NOV 18 2005

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID

Miss. Division of Medicaid
c/o Bob M. Dent, Staff Officer
Robert E. Lee Building
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Specific Legal Authority Authorizing the promulgation of Rule: Miss Code Ann. §43-13-121(1972), as amended

Reference to Rules repealed, amended or suspended by the Proposed Rule :
SPA Attachments 3.1-A, exhibit 12a, pages1 & 2; 4.19-B, page 12a, 12a.1, 12a.2, 2.2-A, page 27, 4.18-A, page 1

Date Rule Proposed:

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
SPA 2005-010. This State Plan Amendment is being filed to allow the Division of Medicaid to limit the number of prescriptions for beneficiaries aged 21 and over to five per month with no more than two brand name (single source or innovator) drugs per month for each non-institutionalized medicaid beneficiaries as set in House Bill 1104, modify the reimbursement methodology for prescriptions, adjust the beneficiary co-payment, and makes a technical correction to Attachments 4.19-B, pages 12a.2 and 12a.3

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☐ An oral proceeding was held on this rule:

Date:
Time:
Place:

☒ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☐ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☒ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: July 1, 2005

Executive Director
Signature and Title of Person Submitting Rule for Filing