

**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 Robin Bradshaw	TELEPHONE NUMBER 601-359-3984	
ADDRESS 550 High Street, Suite 1000		CITY Jackson	STATE MS	ZIP 39201
EMAIL DOMPolicy@medicaid.ms.gov	SUBMIT DATE <b>NOV 29 2022</b>	Name or number of rule(s): Title 23: Medicaid, Part 209: Durable Medical Equipment, Medical Appliances and Medical Supplies, Chapter 1 and 2, Rules 1.4 and 2.2.		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This Administrative Code is being filed to correspond with MS SPA 22-0027, effective October 1, 2022, to update the rates for DME and Medical Supplies October 1, 2022 and July 1 of each year thereafter based on the Medicare Rural Rate in effect January 1 of that year, in compliance with Miss. Code § 43-13-117, as amended by MS House Bill 657.  
Specific legal authority authorizing the promulgation of rule: Miss. Code §§ 43-13-117, 43-13-121.  
List all rules repealed, amended, or suspended by the proposed rule: 1.4, 2.2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.

<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>NOV 03 2022</b>  <b>Action taken:</b>  <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>Jan 03 2023</b></p>
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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: 

<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>NOV 29 2022</b></p> <p align="center">Mississippi Secretary of State</p> </div> <p>Accepted for filing by <b>26671 Pom</b></p>
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.