

Mississippi Secretary of State
 700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Division of Medicaid		CONTACT PERSON Margaret Wilson	TELEPHONE NUMBER 601-359-6698	
ADDRESS 550 High Street, Suite 1000		CITY Jackson	STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	SUBMIT DATE SEP 06 2013	Name or number of rule(s): Title 23: Division of Medicaid, Part 203: Physician Services, Chapter I: General, Rule 1.4: Physician Office Visits		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal:

This proposed filing is to modify the MS Division of Medicaid's Administrative Code filing is to revise Part 203: Physicians' Services, Chapter I: General, Rule 1.4: Physician Office Visits. This revision allows for additional reimbursement for scheduled physician office visits during "provider established office hours" which are outside of the Division of Medicaid's definition of "office hours".

Specific legal authority authorizing the promulgation of rule: MS Code Ann. § 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: Rule 1.4: Physician Office Visits

ORAL PROCEEDING:

- An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____
- Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more 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, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

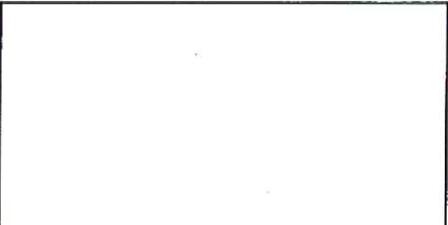
ECONOMIC IMPACT STATEMENT:

- Economic impact statement not required for this rule. Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): NOV 01 2013	Date Proposed Rule Filed: _____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: David J. Dzielak, Ph.D., Executive Director

Signature of person authorized to file rules: _____

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by _____	Accepted for filing by <u>JW</u> #20029	Accepted for filing by _____

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



DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME Division of Medicaid	CONTACT PERSON Margaret Wilson		TELEPHONE NUMBER 601-359-5241
ADDRESS 500 High Street, Suite 1000	CITY Jackson	STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Physician Office Visits		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann.43-13-121	Reference to Rules repealed, amended or suspended by the Proposed Rule: Title 23: Division of Medicaid, Part 203: Physician Services, Chapter 1: General, Rule 1.4: Physician Office Visits		

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

Physician offices will be allowed to set regularly scheduled office hours outside of 8:00 a.m. to 5:00 p.m., Monday through Friday, and receive reimbursement in addition to the appropriate Evaluation and Management code for visits occurring during these hours. Beneficiaries will be allowed to receive services for a non-life threatening medical condition from their primary care physician in the office setting outside of 8:00 a.m. to 5:00 p.m., Monday through Friday.

2. Briefly describe the need for the proposed rule:

The provider community requested the ability to have physician office hours outside of 8:00 a.m. to 5:00 p.m., Monday through Friday, to provide primary care services to beneficiaries. Beneficiaries will be able to receive primary care services from their primary care physician instead of seeking services in the emergency department for conditions that are not life-threatening but warrant immediate attention and cannot wait till the next scheduled appointment.

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

See answer to #2.

4. Estimated Cost of implementing proposed action:

- a. To the agency
 Nothing Minimal Moderate Substantial Excessive
- b. To other state or local government entities
 Nothing Minimal Moderate Substantial Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:

- c. Cost:
 Nothing Minimal Moderate Substantial Excessive
- d. Economic Benefit:
 Nothing Minimal Moderate Substantial Excessive

6. Estimated impact on small businesses:

- Nothing Minimal Moderate Substantial Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: Unknown at this time.
- b. Projected costs for small businesses to comply:
 The cost of operating the physician's office during the extended hours.
- c. Statement of probable effect on impacted small businesses:
 Increase in revenue for physician offices.

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- substantially less than moderately less than minimally less than
 the same as minimally more than moderately more than
 substantially more than excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
 yes no
2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.) N/A

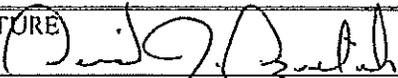
C. Data and Methodology

1. Based upon a review of services received in the emergency department for state FY13, an estimate of one percent (1%) of beneficiaries could have been treated in a non-emergent setting in the physician's office (example: Otitis Media).

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and demand an oral proceeding on the proposed rule if one is not already provided?

A public notice is not required for this filing.

SIGNATURE		TITLE	Executive Director
DATE	9/6/13	PROPOSED EFFECTIVE DATE OF RULE	NOV 01 2013