

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) 359-5241	
ADDRESS 550 High Street, Suite 1000		CITY Jackson	STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	SUBMIT DATE <b>JUN 26 2014</b>	Name or number of rule(s): Title 23: Division of Medicaid; Part 103: Resources, Chapter 4: Countable Resources; New Rules 4.21 and 4.22.		

Short explanation of rule/amendment/pepeal and reason(s) for proposing rule/amendment/pepeal: The MS Division of Medicaid's Administrative Code proposed filing is to amend Title 23: Medicaid, Part 103: Resources, Chapter 5: Countable Resources, New Rule 4.21 and New Rule 4.22. This filing addresses the countability of entrance fees to continuing care retirement communities and the exclusion of long term care coverage for individuals with substantial home equity. These rules are new to the Administrative Code but have been Medicaid policy since 2008. The effective date of this filing will revert back to the effective date of SPA 2008-003, July 1, 2014.

Specific legal authority authorizing the promulgation of rule:

Social Security Act § 1917 (f)(g); SPA 2008-003. According to Miss. Code Ann. § 25-43-1.103 subparagraph (4), the effective date will revert to the effective date of SPA 2008-003 and the Deficit Reduction Act of 2005 which is 07/01/2008.

List all rules repealed, amended, or suspended by the proposed rule: Title 23: Division of Medicaid; Part 103: Resources, Chapter 4: Countable Resources; New Rules 4.21 and 4.22.

**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/pepeal 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 checked="" type="checkbox"/> New rule(s) <input 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): <b>SEP 01 2014</b>	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: *[Handwritten Signature]*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; width: 100%; height: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px;">                  Accepted for filing by  <i>[Handwritten Signature]</i>  <b>#20610</b> </div>	<div style="border: 1px solid black; width: 100%; height: 100%;"></div> Accepted for filing by

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