

By: Representatives Johnson, Hines, Harness,  
Porter, Clark

To: Public Health and Human  
Services; Appropriations A

HOUSE BILL NO. 577

1 AN ACT TO CREATE A HAZARD PAY FOR ESSENTIAL HEALTH CARE  
2 WORKERS GRANT PROGRAM, TO BE ADMINISTERED BY THE STATE DEPARTMENT  
3 OF HEALTH, TO PROVIDE \$1,500 IN PREMIUM PAY FOR ESSENTIAL HEALTH  
4 CARE WORKERS WHO PERFORM JOBS IN PUBLIC SETTINGS AT HEIGHTENED  
5 RISK OF EXPOSURE TO COVID-19; TO DEFINE CERTAIN TERMS; TO REQUIRE  
6 THE DEPARTMENT TO ESTABLISH A PROCEDURE FOR EMPLOYERS OF ESSENTIAL  
7 HEALTH CARE WORKERS TO APPLY FOR GRANT FUNDS; TO REQUIRE THE  
8 DEPARTMENT TO SUBMIT AN ANNUAL REPORT ON THE PROGRAM TO THE  
9 LEGISLATIVE BUDGET COMMITTEE; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) The State Department of Health shall  
12 establish a Hazard Pay for Essential Health Care Workers Grant  
13 Program to provide premium pay of One Thousand Five Hundred  
14 Dollars (\$1,500.00) to essential health care workers who perform  
15 jobs in public settings that require exposure to COVID-19. Under  
16 the program, an essential work employer may apply for a grant to  
17 award premium pay to eligible employees using Coronavirus State  
18 Fiscal Recovery Funds made available under the federal American  
19 Rescue Plan Act (ARPA). The program will be funded from  
20 appropriations by the Legislature to the department from the  
21 Coronavirus State Fiscal Recovery Fund.



22           (2) As used in this act, the following words and phrases  
23 have the meanings ascribed in this subsection unless the context  
24 clearly requires otherwise:

25           (a) "ARPA" means the federal American Rescue Plan Act  
26 of 2021, Public Law 117-2, which amends Title VI of the Social  
27 Security Act.

28           (b) "ARPA funds" means Coronavirus State Fiscal  
29 Recovery Funds awarded through Section 602 of Title VI of the  
30 Social Security Act, as amended by Section 9901 of the federal  
31 American Rescue Plan Act of 2021, Public Law 117-2.

32           (c) "Department" means the State Department of Health.

33           (d) "Essential health care worker" means a licensed  
34 social worker, clinical worker, certified nurse assistant, aide,  
35 technician, janitorial staff, housekeeping staff, security guard,  
36 food service worker, laundry worker, nonmanagerial administrative  
37 staff or any other employee in a health care setting who performs  
38 work in a job or environment that subjects the employee to an  
39 elevated risk of being exposed to, directly or indirectly, or  
40 contracting COVID-19.

41           (e) "Essential work" means any work that:

42                   (i) Is not performed while teleworking from a  
43 residence; and

44                   (ii) 1. Involves regular in-person interactions  
45 with patients, the public or coworkers of the individual  
46 performing the work; or



47                   2. Involves regular physical handling of  
48 items that were handled by, or are to be handled by, patients, the  
49 public or coworkers of the individual performing the work.

50                   (f) "Essential work employer" means an employer who  
51 employs, or provides remuneration for services or labor to an  
52 essential health care worker.

53                   (g) "Program" means the Hazard Pay for Essential Health  
54 Care Workers Grant Program.

55                   (3) To qualify for premium pay, an essential health care  
56 worker must have an annual income of Seventy-five Thousand Dollars  
57 (\$75,000.00) or less and must perform essential work.

58                   (4) The department shall administer the grant program and  
59 review grant applications from essential work employers. As soon  
60 as practicable after July 1, 2024, the department shall promulgate  
61 rules and regulations establishing a process and deadlines for  
62 receiving grant applications and determining whether or not the  
63 requirements for approval of the application are met.

64 Applications must be reviewed, and the department must make a  
65 determination that a request for a grant is eligible under ARPA  
66 and all applicable guidance issued by the United States Department  
67 of the Treasury. If an essential work employer is eligible to  
68 receive funds, a grant agreement must be executed not more than  
69 seven (7) days after approval is granted with respect to that  
70 employer. Upon execution of the agreement, the department shall  
71 allocate the funding to the employer. All awards must be



72 determined at the discretion of the executive director of the  
73 department. The department may set aside three percent (3%) of  
74 the grant funds for administrative costs.

75 (5) As a condition of receiving and expending the funds  
76 appropriated to the department under this act, the department  
77 shall certify to the Department of Finance and Administration that  
78 each expenditure of the funds appropriated to the department  
79 complies with the guidelines, guidance, rules, regulations and/or  
80 other criteria, as may be amended from time to time, of the United  
81 States Department of the Treasury regarding the use of monies from  
82 the Coronavirus State Fiscal Recovery Fund established by the  
83 American Rescue Plan Act 223 of 2021.

84 (6) Grant funds must be used prospectively: grants may not  
85 be used to cover the costs associated with any payment of hazard  
86 pay made to essential health care workers before July 1, 2024.

87 (7) If the Office of Inspector General of the United States  
88 Department of the Treasury, or the Office of Inspector General of  
89 any other federal agency having oversight over the use of monies  
90 from the Coronavirus State Fiscal Recovery Fund established by the  
91 American Rescue Plan Act of 2021 (a) determines that the  
92 department or recipient has expended or otherwise used any of the  
93 funds appropriated to the department not in compliance with the  
94 guidelines, guidance, rules, regulations and/or other criteria, as  
95 may be amended from time to time, of the United States Department  
96 of the Treasury regarding the use of monies from the Coronavirus



97 State Fiscal Recovery Fund established by the American Rescue Plan  
98 Act of 2021, and (b) the State of Mississippi is required to repay  
99 the federal government for any of those funds that the Office of  
100 the Inspector General determined were expended or otherwise used  
101 improperly by the department or recipient, then the department or  
102 recipient that expended or otherwise used those funds improperly  
103 will be required to pay the amount of those funds to the State of  
104 Mississippi for repayment to the federal government.

105 (8) Before October 1 of each year, the department shall  
106 submit to the Joint Legislative Budget Committee an annual report  
107 about the program. The report must contain, at a minimum, the  
108 applications received and the amount of grant funds awarded to  
109 each applicant.

110 (9) Grant funds received under this section must be  
111 obligated no later than December 31, 2024, and must be expended no  
112 later than December 31, 2026, if the United States Congress does  
113 not enact an extension of the deadline on the availability of ARPA  
114 funds.

115 (10) This section shall stand repealed on July 1, 2027.

116 **SECTION 2.** This act shall take effect and be in force from  
117 and after July 1, 2024.

