5/9/16 3:04 P.M.

Chapter No. 34
16/SS02/A846SG
LR / ~~16/LR~~

SENATE BILL NO. 2895

Originated in Senate Liz Weeks Secretary

SENATE BILL NO. 2895

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2017.

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 hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2016, and ending June 30, 2017 ..... $ 2,706,170.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	17
	Part Time	0
Time-Limited:	Full Time	0
	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 2018 do not exceed Fiscal Year 2017 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2017 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 2017 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 2017 "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.

SECTION 3. In accordance with Section 73-27-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend One Hundred Thirty Thousand Dollars ($130,000.00) from the Mississippi Medical Licensure Board to defray expenses in support of the Prescription Monitoring Program.

SECTION 4. 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:

Performance Measures	FY2017 Target
Licensure	
New Licenses Issued Within Ten Business Days (%)	100.00
Renewals Issued Within Two Business Days (%)	100.00
Compliance	
Number of Written Complaints Received	0.00
Written Complaints Resolved Within Six Months (%)	100.00
Prescription Monitoring Prg	
Investigations Conducted due to the Diversion of Prescription Drugs, Impaired Pharmacists and Pharmacy Technicians	50.00
In-State Physicians Registered to PMP (%)	100.00
Licensed APRNs Registered to PMP (%)	100.00
Pharmacists Registered to PMP (%)	100.00
Recidivism Rate for Those Receiving Disciplinary Actions (% avg of 3 yrs)	8.00

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 2018.

SECTION 5. 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 6. It is the intention of the Legislature that the Board of Pharmacy 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 2016. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2018 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 2017 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally

or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. 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 9. This act shall take effect and be in force from and after July 1, 2016.

PASSED BY THE SENATE
April 18, 2016

Tate Reeves
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 18, 2016

Philip Gunn
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant
GOVERNOR

May 9, 2016
3:04 pm