

**Mississippi Secretary of State**  
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

|                                          |                                   |                                                                                              |                                  |              |
|------------------------------------------|-----------------------------------|----------------------------------------------------------------------------------------------|----------------------------------|--------------|
| AGENCY NAME<br>Division of Medicaid      |                                   | CONTACT PERSON<br>Margaret Wilson                                                            | TELEPHONE NUMBER<br>601-359-5248 |              |
| ADDRESS<br>550 High Street, Suite 1000   |                                   | CITY<br>Jackson                                                                              | STATE<br>MS                      | ZIP<br>39201 |
| EMAIL<br>Margaret.Wilson@medicaid.ms.gov | SUBMIT DATE<br><b>MAY 05 2021</b> | Name or number of rule(s):<br>Title 23, Part 200, Chapter 1, 3 - 4, Rules 1.8, 3.7, and 4.10 |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This Administrative Code filing (1) revises the timeframe from 30 to 90 days that providers may request an Administrative Review in Rule 1.8, (2) revises Rule 3.7 to be in compliance with U.S.C § 1396a and 42 C.F.R. § 447.50 et seq.- 447.59, and (3) revises Rule 4.10 to be in compliance with Miss. Code Ann. 43-13-117 as amended by MS Senate Bill 2799.

Specific legal authority authorizing the promulgation of rule: U.S.C § 1396a; 42 C.F.R. § 447.50 et seq.- 447.59; Miss. Code Ann. §§ 43-13-113, 43-13-117, 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: Rules 1.8; 3.7; 4.10.

**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.

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| <b>TEMPORARY RULES</b><br><br>_____ Original filing<br>_____ Renewal of effectiveness<br>To be in effect in _____ days<br>Effective date:<br>_____ Immediately upon filing<br>_____ Other (specify): _____ | <b>PROPOSED ACTION ON RULES</b><br><br>Action proposed:<br>_____ New rule(s)<br><u>X</u> Amendment to existing rule(s)<br>_____ Repeal of existing rule(s)<br>_____ Adoption by reference<br>Proposed final effective date:<br>_____ 30 days after filing<br><u>X</u> Other (specify): <b>JUL 01 2021</b> | <b>FINAL ACTION ON RULES</b><br>Date Proposed Rule Filed: _____<br>Action taken:<br>_____ Adopted with no changes in text<br>_____ Adopted with changes<br>_____ Adopted by reference<br>_____ Withdrawn<br>_____ Repeal adopted as proposed<br>Effective date:<br>_____ 30 days after filing<br>_____ Other (specify): _____ |
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Printed name and Title of person authorized to file rules: Drew L. Snyder, Executive Director

Signature of person authorized to file rules: [Signature]

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| <b>OFFICIAL FILING STAMP</b><br><br><div style="border: 1px solid black; height: 100px; width: 100%;"></div> | <b>DO NOT WRITE BELOW THIS LINE</b><br><b>OFFICIAL FILING STAMP</b><br><br><div style="border: 1px solid black; padding: 10px;"> <p><b>FILED</b></p> <p><b>MAY 05 2021</b></p> <p>Mississippi Secretary of State</p> </div> | <b>OFFICIAL FILING STAMP</b><br><br><div style="border: 1px solid black; height: 100px; width: 100%;"></div> |
| Accepted for filing by                                                                                       | Accepted for filing by <u>25520 AFT</u>                                                                                                                                                                                     | Accepted for filing by                                                                                       |

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