

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 JUL 21 2014	Name or number of rule(s): Title 23: Medicaid, Part 102: Non-Financial Requirements, Chapter 3: Aliens, Rule 3.9	

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: The MS Division of Medicaid's (DOM) Administrative Code proposed filing is to amend Title 23: Medicaid, Part 102: Non-Financial Requirements, Chapter 3: Aliens, Rule 3.9: Requirement for Forty (40) Qualifying Quarters. Rule 3.9.D. removes the requirement for certain classes of aliens to have forty (40) qualifying quarters (QQ) of work coverage under the Social Security Act (SSA). This is a change required by the Centers for Medicare and Medicaid Services (CMS) for the Affordable Care Act (ACA)-related State Plan Amendment (SPA) for Citizenship & Immigration Status (S89), approved as 13-0023-MM6 with an effective date of January 1, 2014.

Specific legal authority authorizing the promulgation of rule:

1902(a)(46)(B); 8 USC § 1611, 1612, 1613, and 1641; 1903(v)(2),(3) and (4); 42 CFR §§ 435.4, 435.406, 435.956; SPA 2013-0023. According to Miss. Ann. Code § 25-43-1.103 subparagraph (4), the effective date will revert to the effective date of SPA 13-0023, January 1, 2014.

List all rules repealed, amended, or suspended by the proposed rule: Title 23: Medicaid, Part 102: Non-Financial Requirements, Chapter 3: Aliens, Rule 3.9

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
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: JUN 25 2014 Action taken: <input checked="" type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): SEP 01 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: *[Handwritten Signature]*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by	Accepted for filing by	Accepted for filing by <i>#20656 JW</i>

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