

By: Representative Hines (By Request)

To: Public Health and Human Services; State Affairs

HOUSE BILL NO. 22

1 AN ACT TO CREATE THE MISSISSIPPI BOARD OF HUMAN SERVICES; TO
2 PROVIDE FOR THE MEMBERSHIP OF THE BOARD AND THE REQUIRED
3 EXPERIENCE OF THE BOARD MEMBERS; TO PROVIDE FOR THE APPOINTMENT OF
4 THE BOARD MEMBERS; TO AMEND SECTION 43-1-2, MISSISSIPPI CODE OF
5 1972, TO PROVIDE ADDITIONAL QUALIFICATIONS FOR THE EXECUTIVE
6 DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES; TO PROVIDE FOR THE
7 POWERS OF THE BOARD IN CARRYING OUT THE PURPOSES OF THE
8 DEPARTMENT; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** (1) There is created the Mississippi Board of
11 Human Services. The board shall consist of the following ten (10)
12 members, who shall each have extensive knowledge of or practical
13 experience with the Department of Human Services:

14 (a) Four (4) members to be appointed by the Governor,
15 one (1) from each congressional district, with one (1) being an
16 individual who has received services from the Department of Human
17 Services in the past, and one (1) being an attorney with
18 background in human services issues;

19 (b) Three (3) members to be appointed by the Lieutenant
20 Governor, one (1) from each Supreme Court district, with one (1)
21 having knowledge of federal and state funding issues, one (1)



22 having experience with the federal CCDF program and one (1) having
23 knowledge of TANF and SNAP programs; and

24 (c) Three (3) members to be appointed by the Speaker of
25 the House, one (1) from each Supreme Court district, each of whom
26 shall hold a current or past license as a master's level social
27 worker and have some experience with vulnerable adults and
28 children.

29 (2) All initial and later appointments to the board shall be
30 confirmed by the Senate. The initial members of the board shall
31 be appointed for staggered terms. No person shall be appointed to
32 the board for more than two (2) consecutive terms.

33 (3) Any vacancy on the board before the expiration of a term
34 shall be filled by appointment of the original appointing
35 authority and confirmed by the Senate. The person appointed to
36 fill the vacancy shall serve for the remainder of the unexpired
37 term and must fulfill the requirements of this section.

38 (4) The members of the board shall select one (1) member to
39 serve as chairperson of the board at the first meeting. The board
40 shall select a chairperson once every two (2) years, and any
41 person who has previously served as chairperson may be reelected
42 as chairperson, but not for more than two (2) consecutive terms.

43 (5) Six (6) members of the board shall constitute a quorum
44 for the transaction of any business of the board. The board shall
45 hold regular monthly meetings, and other meetings as may be
46 necessary for the purpose of conducting such business as may be



47 required. All meetings shall be called by the chairperson or by a
48 majority of the members of the board, except the first meeting,
49 which shall be called by the Governor. Any member who does not
50 attend three (3) consecutive regular meetings of the board, except
51 for illness, shall be subject to removal by a majority vote of the
52 members of the board.

53 (6) Members of the board shall receive the per diem
54 authorized under Section 25-3-69 for each day spent actually
55 discharging their official duties, and shall receive reimbursement
56 for mileage and necessary travel expenses incurred as provided in
57 Section 25-3-41.

58 (7) (a) The Executive Director of Human Services shall
59 serve as secretary and executive officer of the board. The
60 executive director shall be vested with all the authority of the
61 board when it is not in session, and shall be subject to such
62 rules and regulations as may be prescribed by the board.

63 (b) The executive director shall be responsible to the
64 board for the proper administration of all programs under the
65 jurisdiction of the department. Whenever the executive director
66 is given any duty or authority by law, the executive director
67 shall exercise that duty or authority in accordance with the
68 rules, regulations and policies adopted by the board.

69 (c) The salary of the executive director shall be set
70 by the board, subject to the approval of the State Personnel
71 Board.



72 **SECTION 2.** Section 43-1-2, Mississippi Code of 1972, is
73 amended as follows:

74 43-1-2. (1) There is created the Mississippi Department of
75 Human Services, whose offices shall be located in Jackson,
76 Mississippi, and which shall be under the policy direction of the
77 Governor.

78 (2) The chief administrative officer of the department shall
79 be the Executive Director of Human Services. The Governor shall
80 appoint the Executive Director of Human Services with the advice
81 and consent of the Senate, and he or she shall serve at the will
82 and pleasure of the Governor, and until his or her successor is
83 appointed and qualified. The Executive Director of Human Services
84 shall possess the following qualifications:

85 (a) A bachelor's degree from an accredited institution
86 of higher learning and ten (10) years' experience in management,
87 public administration, finance or accounting; or

88 (b) A master's or doctoral degree from an accredited
89 institution of higher learning and five (5) years' experience in
90 management, public administration, finance or accounting * * * and

91 (c) Strong administrative ability;

92 (d) Knowledge related to the fields of services
93 provided by the department;

94 (e) Understanding of the legislative process; and

95 (f) Knowledge of state and federal funding streams.



