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Chapter No. 09
13/HR40/A651SG
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HOUSE BILL NO. 1668

Originated in House _____ Clerk

HOUSE BILL NO. 1668

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2014.

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 General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2013, and ending June 30, 2014 ..... $ 144,771,847.00.

SECTION 2. 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 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, 2013, and ending June 30, 2014 .... $ 1,344,711,976.00.

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	2,989
	Part Time	1
Time-Limited:	Full Time	826
	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 2015 do not exceed Fiscal Year 2014 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2014 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 2014 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 2014 "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.

Unless otherwise authorized in this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, reclassification, realignment, educational benchmark, career ladder, equity salary adjustment, or any other means to increase salaries of employees or positions unless specifically exempted by the following conditions: 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 FY2014 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.

Notwithstanding the above language in this section, the Department of Human Services may restructure and reorganize the Division of Family and Children's Services in order to satisfy the requirements outlined in the settlement agreement, judicial mandates or court orders of the Olivia Y lawsuit.

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 2013. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2015 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 2014 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, 2013. 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. The department is authorized to escalate, budget and expend special and/or federal funds received from any source to carry out the duties of the department in an amount not to exceed Twenty Million Dollars ($20,000,000.00). Such funds are to be escalated 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 9. 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 10. 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 11. 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 12. 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	FY2014 Target
Support Services	
Investigative Audits (Actions)	60
Special Investigations	51
Fraud Investigations (Actions)	796
Administrative Hearings	2,500
Subgrant Monitoring Visits	400
Aging & Adult Services	
In-home Services (Persons)	17,391
Community Based Services (Persons)	15,118
Congregate Meals (Number of Meals)	4,046
Home-delivered Meals (Meals Delivered)	2,238,296
Boys & Girls Clubs	
TANF Funds Provided to Boys & Girls Clubs ($)	0.00

Child Support Enforcement	
Number of Paternities Established	29,000
Number of Obligations Established	11,000
Total Collections ($)	334,027,500.00
Absent Parents Located (Individuals)	51,352
Community Services	
Elderly Served by CSGB & LIHEAP	14,068
Number of Handicapped Served	15,592
Number of Household Achieving	1,243
Households Stabilized	18,727
Number of Households Weatherized	687
Early Childhood Care & Dev	
Children & Youth Served (CCDGB)	34,395
Assistance Payments	
Dollar Amount of Assistance ($)	1,700,000.00
Food Assistance	
Average Monthly Households	316,000
Supplemental Nutrition Assistance Program ($)	1,000,000,000.00
Tanf Work Program	
TANF/Medicaid Households per Month	11,250
Work Program (Persons Served)	5,100
TANF Participation Rate (%)	50.00
Persons Employed	1,250
Family & Children's Services	

Children in Agency Custody	3,560
Abuse & Neglect Investigations	22,008
Family Preservation - Child (Families)	120
Number of Licensed Foster Homes	1,600
Number of Finalized Adoptions	319
Social Services Block Grant	
Clients Served, Family & Child Services	34,107
Clients Served, Youth Services	12,000
Clients Served, Aging & Adult Services	11,837
Youth Services	
Community Services (Children Served)	12,000
Institutional Component (Children Served)	652
Number of Volunteers - Community Services	114
Children Placed in Alternative Placement	200
Children Diverted from Institutional (%)	60.00

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 2015.

SECTION 13. 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, 2014, 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 14. 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 15. 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, 2013.

SECTION 16. 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 17. Of the funds provided in Section 1, an amount not to exceed One Hundred Thousand Dollars ($100,000.00) is provided to fund the Special Olympics Program.

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, 2013.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2013

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 1, 2013

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

GOVERNOR

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