

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
OFFICE OF THE GOVERNOR
DIVISION OF MEDICAID

FILED
DEC 19 2008

MISSISSIPPI
SECRETARY OF STATE

Miss. Division of Medicaid
c/o Ginnie McCardle, Staff Officer
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550 High Street
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Jackson, MS 39201-1399
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<http://www.doni.state.ms.us>

Specific Legal Authority Authorizing the promulgation of
Rule: Miss Code Ann. §43-13-121(1972), as amended

Reference to Rules repealed, amended or suspended by the
Proposed Rule :
State Plan Attachment 3.1-A, Exhibit 19c, Pages 1&2

Date Rule Proposed: October 1, 2008

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

SPA2008-054 This State Plan Amendment is being filed to update language relating to case management or targeted case management per the requirements of the federal regulations (42 CFR Parts 431, 440, and 441 Interim Final Rule). The State Plan pages regarding Targeted Case Management for children in foster care receiving child protective services are being removed because this program was never implemented. This became effective April 1, 2008.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date:
Time:
Place:

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

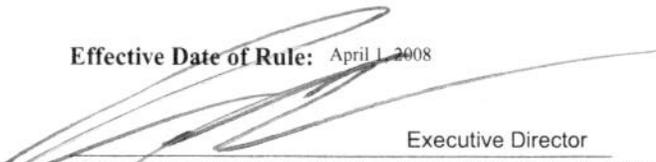
This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: April 1, 2008


Executive Director

Signature and Title of Person Submitting Rule for Filing

State of Mississippi
Targeted Case Management for Children in Foster Care/Receiving Child Protective Services

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- A. Target Group: Children from birth through age seventeen who have been legally placed in the custody of the Department of Human Services by:
- 1.) the youth court or chancery court; and
 - 2.) for whom custody with the Department of Human Services was not sought by the parents or legal custodians or guardians for the parent's legal custodians' or guardians' legal responsibilities to relieve themselves of the responsibility for paying for treatment for a child or youth; AND
 - 3.) are unable to be maintained by the family or legal guardians or custodians due to his or her need for specialized care; OR
 - 4.) have been referred for abuse or neglect and for whom a case has been opened and is active in the Division of Family and Children's Services of the Department of Human Services.
 - 5.)
- B. Areas of the State in which services will be provided:
- Entire State;
- Only in the following geographic areas (authority of Section 1915(g)(1) of the Act is invoked to provide services less than Statewide:
- C. Comparability of Services:
- Services are provided in accordance with Section 1902 (A)(10)(B) of the Act;
- Services are not comparable in amount, duration and scope. Authority of Section 1915 (g)(1) of the Act is invoked to provide services without regard to the requirements of Section 1902(a)(10)(B) of the Act.
- D. Definition of Services
- Targeted case management services are services which will assist an individual, eligible under the plan, in gaining access to needed medical, social, educational and other services through a set of interrelated activities which include:
- 1.) Establishing the comprehensive case file including the development and implementation of an individualized service plan to meet the assessed service needs of the child;
 - 2.) Assisting the child in locating needed service providers and making the necessary linkages to assure the receipt of services identified in the service plan;
 - 3.) Monitoring the child and service provider to determine that the services received are adequate in meeting the child's needs; or
 - 4.) Reassessment of the child to determine services needed to resolve any crisis situation resulting from neglect, maltreatment, exploitation, divorce, death, separation, changes in family structure or living conditions.

State of Mississippi

Targeted Case Management for Children in Foster Care/Receiving Child Protective Services

E. Qualifications of Providers

Individual case managers must meet the following criteria:

1. A minimum of a Bachelor of Arts or a Bachelor of Science or a Masters degree in Psychology, Sociology, Social Work or a related field;
2. Licensed to practice as a Social Worker (LSW or above) in the State of Mississippi
3. Successful completion of a practicum in case management approved by the Mississippi Department of Human Services, Division of Family and Children's Services and the Division of Medicaid that includes elements of children's social services, foster care and case management, care planning, use of community resources.

Case management agencies must meet the following criteria:

1. A minimum of five years of demonstrated experience in coordinating and linking community resources required by the target population;
2. A minimum of five years of demonstrated experience with the target population; and
3. A minimum of five years of demonstrated capacity to meet the case management service needs of the target population.
4. Ensure 24-hour availability of case management services and continuity of those services
5. Have administrative capacity to ensure quality of services in accordance with State and Federal requirements.
6. Have the capacity to document and maintain individual case records in accordance with State and Federal requirements.
7. Have a demonstrated ability to meet all State and Federal laws governing the participation of providers in the State Medicaid program, including the ability to meet Federal and State requirements for documentation, billing and audits.

F. Freedom of Choice

The State assures that the provision of Targeted Case Management Services will not restrict an individual's free choice of providers in violation of Section 1902(a)(23) of the Act;

1. Eligible recipients will have free choice of the providers of Targeted Case Management.
2. Eligible recipients will have free choice of providers of other medical care as covered elsewhere under the Plan.

G. Payment for Targeted Case Management Services under the plan does not duplicate payments made to public agencies or private entities under other program authorities for this same purpose.