

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 Margaret Wilson	TELEPHONE NUMBER 601-359-5248	
ADDRESS 550 High Street, Suite 1000		CITY Jackson	STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	SUBMIT DATE NOV 02 2018	Name or number of rule(s): Part 202: Hospital Services, Chapter 2: Outpatient Services, Rules 2.2: Outpatient Hospital Services, 2.8: Outpatient Hospital Rates, and New Rule 2.12: Hospital-Based Physician Clinics.		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This administrative code filing is being submitted to clarify the requirements for provider-based billing for hospital-based physician clinic services. A hospital cannot bill a hospital clinic evaluation and management (E&M) code for hospital-based physician clinic services unless the hospital meets all of the following: 1) Is a teaching hospital within the state of Mississippi, 2) Has a medical resident-to-bed ratio of 0.25 or greater as derived from a calculation from the hospital provider's cost report, Worksheet E, Part A, Line 19, 3) Is located a) Within thirty-five (35) miles of the physician clinic if the physician clinic is located off campus, or b) Within two hundred fifty (250) yards of the physician clinic if the physician clinic is on a part of the provider's campus, 4) Has received a determination as to whether the physician clinic is provider-based from the Centers for Medicare and Medicaid Services (CMS), and 5) Meets and follows all Division of Medicaid's rules and State and Federal regulations.

Specific legal authority authorizing the promulgation of rule: 42 C.F.R. § 413.65; Miss. Code Ann. §§ 43-13-117, 43-13-121

List all rules repealed, amended, or suspended by the proposed rule: 2.2, 2.8, 2.12

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.


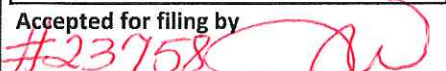
ECONOMIC IMPACT STATEMENT:

- 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 _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): JAN 01 2019	Date Proposed Rule Filed: _____ Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

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

Signature of person authorized to file rules: _____

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