

**Senate Amendments to House Bill No. 1624**

**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:**

7           **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is appropriated out of any money in the State General  
9 Fund not otherwise appropriated, to the Governor's  
10 Office - 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, 2023, and ending June 30, 2024.....  
15 .....\$     838,953,656.00.

16           **SECTION 2.** The following sum, or so much thereof as may be  
17 necessary, is appropriated out of any money in the State Treasury  
18 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, 2023, and ending June 30, 2024.....  
22 .....\$     315,635,553.00.

23           **SECTION 3.** The following sum, or so much thereof as may be  
24 necessary, is appropriated out of any money in any special fund in  
25 the State Treasury to the credit of the Governor's  
26 Office - Division of Medicaid which is comprised of special source  
27 funds collected by or otherwise available to the Division, 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, 2023, and ending  
31 June 30, 2024.....\$ 5,484,929,142.00.

32           Prior period recovery of funds may be maintained and expended  
33 by the division when the recovery is received or finalized. Any  
34 recoveries due to audits or third party recoveries may be used to  
35 offset the cost of such audits and third party recoveries and as  
36 such, the division may escalate Contractual Services as needed for  
37 these purposes.

38           **SECTION 4.** The following sum, or so much thereof as may be  
39 necessary, is appropriated out of any money in the State Treasury  
40 to the credit of the Health Care Expendable Fund, for the purpose  
41 of defraying the expenses of the Governor's Office - Division of  
42 Medicaid for the fiscal year beginning July 1, 2023, and ending  
43 June 30, 2024.....\$ 63,230,003.00.

44           The above funds shall be allocated as follows:  
45           CHIP Program at up to 209% level of poverty..\$ 9,000,000.00.  
46           Medical Program Matching Funds.....\$ 54,230,003.00.

47           It is the intention of the Legislature that funds may be  
48 shifted among the above allocated line items where needed at the

49 discretion of the Executive Director of Governor's Office -  
50 Division of Medicaid.

51 **SECTION 5.** Of the funds appropriated under the provisions of  
52 this act, the following positions are authorized:

53 AUTHORIZED HEADCOUNT:

54 Permanent: 921

55 Time-Limited: 23

56 With the funds herein appropriated, it shall be the agency's  
57 responsibility to make certain that funds required for Personal  
58 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
59 appropriated for that purpose unless programs or positions are  
60 added to the agency's Fiscal Year 2024 budget by the Mississippi  
61 Legislature. The Legislature shall determine the agency's  
62 personal services appropriation, which shall be published by the  
63 State Personnel Board. Additionally, the State Personnel Board  
64 shall determine and publish the projected annualized payroll costs  
65 based on current employees. It shall be the responsibility of the  
66 agency head to ensure that actual personnel expenditures for  
67 Fiscal Year 2024 do not exceed the data provided by the  
68 Legislative Budget Office. If the agency's Fiscal Year 2024  
69 projected cost exceeds the annualized costs, no salary actions  
70 shall be processed by the State Personnel Board with the exception  
71 of new hires that are determined to be essential for the agency.

72 Any transfers or escalations shall be made in accordance with  
73 the terms, conditions and procedures established by law or  
74 allowable under the terms set forth within this act. The State

75 Personnel Board shall not escalate positions without written  
76 approval from the Department of Finance and Administration. The  
77 Department of Finance and Administration shall not provide written  
78 approval to escalate any funds for salaries and/or positions  
79 without proof of availability of new or additional funds above the  
80 appropriated level.

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

85 None of the funds herein appropriated shall be used in  
86 violation of Internal Revenue Service's Publication 15-A relating  
87 to the reporting of income paid to contract employees, as  
88 interpreted by the Office of the State Auditor.

89 Funds have been appropriated herein for the purpose of  
90 funding Project SEC2 minimum salaries for all employees covered  
91 under the Colonel Guy Groff/Neville Kenning Variable Compensation  
92 Plan. It shall be the agency's responsibility to ensure that the  
93 funds are used to increase all employees' salaries up to the  
94 minimum level as determined by the State Personnel Board.

95 **SECTION 6.** It is the intention of the Legislature that the  
96 Governor's Office - Division of Medicaid shall maintain complete  
97 accounting and personnel records related to the expenditure of all  
98 funds appropriated under this act and that such records shall be  
99 in the same format and level of detail as maintained for Fiscal  
100 Year 2023. It is further the intention of the Legislature that

101 the agency's budget request for Fiscal Year 2025 shall be  
 102 submitted to the Joint Legislative Budget Committee in a format  
 103 and level of detail comparable to the format and level of detail  
 104 provided during the Fiscal Year 2024 budget request process with  
 105 the Children's Health Insurance Program (CHIP) being separated  
 106 from the Medical Services Program and submitted as a separate  
 107 program. All Medicaid 1915 (C) Home and Community Based Services  
 108 Waivers shall be presented as a budget program separate from the  
 109 Medical Services Program. In addition, the performance measures  
 110 reported for the Medical Services Program shall include an  
 111 unduplicated case count of individuals served by eligibility  
 112 status, and the number and the costs of emergency room visits.

