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MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Appropriations

By: Senator(s) Bryan

Senate Bill 3063

(As Sent to Governor)

AN ACT TO AMEND SECTION 2, CHAPTER 104, LAWS OF 2020, TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO PROVIDE FUNDS TO AMBULATORY SURGICAL CENTERS CERTIFIED BY THE STATE DEPARTMENT OF HEALTH, TO ALLOW GROUND AMBULANCES TO SEEK REIMBURSEMENT FOR ANY ELIGIBLE EXPENDITURE AS DEFINED BY THE ACT, TO REVISE ADMINISTRATIVE EXPENSES FOR THE COMMUNITY FOUNDATIONS, TO CLARIFY THE DEFINITION OF THE TERM "NONPROFIT ENTITY," TO INCREASE THE AMOUNT AWARDED TO FOOD PANTRIES AFTER A CERTAIN DATE, AND TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REALLOCATE UNDISBURSED FUNDS ON A CERTAIN DATE TO CHILD CARE FACILITIES; TO AMEND SECTION 7, CHAPTER 104, LAWS OF 2020, TO REVISE THE APPROPRIATION OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 2, Chapter 104, Laws of 2020, is amended as follows:

Section 2. The funds appropriated under Section 1 of this act shall be expended by the Mississippi Development Authority for the following purposes:

(a) Providing funds to the ambulatory surgical centers licensed or certified by the State Department of Health for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Four Thousand Dollars ($4,000.00) per surgery center ..... $ 300,000.00.

(b) Providing funds to the assisted living facilities licensed by the State Department of Health for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Four Thousand Dollars ($4,000.00) per facility ..... $ 452,000.00.

(c) Providing funds to the Alzheimer's/dementia care units licensed by the State Department of Health for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Four Thousand Dollars ($4,000.00) per unit ..... $ 88,000.00.

(d) Providing funds to the fourteen (14) providers of intermediate care facilities for individuals with intellectual disabilities licensed by the State Department of Health for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Ten Thousand Dollars ($10,000.00) per facility ..... $ 140,000.00.

(e) Providing funds to the permitted ground ambulances licensed or permitted by the State Department of Health for* * * any eligible expenditure, in amounts not exceeding Five Thousand Dollars ($5,000.00) per ambulance ..... $ 3,110,000.00.

For the purposes of this paragraph (e), the term "eligible expenditures" shall have the meaning as defined in paragraph (j) of this section.

(f) Providing funds to the nursing home facilities licensed by the State Department of Health for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Ten Thousand Dollars ($10,000.00) per facility ..... $ 2,110,000.00.

(g) Providing funds to the Mississippi Organ Recovery Agency (MORA) for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for their staff for protection against COVID-19 from current patients and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year ..... $ 100,000.00.

(h) Providing funds to independent dentists licensed by the Board of Dental Examiners who are not employed by a hospital for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for themselves and their office staff, for protection against COVID-19 from current patients, and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Four Thousand Dollars ($4,000.00) per dentist $ 5,632,000.00.

For the purposes of this paragraph (h), "independent dentist" means a licensed dentist who actively provides care to patients, owns a share of his or her practice, has key decision-making rights for his or her practice, and is not employed by a hospital or an organization associated with a hospital.

For the purposes of this paragraph (h), no practice group of dentists shall receive more than Forty Thousand Dollars ($40,000.00) in total reimbursement.

(i) Providing funds to independent physicians licensed by the State Board of Medical Licensure who are not employed by a hospital, nurse practitioners licensed by the Mississippi Board of Nursing who are not employed by a hospital and who have an independent practice, and independent optometrists licensed by the State Board of Optometry for purchasing personal protective equipment (PPE) and providing for COVID-19 testing for themselves and their office staff, for protection against COVID-19 from current patients, and to have sufficient PPE and testing in preparation for the expected new cases during the continuation of the current COVID-19 public health emergency later this year, in amounts not exceeding Two Thousand Five Hundred Dollars ($2,500.00) per physician, nurse practitioner or optometrist..... $ 7,125,000.00.

Not more than two thousand eight hundred fifty (2,850) persons may receive funds under this paragraph (i).

For the purposes of this paragraph (i), "independent physician" means a licensed physician, including allopaths, osteopaths and podiatrists, who actively provides care to patients, owns a share of his or her practice, has key decision-making rights for his or her practice, and is not employed by a hospital or an organization associated with a hospital; and "independent optometrist" means a licensed optometrist who actively provides care to patients, owns a share of his or her practice, has key decision-making rights for his or her practice, and is not employed by a hospital or an organization associated with a hospital.

For the purposes of this paragraph (i), no practice group of physicians shall receive more than Twenty-five Thousand Dollars ($25,000.00) in total reimbursement.

