

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

Reference to Rules repealed, amended or suspended by the  
Proposed Rule :  
Provider Policy Manual Section 36.07 and 36.18

Date Rule Proposed: November 5, 2008

**Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:**

AP2008-53 This administrative policy amendment is being filed to update Medicaid's policy for physical therapy, occupational therapy, and speech-language pathology offered in a nursing facility and what is included in regards to these services in the per diem rate. Also, included is a cross-reference on DME items supplied to residents in a nursing facility. Prior authorization/pre-certification of certain physical, occupational, and speech -language pathology services is required by the Division of Medicaid. Therapy providers must prior authorize services through the UM/QIO for DOM. Failure to obtain prior authorization will result in denial of payment to billing providers.

**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: January 1, 2009

Executive Director

Signature and Title of Person Submitting Rule for Filing