96 Those qualifications shall be certified by the State
97 Personnel Board.

98 (3) There shall be a Joint Oversight Committee of the
99 Department of Human Services composed of the respective Chairmen
100 of the Senate Public Health and Welfare Committee, the Senate
101 Appropriations Committee, the House Public Health and Human
102 Services Committee and the House Appropriations Committee, three
103 (3) members of the Senate appointed by the Lieutenant Governor to
104 serve at the will and pleasure of the Lieutenant Governor, and
105 three (3) members of the House of Representatives appointed by the
106 Speaker of the House to serve at the will and pleasure of the
107 Speaker. The chairmanship of the committee shall alternate for
108 twelve-month periods between the Senate members and the House
109 members, on May 1 of each year, with the Chairman of the Senate
110 Public Health and Welfare Committee serving as chairman beginning
111 in even-numbered years, and the Chairman of the House Public
112 Health and Human Services Committee serving as chairman beginning
113 in odd-numbered years. The committee shall meet once each
114 quarter, or upon the call of the chairman at such times as he
115 deems necessary or advisable, and may make recommendations to the
116 Legislature pertaining to any matter within the jurisdiction of
117 the Mississippi Department of Human Services. The appointing
118 authorities may designate an alternate member from their
119 respective houses to serve when the regular designee is unable to
120 attend such meetings of the oversight committee. For attending



121 meetings of the oversight committee, such legislators shall
122 receive per diem and expenses which shall be paid from the
123 contingent expense funds of their respective houses in the same
124 amounts as provided for committee meetings when the Legislature is
125 not in session; however, no per diem and expenses for attending
126 meetings of the committee will be paid while the Legislature is in
127 session. No per diem and expenses will be paid except for
128 attending meetings of the oversight committee without prior
129 approval of the proper committee in their respective houses.

130 (4) The Department of Human Services shall provide the
131 services authorized by law to every individual determined to be
132 eligible therefor, and in carrying out the purposes of the
133 department, the * * * Board of Human Services is authorized:

134 (a) To formulate the policy of the department regarding
135 human services within the jurisdiction of the department;

136 (b) To adopt, modify, repeal and promulgate, after due
137 notice and hearing, and where not otherwise prohibited by federal
138 or state law, to make exceptions to and grant exemptions and
139 variances from, and to enforce rules and regulations implementing
140 or effectuating the powers and duties of the department under any
141 and all statutes within the department's jurisdiction, all of
142 which shall be binding upon the county departments of human
143 services;



144 (c) To apply for, receive and expend any federal or
145 state funds or contributions, gifts, devises, bequests or funds
146 from any other source;

147 (d) Except as limited by Section 43-1-3, to enter into
148 and execute contracts, grants and cooperative agreements with any
149 federal or state agency or subdivision thereof, or any public or
150 private institution located inside or outside the State of
151 Mississippi, or any person, corporation or association in
152 connection with carrying out the programs of the department; and

153 (e) To discharge such other duties, responsibilities
154 and powers as are necessary to implement the programs of the
155 department.

156 (5) The * * * Board of Human Services shall establish the
157 organizational structure of the Mississippi Department of Human
158 Services, which shall include the creation of any units necessary
159 to implement the duties assigned to the department and consistent
160 with specific requirements of law, including, but not limited to:

161 (a) Division of Youth Services;

162 (b) Office of Economic Programs;

163 (c) Office of Child Support Enforcement; or

164 (d) Office of Field Operations to administer any state
165 or county level programs under the purview of the Mississippi
166 Department of Human Services, with the exception of programs that
167 fall under paragraph (a) of this subsection.



168 (6) The Executive Director of Human Services shall appoint
169 heads of offices, bureaus and divisions, as defined in Section
170 7-17-11, who shall serve at the pleasure of the executive
171 director. The salary and compensation of such office, bureau and
172 division heads shall be subject to the rules and regulations
173 adopted and promulgated by the State Personnel Board as created
174 under Section 25-9-101 et seq. The executive director shall have
175 the authority to organize offices as deemed appropriate to carry
176 out the responsibilities of the department. The organization
177 charts of the department shall be presented annually with the
178 budget request of the Governor for review by the Legislature.

179 (7) This section shall stand repealed on July 1, 2026.

180 **SECTION 3.** This act shall take effect and be in force from
181 and after July 1, 2024.

