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Chapter No. 83
14/HR40/A328SG
EW / JP

HOUSE BILL NO. 1481

Originated in House  Clerk

HOUSE BILL NO. 1481

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2015.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2014, and ending June 30, 2015

..... \$ 820,447,356.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing

medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2014, and ending June 30, 2015.....
..... \$ 434,616,785.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2014, and ending June 30, 2015..... \$ 4,336,676,656.00.

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

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2014, and ending June 30, 2015..... \$ 64,990,858.00.

The above funds shall be allocated as follows:

CHIP Program at 200% level of poverty.....	\$	2,879,024.00
Eyeglasses for adults	\$	699,191.00
Home and Community Waiver Program.....	\$	1,972,132.00
Disabled worker buy-in to the Medicaid program.....	\$	754,715.00
Dental fee increase.....	\$	904,837.00
Medical Program Matching Funds.....	\$	57,780,959.00

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed in the discretion of the Executive Director of the Division of Medicaid.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,028
	Part Time	2
Time-Limited:	Full Time	29
	Part Time	0

With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2016 do not exceed Fiscal Year 2015 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2015 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall

determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2015 appropriations for "Personal Services" when annualized, with the exception of escalated funds. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2015 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for a One Thousand Dollar (\$1,000.00) salary increase for full-time employees, or pro-rated for part-time employees, which shall be awarded to each employee that has not received a salary increase since July 1, 2010, and that is making an annual salary of less than Thirty Thousand Dollars (\$30,000.00) as of June 30, 2014.

The State Personnel Board shall not approve or process personnel action for any employee unless the employee has not received a salary increase since July 1, 2010, and for such an employee the increased amount shall not exceed Five Percent (5%); however, the following conditions are to be exempted: the award

of teacher salary increments; the advancement of a trainee/cadet to the next level of a bona fide career ladder; the award of an educational benchmark for the attainment of a Certified Public Accountant License or higher level professional certification; the immediate replacement of a departing employee with an employee from within state service at a salary level of the departing employee or the FY 2015 promotional formula, whichever is less; the emergency appointment of nurses, pharmacists or other health care and child protection professionals at a salary to be determined by the State Personnel Board or any other requested action of the agency that has been specifically authorized by the Legislature.

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

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

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2014. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2016 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2015 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

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

	FY2014
Performance Measures	Target

Administrative Services

Admin as a % of Total Budget (%)	3.60
Third Party Funds Recovered (\$)	25,500,100.00
Clean Claims % - 30 Days from Receipt (%)	99.00
Clean Claims % - 90 Days from Receipt (%)	100.00
Fiscal Agent Call Center Abandonment Rate (%)	0.97
Fiscal Agent Call Center Avg Answer Time (%)	19.00
Increase in Electronic Health Records (%)	4,794.00
Increase in E-Prescribing Technologies (%)	4,794.00
Providers Submitting Electronic Claims (Number of)	21,559.00
Third Party Liability Costs	
Avoided (\$ in Thousands)	1,200,089.00
Applications Processed within	
Standard of Promptness (%)	90.00

Medical Services

Recipients Enrolled (Persons)	694,791
Emergency Room Visits (\$)	63,434,972.00
Emergency Room Visits (Number of)	446,872
Out-stationed Eligibility Locations	115
Child Physical Exams	262,634
Adult Physical Exams	5,126
Num of Fraud/Abuse Cases Investigated	150
Kidney Dialysis (Number of Trips)	493,552
MSCAN Diabetic Members Aged 17-75	
Receiving HBA1c test (%)	74.50

MS-CAN Members with Persistent Asthma are	
Appropriately Prescribed Medication (%)	84.00
Child's Health Ins Prg (CHIP)	
CHIP Enrollees (Number of)	75,573
Out-stationed Eligibility Locations	115.00
Home- & Com-Based Waiver Prg	
Elderly & Disabled - Persons Served	17,800
Elderly & Disabled - Funded Slots	17,800
Elderly & Disabled - Total Auth Slots	19,000
Assisted Living - Persons Served	620
Assisted Living - Funded Slots	628
Assisted Living - Total Auth Slots	750
Independent Living - Persons Served	2,850
Independent Living - Funded Slots	2,850
Independent Living - Total Auth Slots	4,500
Traumatic Brain Inj - Persons Served	900
Traumatic Brain Inj - Funded Slots	900
Traumatic Brain Inj - Total Auth Slots	3,600
Intellectual Disab - Persons Served	2,200
Intellectual Disab - Funded Slots	2,200
Intellectual Disab - Total Auth Slots	3,400
MYPAC - Persons Served	0
MYPAC - Funded Slots	0
MYPAC - Total Auth Slots	0

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2016.

