

**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) 359-5248	
ADDRESS 550 High Street, Suite 1000		CITY Jackson	STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	SUBMIT DATE <b>OCT 21 2015</b>	Name or number of rule(s): Title 23: Division of Medicaid, Part 200: General Provider Information, Chapter 2: Benefits, Rule 2.2: Non-Covered Services		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This filing clarifies the exclusion of legally responsible individuals, as defined by the Division of Medicaid, from providing services to beneficiaries. This filing removes language from Part 200, Rule 2.2 which is found in Parts 200: General Provider Information, 203: Physician Services, 214: Pharmacy Services, 215: Home Health Services, and 224: Immunizations. This filing includes language regarding compliance with background checks and excluded individuals as required by the Vulnerable Persons Act. Non-substantive change made by adding language for clarification to rule 2.2.F.

Specific legal authority authorizing the promulgation of rule:

42 U.S.C. § 1396n, 49 U.S.C. § 1185b; SPA 2011-006; SPA 2012-001; Miss. Code Ann. §§ 43-13-121, 43-47-7; 30 Miss. Admin. Code Part 2820, Rule 1.2(s)(2).

List all rules repealed, amended, or suspended by the proposed rule: Rule 2.2

**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): _____	<b>Action proposed:</b> _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> _____ 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed: 09/11/2015</b> <b>Action taken:</b> _____ Adopted with no changes in text <input checked="" type="checkbox"/> Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): 12/01/2015

Printed name and Title of person authorized to file rules: David J. Dziela, 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
<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; height: 150px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by <u>21599</u> <i>AF</i>

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