Public access to records maintained by the Division of Medicaid (DOM) is mandated in Section 25-61-1 et seq. of the Mississippi Code of 1972, as amended. One exception to this public access for Medicaid purposes is beneficiary specific information which must be kept confidential in accordance with 42 CFR 431.300 through 431.307 as discussed in Section 7.01 of this manual, and the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, 45 CFR 160 and 164.

Provider manuals/bulletins and other DOM information including the complete Medicaid Eligibility Manual, the Title XIX State Plan for the Mississippi Division of Medicaid and certain fee schedules are available for viewing and/or printing on DOM's web site at www.medicaid.ms.gov.

Records furnished to DOM by third parties that contain trade secrets or confidential commercial or financial information will not be released until notice to the third party has been given. Such records will be released within a reasonable period of time, unless the third party has obtained a court order protecting the records as confidential.

Information not accessible through the web may require the assistance of DOM staff to accommodate the request. In those instances, a fee may be charged for the requested information. DOM staff responds to requests for information within fourteen (14) working days.

Procedure for Requesting Public Information/ Fees

Procedures to request information from DOM include the following:

1. Any person wishing to inspect or copy public records of DOM should make the request in writing on DOM's request form, which is available for use at the office of the public records officer and online at www.medicaid.ms.gov, or by letter, fax, or e-mail addressed to:

   Public Information Officer
   Walter Sillers Building
   Division of Medicaid
   550 High Street, Suite 1000
   Jackson, MS 39201
   Fax: (601)359-9153
   Email: Request.info@medicaid.ms.us

   The written request should include the following information:
   - Name of requestor;
   - Address of requestor;
   - Other contact information, including telephone number and any e-mail address;
   - Identification of the public records adequate for the public records officer or designee to locate the records; and
   - The date and time of day of the request.

2. The following fees may be charged for requested information:
   - $10.00 per hour or any part of any hour for clerical staff time
   - $40.00 per hour or any part of any hour for professional staff time

- $.15 per page for copies
- $ 1.25 per page for FAX
- $ 7.00 per CD or DVD

An additional charge is added for postage costs.

3. Medicaid fee schedules (not available on the web) are available for the following fees:

   Hard Copy - $92.00 (including postage)
   CD - $45.78 (including postage)

   Those requesting only a specific portion of the fee schedule are billed for copying costs, postage, and clerical staff time as outlined above in item 2.

4. If the requested information must be obtained from DOM system files (MMIS), the cost is $85.00 per hour to generate the information requested by writing the proper computer program. Thereafter, copies are made at $ .50 per page. A certified check, money order, or cash shall be deposited in escrow with the DOM staff accountant before retrieval of the information begins. This payment is to cover the cost of the professional staff member's assistance, postage, copying fees, and/or cost of the computer time (see item 2 for specific fees).

5. When required, those inspecting records are provided adequate space to work at no cost.

6. Staff of the Division of Medicaid provides requested records and information.

7. No more than two persons requesting information per organization are assisted at a time.

8. Those requesting to bring in a copier to make their own copies are charged for clerical and/or professional staff time necessary to provide the information for copying.

9. Those requesting to provide clerical staff to make their own copies on DOM copiers are charged $ .50 per page for copies plus clerical and/or professional staff time necessary to provide the information for copying. Copies have to be made during times when DOM staff is not in need of the copiers for agency business.

Review of Denials of Public Records

Any person who objects to the initial denial or partial denial of a records request may petition in writing to the public records office for a review of that decision. The petition must include: (1) a copy of the written statement by the public officer denying the request; and (2) a detailed statement of why the request should be approved, including any legal and/or factual arguments in favor of approving the request.

The public records officer shall submit the petition and any other relevant information to the Executive Director for review. The Executive Director will immediately consider the petition and either affirm or reverse the denial within ten (10) business days following DOM's receipt of the petition.