

Title 23: Division of Medicaid

Part 209: Durable Medical Equipment, Medical Appliances and Medical Supplies

Part 209 Chapter 2: Medical Supplies

Rule 2.1: General Provider Information

- A. The Division of Medicaid defines medical supplies as medically necessary health care related items that are consumable or disposable or cannot withstand repeated use by more than one individual, that are required to address an individual medical disability, illness or injury.
- B. All medical supplies, including those required for operation of DME, must be prescribed by a licensed, qualified physician.
 - 1. A Medical Supply Certificate of Medical Necessity (CMN) form must be completed by the DME provider.
 - 2. The Medical Supply CMN form must be signed by the ordering physician within thirty (30) days of the date of delivery which can be used as the physician prescription.
 - 3. The Medical Supply CMN form must be retained by the DME provider in the beneficiary's medical record and is subject to review by the Division of Medicaid
 - 4. The DME provider must provide a copy of the Medical Supply CMN form to the ordering physician, nurse practitioner, or physician assistant for their records.
- C. The DME provider is responsible for compliance with all the Division of Medicaid rules, including, but not limited to:
 - 1. Use of the appropriate procedure code for the billed item(s),
 - 2. Dispensing of the appropriate medically necessary quantities of supplies,
 - 3. Ensuring accurate billing, and
 - 4. Maintaining all documentation to show compliance with Miss. Admin. Code Part 209.
- D. The provider must only dispense medical supplies in quantities to meet the beneficiary's needs for thirty (30) days.
 - 1. The beneficiary must request the supplies each month.
 - 2. Supplies cannot be shipped on an automatic basis.

3. Supplies provided on a reoccurring basis may be delivered no more than ten (10) calendar days prior to the expected end of the current supply.
- E. A prescription and/or Medical Supply CMN form must be completed and signed by the ordering physician every twelve (12) months.
1. The prescription and/or Medical Supply CMN form is considered current up to twelve (12) months from the date it was signed by the physician.
 2. Medical supplies will be considered non-covered if there is no current prescription and/or Medical Supply CMN form in the beneficiary's medical record.
- F. When medical supplies are delivered to a beneficiary's home the provider must document:
- 1) Beneficiary's name,
 - 2) Delivery address,
 - 3) Detailed description of the medical supplies provided at that time and Healthcare Common Procedure Coding System (HCPCS) codes that identify the item being delivered,
 - 4) Quantity delivered,
 - 5) Date of delivery which must be the date the beneficiary received the item, and
 - 6) Signature of beneficiary or designated representative.
 - a) During a national or statewide emergency, a signature is not required.
 - b) During a national or statewide emergency, the provider must document the emergency and confirmation of delivery by an alternate means including, but not limited to:
 - (1) Telephone,
 - (2) Text message, or
 - (3) Other electronic communication.

Source: 42 U.S.C. § 1395m; Miss. Code Ann. §§ 43-13-117, 43-13-121.

History: Revised eff. 06/01/2025. Revised eff. 08/01/2020, Revised eff. 09/01/2018. Revised eff. 07/01/2015.