

16749

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID

FILED
MAR 26 2010
MISSISSIPPI
SECRETARY OF STATE

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
§25-43-1.103 (4)

Reference to Rules repealed, amended or suspended by the
Proposed Rule :

MS State Plan - Attachment 4.19-A, Page 1, 1a, 3, 6, 7, 7a, 15
thru 17, 20, 23, 24, 28, and 34 thru 39

Date Rule Proposed: September 16, 2010

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

SPA2009-002 This State Plan amendment is being filed to comply with House Bill 71, which directs DOM to submit a State Plan amendment to CMS related to changes in the distribution of hospital DSH and UPL payments beginning in SFY-10. This amendment also clarifies language for rates for new owners and new hospitals and language for providers requesting a rate change due to a 5% increase in costs. There is also a change in the age restriction from under six to under twenty-one for services provided by out-of-state hospitals that cannot otherwise be provided in Mississippi.

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: September 21, 2009


Executive Director
Signature and Title of Person Submitting Rule for Filing