SOS APA Form 001

Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME	CONTACT PERSON	TELEPHONE NUMBER	
Division of Medicaid	Margaret Wilson	601-359-5248	
ADDRESS	**CITY**	**STATE**	**ZIP**
550 High Street, Suite 1000	Jackson	MS	39201

EMAIL	SUBMIT DATE	
Margaret.Wilson@medicaid.ms.gov	NOV 0 3 2016	Name or number of rule(s): Title 23: Medicaid, Part 202: Hospital Services, Chapter 4: Organ Transplants, Rule 4.1: Transplant Procedures, Rule 4.2 Organ Acquisition, Rule 4.3: Fundraising, Rule 4.4: Prior Approval, Rule 4.5: Facility Criteria, Rule 4.6: Documentation Requirements, Rule 4.7: Reimbursement, Rule 4.8: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), Rule 4.9: Cornea Transplant, Rule 4.10: Heart Transplant, Rule 4.11: Heart/Lung Transplant, Rule 4.12: Kidney Transplant, Rule 4.13: Liver Transplant, Rule 4.14: Single Lung Transplant, Rule 4.15: Bilateral Lung Transplant, Rule 4.16: Bone Marrow Transplant, Rule 4.17: Peripheral Stem Cell Transplant, and Rule 4.18: Small Bowel Transplant.

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This administrative code filing removes language that the Division of Medicaid is responsible for payment of inpatient transplant services for beneficiaries enrolled in a Coordinated Care Organization (CCO) to correspond with SPA 15-018, effective December 1, 2015. This filing also removes outdated transplant criteria and references national guidelines for organ specific criteria.

Specific legal authority authorizing the promulgation of rule: 42 U.S.C. §§ 1320b-8, 1396p; 21 C.F.R. Parts 1270 and 1271; 42 C.F.R. §§ 441.35, 482.12, 482.68-104; Miss. Code Ann. §§ 43-13-117, 43-13-118, 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: 4.1 – 4.18.

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	**Action proposed:**	**Date Proposed Rule Filed:** _____
_____ Renewal of effectiveness	_____ New rule(s)	**Action taken:**
To be in effect in _____ days	_X_ Amendment to existing rule(s)	_____ Adopted with no changes in text
Effective date:	_____ Repeal of existing rule(s)	_____ Adopted with changes
_____ Immediately upon filing	_____ Adoption by reference	_____ Adopted by reference
_____ Other (specify): _____	**Proposed final effective date:**	_____ Withdrawn
	_____ 30 days after filing	_____ Repeal adopted as proposed
	_X_ Other (specify): JAN 0 1 2017	**Effective date:**
		_____ 30 days after filing
		_____ 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
	FILED NOV 0 3 2016 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by	**Accepted for filing by** #22365	**Accepted for filing by**

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