

Title 15: Mississippi State Department of Health

Part 9: Office of Health Policy and Planning

Subpart 100: COVID-19 Mississippi Local Provider Innovation Grant Program

Chapter 1. COVID-19 Mississippi Local Provider Innovation Grant Program

Subchapter 1. Authority and Purpose

Rule 1.1.1. Senate Bill 2820 adopted by the Mississippi State Legislature in its regular 2022 session authorizes the State Department of Health to adopt rules and regulations to establish the COVID-19 Mississippi Local Provider Innovation (CMLPI) Grant Program.

The CMLPI Grant Program is to be administered by the State Department of Health to grant funding to local health care providers for the purpose of strengthening and improving the health care system and increasing access to health care services to help communities achieve and maintain optimal health by providing transitional assistance to providers.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 2. Definitions

Rule 1.2.1. The following terms shall have the following meanings:

1. **“Department”** means the Mississippi State Department of Health and staff, and their designated representatives.
2. **“Local Health Care Provider or Provider”** means a facility that is licensed, certified or otherwise authorized or permitted by law to provide health care in the ordinary course of business in the State of Mississippi, including, but not limited to, skilled nursing facilities, direct primary care clinics, provider owned clinics, rural health clinics, academic medical centers, community health centers and/or independent physician practices.
3. **“Transitional assistance”** means any assistance related to changing a Provider’s current health care delivery model to a model more appropriate for the community that the Provider serves, including, but not limited to:
 - A. Conducting a market study of health care services needed and provided in the community;
 - B. Acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods, development of health information exchanges platforms to electronically share medical records, electronic health record

optimization, purchasing connected devices, upgrading digital devices, improving broadband connectivity, public health reporting, and implementing online or mobile patient appointment management applications; and

C. Supporting the implementation of population health management.

May include continuation of on-going innovation projects that were implemented any time after the beginning of the COVID-19 pandemic in Mississippi (March 12, 2020).

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Chapter 2. Grant Program Eligibility and Award

Subchapter 1. Local Health Care Provider (Provider) Eligibility

Rule 2.1.1. To be eligible, Providers must include the following information in their grant application:

1. A description of the location(s) for which the grant monies will be expended, including the name and location(s) of where the Provider administers health care services;
2. A statement of the amount of grant monies requested;
3. A description of the needs of the Provider, the transitional assistance for which the grant monies will be expended and how such transitional assistance will meet the stated needs;
4. Evidence that the Provider has played an active role in the community to combat the spread of COVID-19, including, but not limited to, testing, vaccination, and antibody treatment; and
5. Any other information the Department may request from the Provider or requires as part of the Department's application process to administer the CMPLI Grant Program.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 2.1.2. Grant applicants are limited to one (1) application per business entity as determined by the applicant's attestation and their business filing status with the Secretary of State. Subsidiaries of the entity are not eligible to submit separate applications. Health systems that affiliate, own or control multiple clinics are only eligible to submit one (1) application under the parent entity.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 2. Award Amount

Rule 2.2.1. Subject to fund availability, the Department shall determine the amount awarded to each applicant based on the applicant's grant application. The maximum amount awarded per applicant shall not exceed \$250,000.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Chapter 3. CMLPI Program – Round One Applicants

Subchapter 1. Applications

Rule 3.1.1 Applications for the CMLPI Grant Program must be submitted in the manner prescribed by the Department. Applicants should thoroughly read the Application guidelines and follow all instructions. The Department may be contacted for assistance. Requests for participation in round one of the CMLPI Program are made through a CMLPI Grant Application and all:

1. Eligible Recipients will be required to execute a sub-grant agreement with the Department and certify that the grant awarded under this program is for allowable expenditures under the American Rescue Plan Act (ARPA) of 2021, Public Law 117-2, which amends Title VI of the Social Security Act; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury.
2. First Round CMLPI Program Grant Applications must be received by the Department electronically on or before 5:00 p.m., on August 31, 2022, for first round consideration. The Department has the option to return late applications or accept late applications with or without penalty to the late applicant.
3. Acceptance of a Provider's application does not obligate the Department to award a grant to the applicant.
4. Applicants are limited to applying for a maximum of two hundred and fifty thousand dollars (\$250,000) per application.
5. If request for grant application funding during the first round or subsequent rounds exceed the amount appropriated or the funds remaining, then the Department may allocate awards based on criteria established by the Department.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

- Rule 3.1.2.
1. The Department may contact applicants for clarification of information presented in the application. The application review and award process shall include the following:
 - A. The application will be reviewed by Department staff to determine if it meets the minimum requirements for consideration.

