

4/18/15

10:40 A.M.

Chapter No. 64
15/HR03/A651SG
John 1.21

HOUSE BILL NO. 1556

Originated in House  Clerk

HOUSE BILL NO. 1556

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2016.

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 Department of Human Services for the fiscal year beginning July 1, 2015, and ending June 30, 2016 \$ 152,395,151.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2015, and ending June 30, 2016 \$ 1,400,605,505.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2,970
	Part Time	1
Time-Limited:	Full Time	880
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2017 do not exceed Fiscal Year 2016 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2016 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 2016

appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. 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 2016 "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.

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.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating

to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Notwithstanding the above language in this section, it is the intention of the Legislature that the Executive Director of the Mississippi Department of Human Services, at his discretion, may execute any personnel action within the Division of Family and Children's Services that he deems necessary to insure compliance with requirements outlined in the settlement agreement(s), judicial mandates or court orders of the Olivia Y. lawsuit. The State Personnel Board's compliance report shall be adjusted as necessary so that the Division of Family and Children's Services will always be in compliance.

SECTION 5. It is the intention of the Legislature that the Department of Human Services 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 2015. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2017 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 2016 budget request process.

SECTION 6. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child

Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2015. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. None of the above funds shall be used to hire employees under Personal Service Contracts except for Personal Service Contracts for the Division of Early Childhood Care and Development - Child Care and Division of Early Childhood Care and Development - Child Care Managers.

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. The Department of Human Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 10. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain

utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 11. 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:

	FY2016
<u>Performance Measures</u>	<u>Target</u>
Support Services	
Investigative Audits (Actions)	70
Special Investigations	85
Fraud Investigations (Actions)	950
Administrative Hearings	2,500
Sub-grant Monitoring Visits	450
Total Amount of Funds Recovered (\$)	2,851,330.00

Aging & Adult Services

In-home Services (Persons)	17,391
Community Based Services (Persons)	15,118
Congregate Meals (Number of Meals)	460,948
Home-delivered Meals (Meals Delivered)	2,238,296
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting List (%)	1.00
Child Support Enforcement	
Number of Paternities Established	45,938
Percent Change - Paternities Established (%)	4.55
Number of Obligations Established	42,000
Percent Change - Obligations Established (%)	16.00
Total Collections (\$)	390,000,000
Percentage Change in Total Collections (%)	
Absent Parents Located (Individuals)	60,000
Percentage of Child Support Cases Current on Payments (%)	35.00
Community Services	
Number of Elderly Served by CSBG & LIHEAP	28,011
Number of Handicapped Served	20,529
Number of Households Achieving Self-Sufficiency	1,692
Increase in Rate of Household Attaining Self Sufficiency (%)	2.00

Number of Households Stabilized	24,481
Percent Increase in the Number of Households Stabilized (%)	2.00
Number of Households Weatherized	719
Early Childhood Care & Dev	
Number of Children Served	28,000
Assistance Payments	
Dollar Amount of Assistance (\$)	1,250,000.00
Food Assistance	
Average Monthly Households	295,000
Supplemental Nutrition Assistance Program - SNAP (\$)	950,000,000
Percentage of Mississippi Households Receiving SNAP Benefits (%)	21.90
TANF Work Program	
TANF/Medicaid Households per Month	8,600
Work Program (Persons Served)	3,000
TANF Work Program Participation Rate (%)	50.00
Persons Employed	1,000
Number of Households Receiving TANF Benefits During the Year	6,800
Percentage of Households Receiving TANF During the Year (%)	0.45
Percentage of TANF Participants in Job Training Who Enter Employment (%)	30.00

Percentage of TANF Participants in Job Training Who Enter Employment at a Salary Sufficient to be Ineligible for TANF (%)	15.00
Percentage of TANF Participants in Job Training Who Remain Employed for:	
One Year After Leaving the Program (%)	70.00
Five Years After Leaving the Program (%)	63.00
Family & Children's Services	
Children in Agency Custody	5,077
Abuse & Neglect Investigations	26,004
Family Preservation - (No. of Families Served)	546
Number of Licensed Foster Homes	2,350
Number of Finalized Adoptions	325
Substantiated Child Abuse/Neglect per 1,000 Population	10.18
Days Children are Held in Emergency Shelters Before Foster Care Placement (Average)	25.20
Months Children are in Foster Care (Average)	18.70
Months Children in Foster Care Declared Legal for Adoption (Average)	28.15
Children in Foster Care Legally Eligible for Adoption Who are Adopted, by Age Ranges:	
Less than One Year Old (%)	1.00
1-3 Years Old (%)	44.00
4-6 Years Old (%)	20.00

7-9 Years Old (%)	20.00
10-14 Years Old (%)	10.00
15+ Years Old (%)	4.00
Special Needs - All Ages (%)	1.00
Percent Increase in Number of Children	
Reunified With Family Within 12 Months (%)	3.00
Social Services Block Grant	
Clients Served, Family & Child Services	60,750
Clients Served, Aging & Adult Services	21,178
Clients Served, Youth Services	880
Youth Services	
Community Services (Children Served)	13,500
Institutional Component (Children Served)	350
Number of Volunteers - Community Services	125
Children Placed in Alternative Placement	250
Children Diverted from Institutional (%)	75.00
Recidivism Rate	22.00

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 2017.

SECTION 12. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2016,

the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 13. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 14. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2015.

SECTION 15. Of the funds appropriated herein, an additional One Million Dollars (\$1,000,000.00) of Special Funds to be transferred from the Division of Medicaid, are provided to fund the Home Delivered Meals Program in the Aging and Adult Services Division.

SECTION 16. Of the funds provided in Section 1, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 17. Of the funds appropriated under the provisions of Section 2, Sixty-eight Thousand Seven Hundred Fifty Dollars (\$68,750.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense

Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, is provided for the Millcreek Home for Sexually Abused Girls in Brookhaven, Mississippi.

SECTION 18. 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.

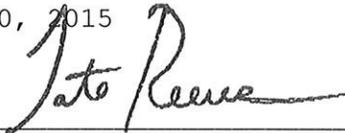
SECTION 19. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 30, 2015



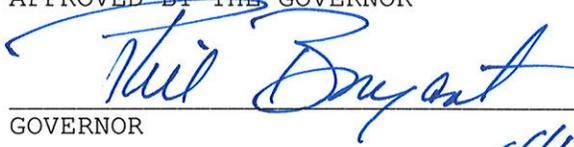
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 30, 2015



PRESIDENT OF THE SENATE

~~APPROVED BY THE~~ GOVERNOR



GOVERNOR

4/18/15
10:40am