

**Mississippi Secretary of State**  
125 South Congress St., 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>FEB 28 2017</b>	Name or number of rule(s): Title 23: Division of Medicaid, Part 207: Institutional Long-Term Care, Chapter 2: Nursing Facility, Rule 2.10: Case Mix Reimbursement and Rule 2.15: Ventilator Dependent Care.		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This administrative code filing adds language to Rule 2.10 to clarify the clinical documentation requirements that affect case mix review results and revises Rule 2.15 to clarify that the ventilator dependent care (VDC) add-on rate is only for in-state nursing facilities.  
Specific legal authority authorizing the promulgation of rule: 42 C.F.R. § 483.75; Miss. Code Ann. §§ 43-13-117, 43-13-121.  
List all rules repealed, amended, or suspended by the proposed rule: Rules 2.10 and 2.15.

**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.

<p align="center"><b>TEMPORARY RULES</b></p> <p>____ Original filing          ____ Renewal of effectiveness          To be in effect in ____ days          Effective date:          ____ Immediately upon filing          ____ Other (specify): _____</p>	<p align="center"><b>PROPOSED ACTION ON RULES</b></p> <p>Action proposed:          ____ 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): _____</p>	<p align="center"><b>FINAL ACTION ON RULES</b></p> <p>Date Proposed Rule Filed <b>FEB 02 2017</b>          Action taken:  <input checked="" type="checkbox"/> Adopted with no changes in text          ____ 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): <b>APR 01 2017</b></p>
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Printed name and Title of person authorized to file rules: David J. Dzielak, Ph.D., Executive Director  
 Signature of person authorized to file rules: *David J. Dzielak*

<p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p><b>DO NOT WRITE BELOW THIS LINE</b></p> <p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div> <p>Accepted for filing by</p>	<p><b>OFFICIAL FILING STAMP</b></p> <div style="border: 1px solid black; padding: 10px;"> <p align="center"><b>FILED</b></p> <p align="center"><b>FEB 28 2017</b></p> <p align="center">MISSISSIPPI SECRETARY OF STATE</p> </div> <p>Accepted for filing by  <i>#22521</i> <i>[Signature]</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.