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

SECTION 9. Of the funds appropriated herein, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided to implement an Adult Foster Care program for Medicaid recipients as authorized by Section 43-13-117, Mississippi Code of 1972.

SECTION 10. The division shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office. These reports shall include, but are not limited to, an accounting of all funds spent and participant statistics medical program, the CHIP program, the Dialysis Transportation program, and each of the Home- and Community-Based Waiver programs, and an accounting of all funds spent in the administrative program.

The Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House Medicaid Committee, the House and Senate Appropriations Committees as well as the Legislative Budget Office.

SECTION 11. Of the funds appropriated in this act, the Division of Medicaid shall pay a per diem rate of reimbursement of no less than Fifty Dollars (\$50.00) or more than Seventy-five Dollars (\$75.00) to providers of adult day services for each day of service provided to an eligible beneficiary. In order to receive this per diem rate of reimbursement, providers of adult day services shall participate in the Elderly and Disabled Waiver Program for Home- and Community-Based Services.

SECTION 12. In the division's Fiscal Year 2016 budget submission, all Medicaid 1915 (C) Home- and Community-Based Waivers shall be presented as a budget program separate from the Medical Services Program.

SECTION 13. The Division shall transfer One Million Dollars (\$1,000,000.00) of State Support Funds to the Department of Rehabilitation Services for the support of the Independent Living Home- and Community-Based Waiver program and shall transfer One Million Dollars (\$1,000,000.00) of State Support Funds to the

Department of Human Services to support the Home Delivered Meals program.

SECTION 14. Of the funds appropriated under the provisions of this act, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) are provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS). One Hundred Eighty-two Thousand Five Hundred Thirty-five Dollars (\$182,535.00) of the amount provided in this section, as originally authorized in HB 865 of the 2009 Regular Session, shall come from Treasury Fund 3322.

SECTION 15. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided for five (5) additional slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need

of Cognitive Rehabilitation. The Division shall develop eligibility criteria for these additional slots.

SECTION 16. It is the intention of the Legislature that the division shall apply for enhanced federal funding for the modernization of Medicaid eligibility and enrollment IT systems that may become available to the Division of Medicaid. The division is authorized to escalate these funds in an amount not to exceed Fifty Million Dollars (\$50,000,000.00) in accordance with procedures for federal fund escalations as established in Section 27-104-21, Mississippi Code of 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.

SECTION 17. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for fiscal year 2016, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in fiscal year 2016 and later fiscal years:

<u>Health Focus Area</u>	<u>Measurement</u>
Blood sugar well controlled in people with diabetes	Percentage of members with HbA1c results less than or equal to 8.0%
Asthma-related emergency room (ER) visits	Percentage reduction in asthma-related ER visits
Congestive heart failure (CHF)	Percentage decrease in CHF-Related hospital readmissions
Obesity	Percentage of persons age eighteen and older classified as having a documented Body Mass Index (BMI) of 30.0 or more regardless of sex

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

SECTION 18. Of the funds appropriated in Sections 1, 2, 3 and 4, funds are provided for Phase One of the Mississippi Delta Medicaid Population Health Demonstration Project.

SECTION 19. It is the intention of the Legislature that the Division of Medicaid shall reallocate up to seventy-six (76) positions at a cost not to exceed Three Hundred Ninety-five Thousand One Hundred Forty-one Dollars (\$395,141.00).

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

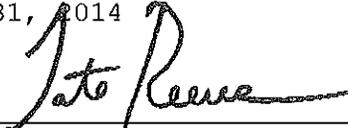
SECTION 21. This act shall take effect and be in force from and after July 1, 2014.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 31, 2014



SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 31, 2014



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

4/24/14

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