$50.00) per day
493 for such care. Payment for such physician fees shall be made at
494 the Medicaid rate of reimbursement and paid by East Mississippi
495 State Hospital or Mississippi State Hospital. Funds provided for
496 the initiation of this pilot project shall not be expended for
497 inpatient hospital care unless there is participation in the
498 reimbursement for such care by the local government as required by
499 the provisions of this section.

500 **SECTION 8.** It is the intention of the Legislature that the
501 Executive Director of the Department of Mental Health shall have
502 authority to transfer cash from one special fund treasury fund to
503 another special fund treasury fund under the control of the
504 Department of Mental Health. The purpose of this authority is to
505 more efficiently use available cash reserves. It is further the
506 intention of the Legislature that the Executive Director of the
507 Department of Mental Health shall submit written justification for
508 the transfer to the Legislative Budget Office and the Department
509 of Finance and Administration on or before the fifteenth (15th) of
510 the month prior to the effective date of the transfer.

511 **SECTION 9.** The Executive Director of the Department of
512 Mental Health and the directors of each separate facility operated
513 by the Department of Mental Health are hereby authorized to
514 transfer spending authority from any major objects to any other
515 major objects, excluding the Salaries, Wages and Fringe Benefits
516 category, in any amounts deemed necessary for the efficient
517 management and operation of their budgets, provided that the total
518 spending authority remains unchanged after such transfers and the
519 total of such transfers into any major object do not exceed
520 twenty-five percent (25%) of the original appropriated amount for

521 that major object plus any escalations of spending authority that
522 have occurred during any given fiscal year.

523 **SECTION 10.** It is the intention of the Legislature that the
524 Department of Mental Health shall have the authority to receive,
525 budget, and expend funds from any source, including beginning cash
526 in excess of beginning cash when spending authority was initially
527 appropriated, that may become available to the department in
528 accordance with the rules and regulations of the Department of
529 Finance and Administration in a manner consistent with the
530 escalation of federal funds.

531 **SECTION 11.** The Department of Mental Health and its
532 facilities shall have the authority, within funding and spending
533 authority appropriated under the provisions of Section 1,
534 authorized for expenditure in Sections 2 and 3, and allocated
535 under the provisions of Section 4 of this act, to transfer funds
536 to the Division of Medicaid in payment of Medicaid match and
537 designate that the funds thus transferred shall be applied to
538 Medicaid match obligations arising in the subsequent fiscal year.

539 **SECTION 12.** Any person within the Department of Mental
540 Health who must work on a statutory holiday or any holiday
541 proclaimed by the Governor, may at the discretion of the Director
542 of the Institution and the Executive Director of the Department of
543 Mental Health and within available personnel funds, be paid
544 "callback pay" in lieu of "compensatory time credit."

545 **SECTION 13.** Of the funds appropriated to the "Service
546 Budget" in the category "Subsidies, Loans and Grants," funds are
547 included for the support of community mental health services for
548 Fiscal Year 2007.

549 Provided, however, that none of the funds appropriated for
550 the support of community mental health services shall be made
551 available to any Regional Mental Health/Retardation Center which
552 does not receive from each of its participating counties a dollar
553 amount equivalent to what the proceeds of a three-fourths (3/4)

554 mill tax on all taxable property in the county in Fiscal Year 1982
555 would have been or the amount of funds contributed to the center
556 by the county in Fiscal Year 1984, whichever shall be greater. By
557 means of performance contracts, the Department of Mental Health
558 shall disburse the funds appropriated in this section for services
559 for the mentally ill, mentally retarded and alcohol/drug abusers.
560 The State Board of Mental Health and the Department of Mental
561 Health shall be responsible for selecting the types of services
562 which shall be provided with the funds appropriated in this
563 section, for developing and monitoring performance contracts and
564 for holding contractors accountable for utilization of funds.

565 **SECTION 14.** Funds presently included or any funds received
566 in the future for timber funds at Ellisville State School and East
567 Mississippi State Hospital are hereby authorized for transfer to
568 the regular operating budgets of the respective facilities. Each
569 facility shall receive such funds as "Special" funds, and such
570 funds shall be available for use in payment of any and all
571 expenses of each facility, paid by the State Treasurer upon
572 warrants issued by the State Fiscal Officer; and the State Fiscal
573 Officer shall issue his warrants upon requisitions signed by the
574 proper person, officer or officers in the manner provided by law.