B. Applicants will be notified in writing of the funding decision.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 3.1.3. As funds are available, subsequent rounds for applicants may be announced by the Department and applicants shall meet the same requirements listed in this Chapter.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 2. Award Allocation for Grantees

Rule 3.2.1. The CMLPI Grant Program Award Allocation will be distributed among grantees based on evaluation criteria, activities undertaken, and performance measures. The award per grantee shall not exceed \$250,000. To ensure that all awarded funds will be utilized for legislatively intended purposes, Providers must submit an acceptable CMLPI Grant Program Application. All awards are subject to funding availability.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Chapter 4. Implementation of CMLPI Grant Program Projects

The following guidelines have been designed to ensure compliance with state requirements and to provide instructions to help grantees successfully implement CMLPI Grant Program projects.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 1. CMLPI Grant Program Subgrant Agreements

Rule 4.1.1. A binding Sub-Grant Agreement will be executed between the Department and the grantee for the approved award amount and for the approved project(s) proposed by the grantee.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.1.2. Prior to release of any Program funds all Eligible Recipients will be required to certify, through a Program Attestation and Sub-Grant Agreement, that it understands and agrees to certain required provisions, including but not limited to, the following statements:

1. The Eligible Recipient understands and agrees to follow and comply with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan established by the ARP Act;
2. Further, the Eligible Recipient understands and agrees to follow and comply with all provisions of the Program, including but not limited to,

the CMLPI Program provided in SB 2820 of the 2022 Regular Session, and the CMLPI Program Rules and Regulations;

3. That, if the Eligible Recipient is found to be fully or partially noncompliant with any Program requirements, the Eligible Recipient agrees to return all or a portion any monies received from the Program, and the Eligible Recipient understands that it, or its legally responsible officials, may be subject to additional civil and criminal penalties;
4. That the Eligible Recipient certifies and acknowledges that by accepting reimbursement for Eligible Expenses under the Program, it may be subject to additional monitoring, oversight, and/or auditing by the U.S. Department of Treasury's Office of the Inspector General, the Mississippi Office of the State Auditor, the Mississippi State Department of Health, or such other federal or state agencies with authority to conduct such reviews;
5. The Program Attestation and Sub-Grant Agreement must be signed under penalty of perjury certifying that all responses and statements are true and correct and are not false, fraudulent, or materially misleading.
6. All supporting information requested in the Sub-Grant Agreement must be provided. The failure to enter into the Program Attestation and Sub-Grant Agreement and agree to the required certifications and representations will result in the Eligible Recipient being disqualified from the Program.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.1.3. The Sub-Grant Agreement will identify the activities funded, budgeted cost, general terms and conditions, and other pertinent requirements.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.1.4. The Sub-Grant Agreement will be sent to grantees. The Provider will be required to sign, date, and return the agreement to the Department within fifteen (15) calendar days of the date of the correspondence. By affixing his/her signature to the agreement, the grantee is agreeing to abide by all requirements of the CMLPI Grant Program and the terms and conditions contained in the agreement through the close out of the project.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 2. Finance

Rule 4.2.1. Providers must use appropriate fiscal controls and accounting procedures to ensure the proper disbursement of and accountability for grant funds. The accounting system should reflect all receipts, obligations, revenues, and disbursements of grant funds. Applicants are expected to adequately justify the need for and appropriate use of all grant funds requested and, at the conclusion of the grant period, to adequately show that funds were used as intended. Failure to

provide accurate fiscal reporting may result in a request for repayment of funds. All grant records are subject to audit in accordance with the requirements of the Sub-Grant Agreement.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.2.2. The reimbursement payment method will be utilized to allow grantees to receive funds from the CMLPI Grant Program on a monthly basis. Grantees must adhere to the following procedure when requesting monthly reimbursements:

