

PUBLIC NOTICE

June 30, 2020

Pursuant to 42 C.F.R. Section 447.205, public notice is hereby given for the submission of a Medicaid State Plan Amendment (SPA) 20-0002 Private Duty Nursing (PDN) and Personal Care Services (PCS). The Division of Medicaid, in the Office of the Governor, will submit this proposed SPA to the Centers for Medicare and Medicaid Services (CMS) effective July 1, 2020, contingent upon approval from CMS, our Transmittal #20-0002.

1. State Plan Amendment (SPA) 20-0002 Private Duty Nursing (PDN) and Personal Care Services (PCS) is being submitted to add coverage and reimbursement of PDN and PCS for Early and Periodic Screening, Diagnosis and Treatment (EPSDT)-eligible beneficiaries to the State Plan, effective July 1, 2020.
2. The estimated economic impact is an annual savings of \$4,257,324. This savings will be derived through the replacement of PDN services by PCS for eligible beneficiaries who require at-home care, but do not require the skills of a licensed practical nurse (LPN) or a registered nurse (RN). PCS will instead be rendered by a certified nurse assistant (CNA). Based on utilization data, it is estimated that 40% of PDN beneficiaries receiving care from an LPN and 25% of PDN beneficiaries receiving care from an RN could receive care from a CNA. This annual savings also includes supervisory visits by an RN two times a month for PCS and one time a month for an LPN at a rate of \$34.00 per hour. By replacing reimbursement for 40% of billed LPN units and 25% of billed RN units with CNA units (at a rate of \$17.24/billed unit), savings for MCO and FFS beneficiaries are estimated to be a total of federal savings of \$3,310,495 and state savings of \$946,829 for FFY 2021 when accounting for the Federal Fiscal Year (FFY) 2021 FMAP of 77.76%.
3. The Division of Medicaid is submitting this proposed SPA to be in compliance with 42 C.F.R. § 447.201 which requires that the State Plan describe the policy and the methods to be used in setting payment rates for each type of service included in the State's Medicaid program. 42 C.F.R. § 440.80 defines PDN services and 42 C.F.R. § 440.167 defines PCS.
4. A copy of the proposed SPA will be available in each county health department office and in the Department of Human Services office in Issaquena County for review. A hard copy can be downloaded and printed from www.medicaid.ms.gov, or requested at 601-359-2081 or by emailing at Margaret.Wilson@medicaid.ms.gov.
5. Written comments will be received by the Division of Medicaid, Office of the Governor, Office of Policy, Walter Sillers Building, Suite 1000, 550 High Street, Jackson, Mississippi 39201, or Margaret.Wilson@medicaid.ms.gov for thirty (30) days from the date of publication of this notice. Comments will be available for public review at the above address and on the Division of Medicaid's website at www.medicaid.ms.gov.
6. A public hearing on this SPA will not be held.

State of Mississippi

DESCRIPTIONS OF LIMITATIONS AS TO AMOUNT, DURATION AND SCOPE OF MEDICAL CARE AND SERVICES PROVIDED

Private Duty Nursing (PDN) Services

The Division of Medicaid covers medically necessary private duty nursing (PDN) services for Early and Periodic Screening, Diagnosis and Treatment (EPSDT)-eligible beneficiaries when ordered by the beneficiary's primary physician or appropriate specialist and prior authorized by the Division of Medicaid's Utilization Review/Quality Improvement Organization (UM/QIO) or a contracted Coordinated Care Organization's (CCO's) UM/QIO.

PDN services are defined as skilled nursing care services for EPSDT-eligible beneficiaries who require more individualized and continuous care than is available from a visiting nurse or routinely provided by the nursing staff of the hospital or skilled nursing facility.

PDN services must be provided by a Mississippi Medicaid enrolled PDN provider and comply with the provider requirements specified by the Division of Medicaid.

