

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 SEP 10 2014	Name or number of rule(s): Title 23: Division of Medicaid, Part 214: Pharmacy Services, Chapter 1; General Pharmacy, new Rule 1.13: Retrospective Drug Utilization Review (DUR), new Rule 1.14: Participating Federally Qualified Health Center (FQHC) Providers, and new Rule 1.15: 340B Program; Non-substantive changes made to Rules 1.1-1.4 and 1.6-1.12.		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This final filing is to (1) add New Rule 1.13 to outline the DUR process, (2) add new Rule 1.14 requiring all drugs purchased at discounted prices in an in-house pharmacy of an FQHC be reported and billed and (3) add new Rule 1.15 340B Program. Non-substantive changes made to rules 1.1-1.4 and 1.6-1.12.

Specific legal authority authorizing the promulgation of rule: Section 1902 of the Social Security Act, The Omnibus Budget Reconciliation Act (OBRA 90); The Veterans Care Act of 1992 Title VI; Sec. 340B of the Public Health Act as amended by the Patient Protection and Affordable Care Act; Miss Code Ann. §§ 43-13-117, 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: New Rule 1.13: Retrospective Drug Utilization Review (DUR), new Rule 1.14: Participating Federally Qualified Health Center (FQHC) Providers and new Rule 1.15: 340B Program.

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): November 1, 2014	Date Proposed Rule Filed: Action taken: AUG 15 2014 <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): NOV 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]*

<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 align="center">FILED</p> <p align="center">SEP 10 2014</p> <p align="center">MISSISSIPPI</p> <p align="center">SECRETARY OF STATE</p> </div> <p>Accepted for filing by</p> <p align="center"><i>20767 AF</i></p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.