

**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>JUL 22 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/repeal and reason(s) for proposing rule/amendment/repeal: The MS Division of Medicaid's Administrative Code proposed filing is to amend Title 23: Medicaid, Part 103: Resources, Chapter 4 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List all rules repealed, amended, or suspended by the proposed rule: Title 23: Division of Medicaid; Part 103: Resources, Chapter 4: Countable Resources; New Rules 4.21 and 4.22.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/repeal may be submitted to the filing agency.

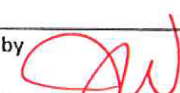
**ECONOMIC IMPACT STATEMENT:**

- ☐ 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
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> _____ 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> <b>JUN 26 2014</b> <b>Action taken:</b> <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): <b>SEP 01 2014</b>

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
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	<div style="border: 1px solid black; height: 100px; width: 100%; text-align: center;"> <b>FILED</b>  <b>JUL 22 2014</b>  <b>MISSISSIPPI</b>  <b>SECRETARY OF STATE</b> </div> Accepted for filing by <u>#20661</u> 

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