

NOTICE OF TERMINATION  
WITHDRAWAL OF PROPOSED RULE



STATE OF MISSISSIPPI  
OFFICE OF THE GOVERNOR  
DIVISION OF MEDICAID

Miss. Division of Medicaid  
c/o Ginnie McCardle, Staff Officer  
Walter Sillers Building  
550 High St.  
Suite 1000  
Jackson, MS 39201  
(601) 359-6310  
<http://www.dom.state.ms.us>

**Date Rule Proposed:** August 5, 2008

**Name of proposed rule being terminated:**

SPA2008-038 Reimbursement to Private Mental Health Providers

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**Explanation of the purpose of the proposed rule and the reason(s) for proposing the rule:**

Pursuant to Miss Code Ann. § 43-13-117 (1972 as amended), if current or projected expenditures of the Division are reasonably anticipated to exceed the amount of funds appropriated to the Division for any fiscal year, the Governor shall discontinue any or all of the payment of the types of care and services provided under this section that are deemed to be optional services and when necessary, shall institute any other cost containment measures on any program or programs authorized under the article to the extent allowed under the federal laws governing that program. Therefore, this State Plan Amendment reflects necessary cost containment measures to assure Medicaid operates within expected revenues as described. This State Plan Amendment will affect Private Mental Health Providers.

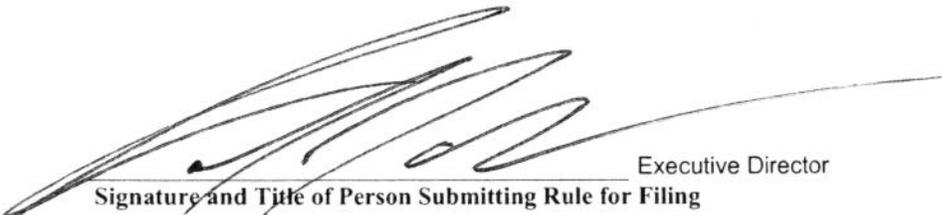
**Reason(s) for terminating the proposed rule:**

The Division of Medicaid is no longer predicting a deficit for SFY2009.

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**Date Proposed Rule Terminated:** September 8, 2008

  
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Executive Director  
Signature and Title of Person Submitting Rule for Filing

**State of Mississippi**  
**METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES - OTHER TYPES OF CARE**

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Other services described in Attachment 3.1-A, Exhibit 13c through 13d are reimbursed according to a statewide uniform fixed fee schedule established through consultation with the State Department of Mental Health.

Mental health services for EPSDT recipients, if medically necessary, which exceed the limitations and scope for Medicaid recipients, as covered in this Plan, are reimbursed on a fee schedule.

Other diagnostic, screening, preventive and rehabilitative services for EPSDT recipients, if medically necessary, which exceed the limitations and scope for Medicaid recipients, as covered in this Plan, are reimbursed on a fee schedule.

The Division of Medicaid, as required by State law, shall reduce the rate of reimbursement to providers for any service by 5% of the allowed amount for that service. The Division of Medicaid shall reduce the rate of reimbursement to providers for any service by an additional .74% of the allowed amount for that service for a total reduction in the rate of reimbursement of 5.74%.

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TN No. 2008-038  
Supercedes  
TN No. 2002-06

Date Received \_\_\_\_\_  
Date Approved \_\_\_\_\_  
Date Effective Sept. 1, 2008

# Notice of Proposed Rule Adoption

## State of Mississippi Office of the Governor Division of Medicaid

### Economic Impact Statement For Private Mental Health Providers

The Executive Director of Medicaid is required by law to recommend expenditure containments when expenditures are expected to exceed funds available for any fiscal year. Medicaid is facing a \$90,000,000 shortfall in state revenues for FY2009; therefore, certain cost containment measures have been identified as necessary to balance Medicaid's budget. These measures include reducing certain non-institutional providers an additional .74% reduction in reimbursement in addition to the 5% reduction as outlined in Miss. Code Ann. § 43-13-117 (1972 as amended).

It is estimated that it will cost the Division of Medicaid approximately \$5,000 to enforce the increased reduction in payments to providers. This includes system changes and staff time.

An estimate of the total economic impact for private mental health providers, including small business providers, is noted in the chart below. The total economic impact for providers in State FY 2009 is equal to the sum of federal and state savings noted in the chart below. The Division of Medicaid estimated the impact utilizing the actual and estimated expenditures for the same services for FY2008.

<b>FFY2008 Federal Savings</b>	<b>FFY2008 State Share Savings</b>	<b>FFY2009 Federal Savings</b>	<b>FFY2009 State Share Savings</b>
\$ 1,634	\$ 508	\$ 14,620	\$ 4,657

The Division of Medicaid is facing a \$90,000,000 shortfall in state revenues for FY2009. If this cost containment measure is not enacted, there will not be sufficient revenues to reimburse providers for the entire year.

State law limits cost containment measures that may be taken and precludes the Governor from changing eligibility or benefits; therefore, the best option to minimize overall Medicaid reimbursement levels and achieve these state savings is to restructure payments in this manner. An oral proceeding on this proposed rule is scheduled as described on the cover sheet (Notice of Proposed Rule Adoption) provided herewith. Persons may also submit written comments as described on the cover sheet (Notice of Proposed Rule Adoption) provided herewith.

A full copy of the Economic Impact Statement may be obtained from the Division of Medicaid's web site at [www.dom.state.ms.us](http://www.dom.state.ms.us).