

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

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|--|-----------------------------------|---|------------------------------------|--------------|
| 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 29 2014 | Name or number of rule(s): Title 23: Division of Medicaid; Part 103: Resources, Chapter 5: Trust Provisions. | | |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This filing is to amend Part 103: Resources, Chapter 5: Trust Provisions to separate trusts and transfer of assets policy, and clarify language. Non-substantive change make on Final File.

Specific legal authority authorizing the promulgation of rule:

42 CFR § 435.601(b); Social Security Act § 1902 (r)(2); Omnibus Reconciliation Act (OBRA-93) of 1993 § 13611(Rev. 1993); Deficit Reduction Act of 2005 §6016 (Rev. 2006); Consolidated Omnibus Reconciliation Act of 1985 § 9506 (Rev. 1985).

List all rules repealed, amended, or suspended by the proposed rule: Title 23: Medicaid. Part 103: Resources, Chapter 5: Trust Provisions.

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: AUG 28 2014 Action taken: <input type="checkbox"/> Adopted with no changes in text <input checked="" 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): November 1, 2014 |

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

Signature of person authorized to file rules: *[Signature]*

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| 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 style="font-size: 2em; font-weight: bold; color: blue;">FILED</p> <p style="color: red;">SEP 29 2014</p> <p style="color: blue;">MISSISSIPPI SECRETARY OF STATE</p> </div> Accepted for filing by <i>[Signature]</i> #20799 |
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.