

16624

NOTICE OF PROPOSED RULE ADOPTION

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 St.
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Reference to Rules repealed, amended or suspended by the Proposed Rule : _____
Preferred Drug List (PDL)

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

AP2009-67 This administrative policy amendment updates DOM's preferred drug list for 2010. The effective date for this filing is March 1, 2010, but was filed as a temporary rule on December 21, 2009 with an effective date of January 1, 2010. With this filing is a memo that was included with the temporary file from Medicaid's Executive Director regarding the urgency of filing this as a temporary rule.

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding is scheduled on this rule on Date: _____ Time: _____
Place: _____

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

The agency has determined that an economic impact statement is not required for this rule, or
 The concise summary of the economic impact statement required is attached.

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

Date Rule Proposed: December 21, 2009

Proposed Effective Date of Rule: March 1, 2010 ~~2009~~


Executive Director
Signature and Title of Person Submitting Rule for Filing



STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID
DR. ROBERT L. ROBINSON
EXECUTIVE DIRECTOR

Memorandum

To: File

From: Robert L. Robinson

Date: December 16, 2009

Re: Preferred Drug List Memo

Pursuant to the authority provided in Mississippi Code Section 25-43-3.108, I find that adoption of the above described rule for the Medicaid Preferred Drug List is necessary due to the imminent peril to the public health and welfare that may result from failure to adopt this rule effective January 1, 2010. The drugs described on the Preferred Drug List are available to Medicaid recipients without additional prior authorization or review thereby expediting the delivery of prescribed drugs to the needed population. Further, in addition to their clinical efficacy, the drugs provided for on the Preferred Drug List have been determined to be cost effective when compared to drugs not on the list. Given the dire budget constraints facing the State and the Division of Medicaid due to recent budget cuts and projected continuing state revenue shortfalls it is necessary to enact the Preferred Drug list as soon as possible in order to help sustain the viability of the program. Since most drugs are purchased in the first week of the month, it is necessary to implement the changes January 1, 2010. It is our intent that this policy will be effective for a period not to exceed 120 days as required by law, unless renewed for period not to exceed 90 days as allowed by law.