

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 APR 29 2014		Name or number of rule(s): Title 23: Medicaid, Part 203: Physician Services, Chapter 2: Physician-Administered Drugs and Implantable Drug System Devices, Rule 2.1: Covered Services, Rule 2.2: Drug Rebates and Rule 2.3: Botulinum Toxins A and B.		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The MS Division of Medicaid's Administrative Code final filing is being submitted to (1) rename Miss. Admin. Code Part 203, Chapter 2 to Physician Administered Drugs and Implantable Drug System Devices and define these terms; (2) describe coverage which now includes drug wastage; (3) refer to the Miss. Admin. Code Part 200, Rule 4.10 340B providers effective 07/01/2014; and (4) add the diagnoses neurogenic detrusor over activity and chronic migraine headaches and remove nystagmus for the indication of indication for Botulinum Toxins A.

Specific legal authority authorizing the promulgation of rule: SSA § 1927(a)(7) and § 1927 (k)(2); 42 USC § 1396r-8; Deficit Reduction Act of 2005; 42 CFR Part 447; Miss. Code Ann. §§ 43-13-117, 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: Title 23: Medicaid, Part 203: Physician Services, Chapter 2: Physician-Administered Drugs and Implantable Drug System Devices, Rule 2.1, 2.2 and 2.3.

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: MAR 31 2014 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): June 1, 2014

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 <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by _____	OFFICIAL FILING STAMP <div style="border: 1px solid black; padding: 10px;"> <p align="center">FILED</p> <p align="center">APR 29 2014</p> <p align="center">MISSISSIPPI</p> <p align="center">SECRETARY OF STATE</p> </div> Accepted for filing by <u>#20489</u>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.