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Chapter No. 106
13/HR07/A330SG
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HOUSE BILL NO. 1673

Originated in House  Clerk

HOUSE BILL NO. 1673

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF REHABILITATION SERVICES FOR 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 Rehabilitation Services for the fiscal year beginning July 1, 2013, and ending June 30, 2014 \$ 21,558,705.00.

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 Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices 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
..... \$ 194,621,176.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal		
Funds	\$	2,782,590.00
Independent Living Program which		
includes the State Attendant		
Care Program	\$	854,903.00
Deaf and hard of hearing	\$	44,309.00

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	933
	Part Time	23
Time-Limited:	Full Time	254
	Part Time	2

The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

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.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation 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 herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 7. 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 8. 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
<u>Performance Measures</u>	<u>Target</u>
Disability Determination	
Dispositions (Number of)	110,000
Processing Time (Days)	99
Voc Rehab For The Blind	
Blind & Visually Impaired Served (Persons)	2,300
Persons Rehabilitated (Number of)	600
Number Served, Independent Living	810
Vocational Rehabilitation	
Clients Served (Number of)	19,952
Clients Rehabilitated (Number of)	3,980
Spinal Cord & Head Injury Prg	
Clients Served (Number of)	1,092

Special Disability Prgs

Clients Served (Number of) 3,341

Administration

Percentage of Total Budget 1.36

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 9. 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 Independent Living, Home and Community Based Medicaid Waiver Program in the Office of Special Disability Programs.

SECTION 10. With the funds provided herein, it is the intention of the Legislature that the Department of Rehabilitation Services is authorized to reallocate five (5) positions, reclassify eighteen (18) positions and award fifty-two (52) educational benchmarks at a total cost not to exceed One Hundred Ninety-six Thousand Two Hundred Fifty-seven Dollars (\$196,257.00).

SECTION 11. It is the intention of the Legislature that the Department of Rehabilitation Services shall have the authority to receive, escalate spending authority, and expend such sums as may be received from the Department of Mental Health to expand community services identified by the Mississippi Department of Mental Health that will improve the State of Mississippi's

compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2014, by the Department of Rehabilitation Services shall be reappropriated for the same purpose during the fiscal year ending June 30, 2015. Further, it is the intention of the Legislature that the Department of Rehabilitation Services shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended.

SECTION 12. Of the funds herein appropriated, an amount not to exceed One Hundred Eighty-seven Thousand Dollars (\$187,000.00) shall fund the AmeriCorp Northtown Family Readiness Program.

SECTION 13. 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 14. 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 15. This act shall take effect and be in force from and after July 1, 2013.

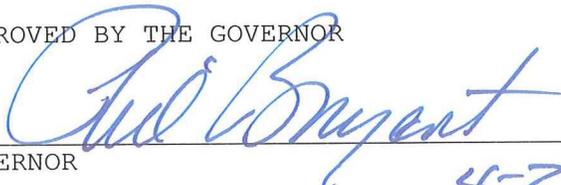
PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2013


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 31, 2013


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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