

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 Kristi Plotner	TELEPHONE NUMBER 601-359-6698	
ADDRESS 550 High Street, Suite 100		CITY Jackson	STATE MS	ZIP 39201
EMAIL Kristi.plotner@medicaid.ms.gov	SUBMIT DATE 11/29/12	Name or number of rule(s): Administrative Code Title 23: Medicaid Part 208 Home and Community Based Services, Long Term Care, Chapter 1: HCBS Elderly and Disabled Waiver		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The MS Division of Medicaid's Administrative Code filing is to modify Title 23, Part 208, Chapter 1: Home and Community Based Service (HCBS) Elderly and Disabled Waiver (ILW) to clearly reflect changes in the approved Independent Living Waiver approved by The Centers of Medicare and Medicaid effective July 1, 2012.

Specific legal authority authorizing the promulgation of rule: MS Code § 43-13-121, MS Code 43-13-107

List all rules repealed, amended, or suspended by the proposed rule: Title 23, Part 208, Chapter 1: Elderly and Disabled Waiver.

Rule 1.5 B.2. was inadvertently not filed with the April 1, 2012, compilation filing. Language clarification was added to Rule 1.6 and 1.7.

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): _____	Action proposed: _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: 11/01/2012 _____ Action taken: _____ Adopted with no changes in text <u>X</u> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing <u>X</u> Other (specify): January 01, 2013

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

Signature of person authorized to file rules: [Signature]

<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>DO NOT WRITE BELOW THIS LINE</p> <p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p>OFFICIAL FILING STAMP</p> <div style="border: 1px solid black; padding: 10px;"> <p style="font-size: 2em; color: blue; font-weight: bold; letter-spacing: 5px;">FILED</p> <p style="color: red; font-weight: bold;">NOV 29 2012</p> <p style="color: blue; font-weight: bold;">MISSISSIPPI</p> <p style="color: blue; font-weight: bold;">SECRETARY OF STATE</p> </div> <p>Accepted for filing by <u>[Signature]</u></p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.