Personal Care Services (PCS)

The Division of Medicaid covers medically necessary personal care services (PCS) for Early and Periodic Screening, Diagnosis and Treatment (EPSDT)-eligible beneficiaries when ordered by the beneficiary's primary physician and prior authorized by the Division of Medicaid's Utilization Review/Quality Improvement Organization (UM/QIO) or a contracted Coordinated Care Organization's (CCO's) UM/QIO.

PCS are medically necessary personal care services for EPSDT-eligible beneficiaries who require assistance in order to safely perform the activities of daily living (ADLs) due to a diagnosed condition, disability, or injury. The delivery and receipt of these services must be medically necessary for the treatment of the beneficiary's condition, disability, or injury and exceed the level of care available through the home health benefit.

PCS services must be provided by a Mississippi Medicaid enrolled PDN provider and comply with the provider requirements specified by the Division of Medicaid.

State of Mississippi

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES-OTHER TYPES OF CARE

Private Duty Nursing

The Division of Medicaid reimburses private duty nursing (PDN) services by adding to the May 2018 National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for a registered nurse (RN) in the Memphis, TN-MS-AR area to the total of the Federal Insurance Contributions Act (FICA) percentage of 7.65% and an administrative allowance of 0.53%. An additional \$17.00 per hour is added to the rate calculation for RN PDN ventilator services.

The Division of Medicaid reimburses private duty nursing (PDN) services by adding to the May 2018 National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for a licensed practical nurse (LPN) in the Memphis, TN-MS-AR area to the total of the Federal Insurance Contributions Act (FICA) percentage of 7.65% and an administrative allowance of 16.51%.

Personal Care Services

The Division of Medicaid reimburses personal care services (PCS) by adding to the May 2018 National Bureau of Labor Statistics (BLS) Mean Hourly rate for a certified nursing assistant (CNA) in the Memphis, TN-MS-AR area to the total of the Federal Insurance Contributions Act (FICA) percentage of 7.65% and an administrative allowance of 21.35%.

Except as otherwise noted in the state plan, state-developed fee schedule rates are the same for both governmental and private providers of PDN services and PCS. The Division of Medicaid's fee schedule rate was set as of April 1, 2020, and is effective for services provided on or after that date. All fees are published on the Division of Medicaid's website at <https://medicaid.ms.gov/providers/fee-schedules-and-rates/>.

The Division of Medicaid reimburses one hundred percent (100%) of the maximum allowable rate for the first beneficiary and fifty percent (50%) of the maximum allowable rate for the second beneficiary when a private duty nurse is caring for two (2) beneficiaries simultaneously in the same home.

The Division of Medicaid, as required by state law, will reduce the rate of reimbursement to PDN and PCS providers by five percent (5%) of the total allowed amount for all services on a claim. The published fees do not include the five percent (5%) reduction.

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES-OTHER
TYPES OF CARE

~~Private Duty Nursing Services for EPSDT recipients, if medically necessary, reimbursed on a fee for service basis.~~

~~Notwithstanding any other provision of this section, the Division of Medicaid, as required by state law, shall reduce the rate of reimbursement to providers for any service by five percent (5%) of the allowed amount for that service.~~

TN # ~~2002-06~~ 20-0002
Superseded
TN # ~~92-11~~
2002-06

Date Received:
Date Approved:
Date Effective: July 1, 2020

STATE : Mississippi

METHODS AND STANDARDS FOR ESTABLISHING PAYMENT RATES-
OTHER TYPES OF CARE

~~Personal Care Services for EPSDT recipients, if medically necessary, reimbursed on a fee for service scale.~~

~~Notwithstanding any other provision of this section, the Division of Medicaid, as required by state law, shall reduce the rate of reimbursement to providers for any service by five percent (5%) of the allowed amount for that service.~~

TN # ~~2002-06~~ 20-0002

Superseded

TN # ~~92-11~~ 2002-06

Date Received:

Date Approved:

Date Effective: July 1, 2020