DELBERT HOSEMANN
*Secretary of State*

# ECONOMIC IMPACT STATEMENT

**An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Economic Impact Statement must be attached to this Form and address the factors below. A PDF document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.**

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| AGENCY NAME<br>Division of Medicaid | CONTACT PERSON<br>Margaret Wilson | | TELEPHONE NUMBER<br>601-359-5248 |
| ADDRESS<br>550 High Street, Suite 1000 | CITY<br>Jackson | STATE<br>MS | ZIP<br>39201 |
| EMAIL<br>Margaret.Wilson@medicaid.ms.gov | DESCRIPTIVE TITLE OF PROPOSED RULE<br>Title 23: Medicaid, Part 200: General Provider Information, Chapter 2: Benefits, Rule 2.2: Non-Covered Services | | |
| Specific Legal Authority Authorizing the promulgation of Rule:<br>42 USC § 1396n, 29 USC § 1185b; Miss. Code Ann. §§ 43-13-121, 43-47-7; SPA 2011-006, 2012-001; 30 Miss. Admin. Code Part 2820, Rule 1.2 S.2). | Reference to Rules repealed, amended or suspended by the Proposed Rule:<br>2.2 | | |

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| SIGNATURE | TITLE<br>Executive Director |
| DATE<br>3/15/16 | PROPOSED EFFECTIVE DATE OF RULE<br>JUN 0 1 2016 |

1. Describe the need for the proposed action: *The proposed rule is needed to allow persons enrolled in Home and Community-Based Services (HCBS) waivers to elect to receive non-duplicative hospice services.*
2. Describe the benefits which will likely accrue as the result of the proposed action: *The benefits that may result from this regulation will be that persons enrolled in (HCBS) waivers will be allowed to elect hospice benefits.*
3. Describe the effect the proposed action will have on the public health, safety, and welfare: *Persons enrolled in HCBS waivers will be allowed to elect hospice benefits and will not have to be discharged from HCBS waiver services. This will promote continuity of care.*
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: *The cost to the agency will be minimal and there will be no cost to other state or local government entities.*
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: *The estimated cost to all persons directly affected by the proposed action will be minimal.*
6. Provide an analysis of the impact of the proposed rule on small business: *There will be no impact on small businesses because of the proposed rule.*

a. Identify and estimate the number of small businesses subject to the proposed regulation:
b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record:
c. State the probable effect on impacted small businesses:
d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
    i. The establishment of less stringent compliance or reporting requirements for small businesses;
    ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
    iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
    iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
    v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:

7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: *The cost of adopting the rule is minimally more than the cost of not adopting the proposed rule. The estimated economic benefit of adopting the proposed rule is substantially more than not adopting the proposed rule.*
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law: *There are no other less costly or less intrusive methods to achieve the same purpose of the proposed rule.*
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: *N/A*
10. State reasons for rejecting alternative methods that were described in #9 above: *N/A*
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection:
    *The economic impact is estimated to be $440,459 per federal fiscal year (FFY) if one percent (1%) of Medicaid only waiver persons elect hospice using the average hospice length of stay for FFY2015. The one percent (1%) was calculated based upon the total number of Medicaid non-waiver beneficiaries who chose hospice divided by the total number of Medicaid non-waiver beneficiaries eligible for hospice. This percentage was then applied to the Medicaid only HCBS waiver population.*