113 **SECTION 7.** In compliance with the "Mississippi Performance  
 114 Budget and Strategic Planning Act of 1994," it is the intent of  
 115 the Legislature that the funds provided herein shall be utilized  
 116 in the most efficient and effective manner possible to achieve the  
 117 intended mission of this agency. Based on the funding authorized,  
 118 this agency shall make every effort to attain the targeted  
 119 performance measures provided below:

120		FY2024
121	<u>Performance Measures</u>	<u>Target</u>
122	Administrative Services	
123	Admin as a Percent of Total Budget	3.66
124	Third Party Liability Cost Avoided (Thou)	1,176,412.00
125	Percent of Clean Claims Processed within	
126	30 Days of Receipt	99.50

127	Percent of Clean Claims Processed within	
128	90 Days of Receipt	100.00
129	Percent of Applications Processed within	
130	Std. of Promptness - Medicaid	90.00
131	Third Party Funds Recovered	7,998,051.00
132	Number of Providers Submitting	
133	Electronic Claims	31,500
134	Turnover Rate of Employees	15.00
135	Medical Services	
136	Costs of Emergency Room Visits	171,539,318
137	Number of Emergency Room Visits	418,177
138	Medicaid Recipients - Enrolled (Persons)	793,762
139	Child Physical Exams (Ages 0-20)	317,675
140	Adult Physical Exams (21-Older)	10,595
141	Number of Fraud and Abuse Cases Investigated	300
142	Number of Medicaid Providers	45,000
143	Number of Medicaid Beneficiaries	
144	Assigned to a Managed Care Company	450,000
145	Percent of MSCAN Diabetic Members Aged	
146	17-75 Receiving HBA1c Test	88.69
147	Percent of MSCAN Members with Persistent	
148	Asthma are Appropriately Prescribed	
149	Medication	71.08
150	Rate of EPSDT Well Child Screening	75.00
151	Percent Change in Number of Recipients	
152	Enrolled From Last Year	2.50

153	Percent Change in Number of Providers	
154	From Last Year	29.15
155	Children's Health Insur Prg (chip)	
156	Number of CHIP Enrollees	47,000
157	Percent of CHIP Applications Processed	
158	within Std. of Promptness	90.00
159	Home & Comm-based Waiver Prg	
160	Elderly and Disabled - Persons Served	20,559
161	Elderly and Disabled - Funded Slots	20,121
162	Elderly and Disabled - Total Authorized	
163	Slots	22,200
164	Assisted Living - Persons Served	945
165	Assisted Living - Funded Slots	918
166	Assisted Living - Total Authorized Slots	1,100
167	Independent Living - Persons Served	3,675
168	Independent Living - Funded Slots	3,615
169	Independent Living - Total Authorized Slots	5,800
170	Traumatic Brain Injury - Persons Served	1,103
171	Traumatic Brain Injury - Funded Slots	1,050
172	Traumatic Brain Injury - Total	
173	Authorized Slots	1,150
174	Intellectual Disability - Persons Served	3,250
175	Intellectual Disability - Funded Slots	3,250
176	Intellectual Disability - Total	
177	Authorized Slots	4,150
178	Percent Change in Persons On Waiting	

179	List (E&D)	10.00
180	Percent Change in Persons On Waiting	
181	List (AL)	10.00
182	Percent Change in Persons On Waiting	
183	List (IL)	10.00
184	Percent Change in Persons On Waiting	
185	List (TBI)	10.00
186	Percent Change in Persons On Waiting	
187	List (IDD)	10.00

188 A reporting of the degree to which the performance targets  
189 set above have been or are being achieved shall be provided in the  
190 agency's budget request submitted to the Joint Legislative Budget  
191 Committee for Fiscal Year 2025.

192 **SECTION 8.** It is the intention of the Legislature that  
193 whenever two (2) or more bids are received by this agency for the  
194 purchase of commodities or equipment, and whenever all things  
195 stated in such received bids are equal with respect to price,  
196 quality and service, the Mississippi Industries for the Blind  
197 shall be given preference. A similar preference shall be given to  
198 the Mississippi Industries for the Blind whenever purchases are  
199 made without competitive bids.

200 **SECTION 9.** The Governor's Office - Division of Medicaid  
201 shall provide statistical and financial reports on a monthly basis  
202 to the Legislative Budget Office and the PEER Committee. These  
203 reports shall include, but are not limited to, an accounting of  
204 all funds spent in the medical program, the CHIP program, the



205 Dialysis Transportation program, and each of the Home and  
206 Community Based Waiver programs, and an accounting of all funds  
207 spent in the administrative program, participant statistics and  
208 any other information requested by the Legislative Budget Office  
209 and the PEER Committee.