(j) Providing funds to community foundations for the purposes of making grants to nonprofit entities to reimburse those entities for eligible expenditures incurred by the entities, in amounts not exceeding Four Thousand Dollars ($4,000.00) per entity for awards made before November 15, 2020 and, in the discretion of each community foundation and upon such terms as it deems advisable, in amounts not exceeding a total compensation under this paragraph (j) of Twelve Thousand Dollars ($12,000.00) per entity for awards made on or after November 15, 2020 ..... $ 4,000,000.00.

The authority shall distribute to the community foundations a pro rata share of the funds authorized under this paragraph (j) based on the population served by the foundation. The community foundations may retain not more than one percent (1%) of the amount received from the authority under this paragraph (j) for administrative expenses. Moreover, each individual community foundation may retain an additional amount not to exceed Twelve Thousand Dollars ($12,000.00) of the amount received from the authority under this paragraph (j) for administrative expenses.

For the purposes of this paragraph (j):

(i) "Community foundations" means the CREATE Foundation, the Community Foundation of Northwest Mississippi, the Community Foundation of Washington County, the Community Foundation for Mississippi, the Community Foundation of East Mississippi, the Greater Pinebelt Community Foundation and the Gulf Coast Community Foundation;

(ii) "Nonprofit entity" means an entity that provides services to the public and in which no part of the assets, income or profit is distributed to or enures to the benefit of its members, directors or officers, including, but not limited to, volunteer fire departments, rural community development organizations, and civic clubs, including Civitan clubs, Rotary clubs, Exchange clubs, Kiwanis clubs, Boys and Girls clubs and Lions clubs; and

(iii) "Eligible expenditure" means a cost incurred that is reimbursable from funds received by the State of Mississippi from the Coronavirus Relief Fund established by the federal Coronavirus Aid, Relief and Economic Security (CARES) Act under the guidance and guidelines of the United States Department of the Treasury regarding the use of those funds.

(k) Providing funds to community foundations for the purpose of reimbursing food pantries for eligible expenditures incurred by the pantries, in amounts not exceeding Four Thousand Dollars ($4,000.00) per pantry for awards made before November 15, 2020, and in amounts not exceeding a total compensation under this paragraph (k) of Twelve Thousand Dollars ($12,000.00) per pantry for awards made on or after November 15, 2020 ..... $ 4,000,000.00.

The community foundations, in their discretion, may reimburse a food pantry directly from the funds provided under this paragraph (k) or may reimburse entities acting on behalf of a food pantry or providing a service to a food pantry. The community foundations may retain not more than one percent (1%) of the amount received from the authority under this paragraph (k) for administrative expenses. Moreover, each individual community foundation may retain an additional amount not to exceed Five Thousand Dollars ($5,000.00) of the amount received from the authority under this paragraph (k) for administrative expenses.

For the purposes of this paragraph (k), the terms "community foundations" and "eligible expenditures" shall have the meanings as defined in paragraph (j) of this section.

(l) Providing funds to the North Mississippi Education Consortium to be distributed to child care facilities throughout the state on an equitable basis for reimbursing the facilities for eligible expenditures incurred by the facilities or for providing personal protective equipment (PPE) ..... $ 3,000,000.00.

For the purposes of this paragraph (l), "child care facility" means any facility as defined by Section 43-20-5(a), Mississippi Code of 1972.

(m) For expenses of the authority in administering the funds expended under* * * this section ..... $ 150,000.00.

SECTION 2. Section 7, Chapter 104, Laws of 2020, is amended as follows:

Section 7. The funds appropriated under Section 6 of this act shall be expended by the Board of Trustees of State Institutions of Higher Learning for the following purposes:

(a) Providing funds* * * to the Mississippi Development Authority for the purpose authorized in paragraph (l) of Section (1) of this act $* * * 900,000.00.

Out of the funds appropriated in this paragraph (a), the North Mississippi Education Consortium may retain an amount not more than Ninety Thousand Dollars ($90,000.00) for reasonable administrative expenses of the child care facility program.

(b) Providing funds to the Mississippi Development Authority for the purpose authorized in paragraph (k) of Section (1) of this act $ 900,000.00.

(* * * c) Providing funds to the Office of Physician Workforce for five (5) hospitals to start or expand their physician residency programs to address the dire shortage of physicians in the state, especially primary care physicians, which limits the ability of the state to properly address patient needs and the disproportionate effects on the minority communities during the continuation of the current COVID-19 public health emergency, in order for the state to be better prepared to take care of existing COVID-19 patients and the expected additional patients during the continuation of the current COVID-19 public health emergency later this year ..... $ 4,418,000.00.

SECTION 3. This act shall take effect and be in force from and after its passage.

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