NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID

Miss. Division of Medicaid
c/o Ginnie McCardle, Staff Officer
Walter Sillers Building
550 High Street
Suite 1000
Jackson, MS 39201-1399
(601) 359-6310
http://www.dom.state.ms.us

Specific Legal Authority Authorizing the promulgation of Rule: Miss Code Ann. §43-13-121(1972), as amended §43-13-117 (1972)

Reference to Rules repealed, amended or suspended by the Proposed Rule :
Provider Policy Manual Section 31.04

Date Rule Proposed: April 1, 2008

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
AP 2008-23 This administrative policy amendment has been filed to reflect changes (SPA2008-001) that are being made to the Mississippi State Plan regarding pharmacy reimbursement. This amendment establishes a state maximum allowable cost (State MAC) program for certain multi-source drugs covered through the MS Medicaid program as a cost containment measure and to insure DOM compliance with requirements of the DRA 2005 regarding aggregate upper limits of payment. The multiplier used in determining reimbursement has been increased from 1.2 to 1.3. This increase was based on comments received by DOM.

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: April 21, 2008
Time: 2:00 p.m.
Place: Mississippi Division of Medicaid, 10th Floor Conference Room, 550 High St., Jackson, MS 39201

☐ 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: May 1, 2008

Executive Director
Signature and Title of Person Submitting Rule for Filing