1. Requests for reimbursement cannot be processed prior to receipt of the grantee's signed subgrant agreement. Reimbursement is only available for the current contract period.
2. A cover letter requesting reimbursement and signed by the Provider must be submitted to initiate a reimbursement request. The cover letter must be on the grantee's letterhead and must indicate the amount of the reimbursement request. Grantees must submit supportive documentation when requesting reimbursement.
3. Requests for reimbursement should not exceed budget limits.
4. Incomplete and/or incorrect reimbursement requests submitted by grantees will not be approved until all deficiencies are corrected and/or all required documentation is submitted to the Department. Department staff will notify the grant recipient of any deficiencies and the requirements for correction.

Rule 4.2.3. The final reimbursement request must be submitted to the Department no later than (30) days after the close of the agreement. Failure to submit the final reimbursement request and all required supportive documentation may result in the Department not being able to approve the request for payment based on the Department's Finance and Administration guidelines.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.2.4. **Subgrant Budget Modifications**

Grantees are allowed to request approval to modify the budget of the Sub-Grant Agreement if the grant award for the grantee has not been exhausted. Grantees are required to submit the CMLPI Grant Program Budget Modification Packet to the Department to obtain approval prior to making any changes to the budget approved in the Sub-Grant Agreement.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 3. COVID-19 MLPI Grant Program Recordkeeping Requirement

Rule 4.3.1. Grantees shall maintain financial and other records in accordance with the financial record and audit requirements of the subgrant agreement and state and/or federal law.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Subchapter 4. COVID-19 MLPI Grant Program Monitoring

Rule 4.4.1. Monitoring the progress of grantees of CMLPI Grant funding is an important function of the grantee and the Department to ensure that the objectives of the CMLPI Grant Program are met. Through monitoring of grantee activities, both grantees and the Department can demonstrate that funds are being used as intended.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.4.2. Grantees will be required to submit a six-month (6) progress report as part of the monitoring requirement. The Department will send the six-month (6) progress report packet to grantees. Failure to submit a six-month (6) progress report constitutes a monitoring finding.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.4.3. The Department will conduct on-site monitoring visits as needed. If necessary, the Department will conduct follow-up site visits to verify correction of monitoring findings. During the site visit, actual implementation of the proposed CMLPI Grant project(s) will be verified, grantees' progress will be assessed, and technical assistance will be available. Grantees will be notified in writing of the results of the site visit, of any findings, and the requirements of corrective action.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.4.4. If corrective action is needed, grantees will be required to submit a corrective action plan to the Department within fifteen (15) calendar days of the date of the Department's notice. The corrective action plan must include implementation date(s).

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.4.5. If necessary, the Department will conduct a follow-up review to verify implementation of the corrective action plan.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 4.4.6. Failure of a grantee to address any monitoring findings could result in reimbursement delays.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Chapter 5. COVID-19 MLPI Grant Program Project Closeout

Subchapter 1. Reporting / Closeout Report

Rule 5.1.1. Upon entering into the Sub-Grant Agreement, Eligible Recipients will be required to submit their Eligible Expenses through the prescribed Program Report form. All Eligible Expenses must be itemized on the form, and the Eligible Recipient must certify that it has not received any other funds from any other source to cover these items. The Program Report forms must be signed under penalty of perjury by the Eligible Recipient or its designated representative with authority to do so. Furthermore, the Eligible Recipient must submit supporting documentation for all Eligible Expenses, including, but not limited to invoices, purchase orders, receipts, bills, charges, or other financial statements. Failure to submit supporting documentation will result in those expenses being denied as ineligible.

Rule 5.1.2. Grantees will be required to submit a report to the Department detailing how the funding was used, the financial expenditures made, and any other information deemed essential by the Department. The Department will send each grantee a CMLPI Grant Program Closeout Report packet to complete.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session

Rule 5.1.3. Failure to timely submit a complete project closeout report to the Department could result in reimbursement delays.

SOURCE: Senate Bill 2820, 2022 Regular Legislative Session