

## 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>AUG 06 2021</b> | Name or number of rule(s):<br>Title 23: Medicaid, Part 209: Durable Medical Equipment, Medical Appliances and Medical Supplies, Chapter 2: Medical Supplies, Rule(s) 2.2. |  |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This Administrative Code is being filed to 1) remove the prior authorization requirement for up to six (6) incontinence garments per day, and 2) add a dates of service requirement to the delivery documentation.

Specific legal authority authorizing the promulgation of rule: 42 U.S.C. § 1395m; Miss. Code Ann. §§ 43-13-117, 43-13-121.

List all rules repealed, amended, or suspended by the proposed rule: 2.2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<br>_____ Renewal of effectiveness<br>To be in effect in _____ days<br>Effective date:<br>_____ Immediately upon filing<br>_____ Other (specify): _____ | 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>OCT 01 2021</b> | 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): _____ |

Printed name and Title of person authorized to file rules: Drew L. Snyder, Executive Director

Signature of person authorized to file rules: 

| OFFICIAL FILING STAMP                                                    | DO NOT WRITE BELOW THIS LINE<br>OFFICIAL FILING STAMP                                                                                                                 | OFFICIAL FILING STAMP                                                    |
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| Accepted for filing by                                                   | Accepted for filing by <u>25783 PM</u>                                                                                                                                | Accepted for filing by                                                   |

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