575 **SECTION 15.** The Department of Mental Health and its
576 facilities shall have the express legal authority, within funding
577 and spending authority appropriated under the provisions of
578 Section 1, authorized for expenditure under the provisions of
579 Sections 2 and 3, and allocated under the provisions of Section 4
580 of this act, to purchase land for use by residential facilities
581 operated by the Department, either directly or by means of
582 transferring funds to the Bureau of Building, Grounds and Real
583 Property Management, and to transfer such funds to Bureau of
584 Building, Grounds, and Real Property Management for the purposes
585 of constructing and equipping group homes for persons with mental
586 illness, mental retardation, and/or substance abuse; constructing

587 and equipping such other buildings as may be required for
588 treatment of persons with mental illness, mental retardation,
589 and/or substance abuse; repair and renovate existing buildings;
590 and to construct, repair and/or renovate employee housing. Any
591 intermediate care facilities for the mentally retarded (ICF/MR)
592 constructed with funds authorized in this section shall be
593 authorized to participate in Medicaid funding available for such
594 services.

595 **SECTION 16.** Of the General Funds appropriated to the
596 "Service Budget" in the category of "Subsidies, Loans and Grants,"
597 the sum required may be expended to fund the Home- and
598 Community-Based Waiver Option for community mental retardation
599 services as authorized under Section 43-13-117(29), Mississippi
600 Code of 1972.

601 **SECTION 17.** With the funds herein appropriated, the
602 Department of Mental Health is authorized to provide home- and
603 community-based treatment and institutional treatment to not more
604 than ten (10) persons at any given time who, on or after reaching
605 their twenty-first birthday (age 21), suffered a severe brain
606 injury and whose condition as a result of that brain injury would
607 have resulted in their classification as developmentally disabled
608 if such injury had occurred prior to their twenty-first birthday.

609 **SECTION 18.** The following sum, or so much thereof as may be
610 necessary, is hereby reappropriated out of any money in the
611 special fund in the State Treasury to the credit of the Department
612 of Mental Health Funds 3372, 3373, 3374, 3375, 3376, 3377, 3382,
613 3384, 3385, 3386, 3387, 3388 and 3391 for the fiscal year
614 beginning July 1, 2006, and ending June 30, 2007.....
615 \$ 10,000,000.00

616 Notwithstanding the amount reappropriated under the
617 provisions of this section, in no event shall the amount expended
618 exceed the unexpended balance as of June 30, 2006, or change the
619 purpose for which the funds were originally authorized.

620 **SECTION 19.** None of the funds appropriated herein may be
621 used to pay for alternative residential placement or
622 hospitalization for mental health, mental retardation, or
623 substance treatment of a person committed to the Department of
624 Mental Health under Sections 41-21-61 et seq., 41-21-107, 41-31-1
625 et seq., 43-21-315 and 43-21-611, Mississippi Code of 1972.

626 **SECTION 20.** Of the funds appropriated under the provisions
627 of Section 1, authorized for expenditure in Sections 2 and 3, and
628 allocated in Section 4 to Mississippi State Hospital, funds not to
629 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) may be
630 expended for preplanning costs associated with a project or
631 projects to renovate buildings on the campus of Mississippi State
632 Hospital to meet standards of the Joint Commission on
633 Accreditation of Healthcare Organizations.

634 **SECTION 21.** None of the funds appropriated for the support
635 of community mental health, mental retardation, or substance abuse
636 services shall be made available to any service provider which,
637 upon determination of the Executive Director of the Department of
638 Mental Health, has an outstanding monetary obligation owed to the
639 Department of Mental Health or to the Division of Medicaid,
640 pursuant to an audit or programmatic review performed by the
641 Department of Mental Health, that has not been resolved, including
642 those audits or programmatic reviews that occurred prior to
643 July 1, 2006.

644 **SECTION 22.** No program or entity certified by the Department
645 of Mental Health which also receives state source, federal source,
646 or Medicaid funding directly from the Department of Mental Health
647 or by virtue of state source funds appropriated to the Department
648 of Mental Health for Medicaid match for provision of mental
649 health, mental retardation, or substance abuse services shall pay
650 to any person employed by that program or entity a salary or
651 compensation, directly or indirectly, in excess of the salary
652 provided for a similar position under the classification system of

653 the State Personnel Board for a person with similar credentials,
654 educational level, and directly related years of experience in the
655 position. Any person whose current salary already exceeds the
656 allowable amount as determined under this section shall be allowed
657 to retain his or her current salary, but no increases shall be
658 granted until such time as the allowable maximum salary under the
659 classification system of the State Personnel Board exceeds the
660 current salary paid to that person. Those programs and entities
661 may adopt a system of compensation that includes additional
662 compensation for Educational Benchmarks as allowed under the State
663 Personnel Board system. Further, the Department of Mental Health
664 and the State Personnel Board shall collaborate in determining
665 similarity of positions in those programs or entities affected by
666 this section to positions within the classification system of the
667 State Personnel Board in any manner they deem appropriate to
668 efficiently implement the provisions of this section. Staff
669 of the State Personnel Board and the Department of Mental Health
670 shall be the final authority in the determination of corresponding
671 job titles and pay grades. Failure to comply with the provisions
672 of this section shall be cause to reduce or terminate funding
673 received from the Department of Mental Health.