210 The Governor's Office - Division of Medicaid shall perform  
211 its cash flow projections on a predetermined monthly schedule and  
212 make this and any other information requested available, upon  
213 request, to the Chair of the Senate Public Health and Welfare  
214 Committee, the House Public Health and Human Services Committee,  
215 the House and Senate Medicaid Committees, the House and Senate  
216 Appropriations Committees, the Legislative Budget Office and the  
217 PEER Committee. A summary of this cash flow projection shall also  
218 be presented in the report referenced in the above paragraph.

219 **SECTION 10.** Of the funds appropriated under the provisions  
220 of this act in an amount not to exceed, Two Million Seven Hundred  
221 Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose  
222 of funding a temporary program to provide nonemergency  
223 transportation to locations for necessary dialysis services for  
224 end-stage renal disease patients who are sixty-five (65) years of  
225 age or older or are disabled as determined under Section  
226 1614(a)(3) of the federal Social Security Act, as amended, whose  
227 income did not exceed one hundred thirty-five percent (135%) of  
228 the nonfarm official poverty level as defined by the Office of  
229 Management and Budget and whose eligibility was covered under the

230 former category of eligibility known as Poverty Level Aged and  
231 Disabled (PLADS).

232       **SECTION 11.** Of the funds appropriated in Sections 1 and 3,  
233 Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars  
234 (\$398,550.00) General Funds and One Million One Hundred One  
235 Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds  
236 are provided to maintain five (5) additional slots in the Assisted  
237 Living Waiver program for persons with Traumatic Brain Injury and  
238 in need of Cognitive Rehabilitation.

239       **SECTION 12.** Of the funds appropriated in Section 1, Eight  
240 Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is  
241 provided to maintain additional slots in the Assisted Living Home  
242 and Community Based Waiver program and One Million One Hundred  
243 Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00)  
244 is provided to maintain additional slots in the Elderly and  
245 Disabled Home and Community Based Waiver program.

246       **SECTION 13.** It is the intention of the Legislature that the  
247 funds appropriated in this act to the Governor's Office - Division  
248 of Medicaid for the Mississippi Coordinated Access Network  
249 (MS-CAN) program be used in the most efficient and effective  
250 manner possible to achieve the intended mission of the division.  
251 The division and the coordinated care organizations with which the  
252 division has contracted to conduct the MS-CAN program shall  
253 establish baselines for the health-related outcome measurement for  
254 each of the following health focus areas for presentation at the  
255 Joint Legislative Budget Committee hearings for Fiscal Year 2024,

256 which will be used as the baseline levels for establishing targets  
257 for improvements in quality of care performance measures for the  
258 MS-CAN program in Fiscal Year 2024 and later fiscal years:

259 a. Comprehensive Diabetes Care (CDC) or successive measure.

260 b. Medication Management for People with Asthma (MMA) or  
261 successive measure.

262 c. Annual Monitoring for Patients on Persistent Medications  
263 (MPM) or successive measure.

264 d. Adult BMI Assessment (ABA) and Weight Assessment and  
265 Counseling for Nutrition and Physical Activity for  
266 Children/Adolescents (WCC) or successive measure.

267 In addition, for comparison purposes, these same baselines  
268 for the health-related outcome measurements shall be established  
269 for similar Medicaid recipients who are not enrolled in the MS-CAN  
270 program.

271 **SECTION 14.** It is the intention of the Legislature that the  
272 Governor's Office - Division of Medicaid and the Department of  
273 Human Services shall continue to work together to implement HB  
274 1090 of the 2017 Regular Session, known as the "Medicaid and Human  
275 Services Transparency and Fraud Prevention Act".

276 **SECTION 15.** The Governor's Office - Division of Medicaid is  
277 authorized to expend funds appropriated herein as necessary to  
278 provide currently existing home and community based services  
279 through any CMS approved state plan or home and community based  
280 services waiver to individuals who qualify for those services to  
281 avoid institutionalization or to transition an individual from an

282 institution to any home and community based setting. Provision of  
283 such services shall not count against any limit imposed under this  
284 act. It is the intention of the Legislature that the cost of  
285 providing home and community based services shall not exceed the  
286 cost of nursing facility services, as determined by the Division.

287 **SECTION 16.** The money herein appropriated shall be paid by  
288 the State Treasurer out of any money in the State Treasury to the  
289 credit of the proper fund or funds as set forth in this act, upon  
290 warrants issued by the State Fiscal Officer; and the State Fiscal  
291 Officer shall issue his warrants upon requisitions signed by the  
292 proper person, officer or officers, in the manner provided by law.

293 **SECTION 17.** This act shall take effect and be in force from  
294 and after July 1, 2023, and shall stand repealed June 29, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S  
2 OFFICE-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 THAT LAW FOR THE FISCAL YEAR  
5 2024.

SS15\HB1624A.1J

Eugene S. Clarke  
Secretary of the Senate