674 **SECTION 23.** Special funds appropriated in the Service Budget
675 of the Department of Mental Health shall include an allocation of
676 Three Million Five Hundred Fifty-nine Thousand Three Hundred
677 Eleven Dollars (\$3,559,311.00) from Title XX Social Services Block
678 Grant funding received by the State of Mississippi, unless the
679 total Title XX Social Services Block Grant award received by the
680 State of Mississippi is reduced or increased by the federal
681 government from what was received in federal fiscal year ending
682 September 30, 2006. In cases where the total grant received by
683 the State of Mississippi is reduced or increased, the percentage
684 of the grant allocated to the Department of Mental Health shall be

685 the same as was allocated for the federal fiscal year ending
686 September 30, 2006.

687 **SECTION 24.** The Executive Director of the Department of
688 Mental Health is hereby authorized to transfer and receive into
689 the Central Office accounts of the Department of Mental Health
690 certain funds which originated from the various Department of
691 Mental Health facilities as transfers to the Department of Finance
692 and Administration - Bureau of Building, Grounds and Real Property
693 Management for building/renovation/repair for certain projects
694 that have not been obligated by the Bureau of Building and Real
695 Property Management for the purpose for which the funds were
696 transferred. Said funds are currently held in a Department of
697 Finance and Administration account and may be held in Fund 3391.
698 The Executive Director is further provided authority to transfer
699 those funds from the Central Office to any other Department of
700 Mental Health facility in any amount at his discretion.

701 **SECTION 25.** It is legislative intent to ensure beneficial
702 information reaches as many Mississippians as possible. Further,
703 it is legislative intent that the expenditure of public funds for
704 this purpose be accomplished in an efficient and effective manner.

705 Therefore, state agencies as standard procedure, will observe
706 the following criteria:

707 (a) Develop goals and desired result for a campaign.

708 (b) Evaluate effectiveness through respected
709 advertising standards, including market reach and cost
710 effectiveness.

711 (c) Seek public service announcements, which would be
712 aired by media without cost.

713 (d) Itemize and justify professional assistance and
714 related expenses for creative and production costs outside of the
715 actual media expenditures.

716 (e) Utilize Mississippi-owned media companies when
717 feasible.

718 **SECTION 26.** It is the intention of the Legislature that
719 entities of the Department of Mental Health which operate one or
720 more of the seven (7) crisis centers shall have the authority to
721 transfer general funds and/or special funds of any source and
722 related spending authority in the category of Salaries, Wages and
723 Fringe Benefits from their regular appropriation for operation of
724 all services except crisis centers to the crisis center
725 appropriation major object of Salaries, Wages and Fringe Benefits
726 in amounts required to cover the additional cost of raises,
727 additional costs of health insurance, and additional costs of
728 retirement on filled positions at the crisis center for which
729 funding was actually included in the regular appropriation of
730 those entities. Transfers made from the mental health entity
731 operating budget shall result in a reduction in its funds and
732 major object(s) of expenditure.

733 **SECTION 27.** In addition to all other funds heretofore
734 appropriated, the following sum is hereby appropriated out of the
735 State General Fund not otherwise appropriated, for the purpose of
736 providing for defraying the expenses of the Department of Mental
737 Health for the period beginning upon passage and through
738 June 30, 2006..... \$ 7,677,033.00

739 Of the funds appropriated in this section, Three Million
740 Seventy-seven Thousand Thirty-three Dollars (\$3,077,033.00) is
741 provided for the Medicaid Bed Tax and the balance is provided for
742 other programs.

743 **SECTION 28.** The department is authorized to expend available
744 funds on technology or equipment upgrades or replacements when it
745 will generate savings through efficiency or when the savings
746 generated from such upgrades or replacements exceed expenditures
747 thereof.

748 **SECTION 29.** It is the intention of the Legislature that
749 whenever two (2) or more bids are received by this agency for the
750 purchase of commodities or equipment, and whenever all things

751 stated in such received bids are equal with respect to price,
752 quality and service, the Mississippi Industries for the Blind
753 shall be given preference. A similar preference shall be given to
754 the Mississippi Industries for the Blind whenever purchases are
755 made without competitive bids.

756 **SECTION 30.** The money herein appropriated shall be paid by
757 the State Treasurer out of any money in the State Treasury to the
758 credit of the proper fund or funds as set forth in this act, upon
759 warrants issued by the State Fiscal Officer; and the State Fiscal
760 Officer shall issue his warrants upon requisitions signed by the
761 proper person, officer or officers in the manner provided by law.

762 **SECTION 31.** This act shall take effect and be in force from
763 and after July 1, 2006, except for Section 27 which shall take
764 effect and be in force from and after its passage.