

# PUBLIC NOTICE

June 30, 2021

Pursuant to 42 C.F.R. Section 447.205, public notice is hereby given for the submission of a Medicaid State Plan Amendment (SPA) 21-0017 Rural Health Clinic (RHC). 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, 2021, contingent upon approval from CMS, our Transmittal #21-0017.

1. State Plan Amendment (SPA) 21-0017 is being submitted to allow the Division of Medicaid (DOM) to: 1) Clarify the different types of encounters and when more than one encounter is performed on the same day, 2) Add the requirements for RHC mobile units, and 3) add language to refer to Attachment 3.1-A Introductory Pages for coverage of telehealth services to be in compliance with Miss. Code Ann. as amended by Senate Bill 2799, effective July 1, 2021.
2. There is no estimated economic impact for this SPA.
3. The Division of Medicaid is submitting this proposed SPA to be in compliance with 42 C.F.R. § 447.201 which requires all policy and methods used in setting payment rates for services be included in the State Plan.
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](http://www.medicaid.ms.gov), or requested at 601-359-2081 or by emailing at [Margaret.Wilson@medicaid.ms.gov](mailto: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](mailto: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](http://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**

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C. Encounter

1. An encounter is also referred to as a visit. An encounter at an RHC is a face-to-face visit between a clinic beneficiary and any health professional whose services are reimbursed as one (1) of the following under the State Plan.
  - a. A medical encounter is a face-to-face visit between a beneficiary and a physician, physician assistant, nurse practitioner, or nurse midwife for the provision of medical services.
  - b. A mental health encounter is a face-to-face visit between a beneficiary and a physician, nurse practitioner, physician assistant, clinical psychologist, licensed clinical social worker (LCSW), licensed professional counselor (LPC), licensed marriage and family therapist (LMFT) or board certified behavior analyst for the provision of mental health services.
  - c. A dental encounter is a face-to-face visit between a beneficiary and a dentist for the provision of dental services.
  - d. A vision encounter is a face-to-face visit between a beneficiary and an ophthalmologist, optometrist, physician, nurse practitioner or physician assistant for the provision of vision services.
2. Encounters with more than one health professional for the same type of service or more than one encounter with the same health professional, which take place on the same day and at a single location constitute a single encounter, except when one of the following circumstances occur:
  - a. After the first encounter, the beneficiary suffers illness or injury requiring additional diagnosis or treatment,
  - b. The beneficiary has a combination of a medical encounter, mental health encounter, dental encounter, and/or vision encounter that are each a separate identifiable service.  
or
  - c. The beneficiary has an initial preventative physical exam encounter and a separate medical, mental health, dental or vision encounter on the same day. .

3. Home Encounters

A home encounter is covered as a face-to-face visit when performed within a rural area in the county or an adjacent county where the RHC is located.

**State of Mississippi**

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4. RHC Mobile Unit Encounters are covered when the mobile unit meets the following criteria:
  - a. Must be surveyed by the Mississippi Department of Health (MSDH) and receive an approval letter from the Centers for Medicare and Medicaid Services (CMS) prior to providing services.
  - b. Must meet all federal and state requirements for RHC mobile units.
  - c. Must have a fixed set of locations where the mobile unit is scheduled to provide services at specified dates and times.
    - 1) Locations for RHC mobile unit services must meet the rural and shortage area requirements at the time of survey.
    - 2) The schedule of times and locations must be posted on the mobile unit and publicized by other means so that beneficiaries will know the mobile unit's schedule in advance.
  - d. Must operate:
    - 1) Within rural areas in the county or an adjacent county where the affiliated RHC has a permanent structure.
    - 2) If the RHC has no permanent structure, within rural areas in the county or adjacent county of the initial CMS approved locations.
    - 3) Mobile units must have a separate Mississippi Medicaid provider number from the affiliated RHC.

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E. Telehealth services – refer to Attachment 3.1-A Introductory Pages

F. Non-Covered Services

1. RHC services are not covered when performed in a:
  - a. Hospital (inpatient or outpatient).
  - b. Nursing facility.
2. A physician employed by an RHC and rendering services to beneficiaries in a hospital must bill under the physician's individual provider number.
3. A school setting for the purpose of providing EPSDT well-child screenings.
4. Group therapy.

State of Mississippi

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C. ~~Visits~~ 1-Encounter

1. An encounter is also referred to as a visit. An encounter at an RHC is a face-to-face visit between a clinic beneficiary and any health professional whose services are reimbursed as one (1) of the following under the State Plan. ~~can be a medical visit or an "other health" visit.~~

a. A medical ~~visit-encounter~~ is a face-to-face ~~encounter-visit~~ between a ~~clinic patient~~ beneficiary and a physician, physician assistant, nurse practitioner, or nurse midwife for the provision of medical services.

b. An ~~"other health"~~ mental health ~~visit-encounter~~ is a face-to-face ~~encounter-visit~~ between a ~~clinic patient~~ beneficiary and a physician, nurse practitioner, physician assistant, clinical psychologist, licensed clinical social worker (LCSW), licensed professional counselor (LPC), licensed marriage and family therapist (LMFT) or board certified behavior analyst for the provision of mental health services. ~~or other health professional for mental health services.~~

c. A dental encounter is a face-to-face visit between a beneficiary and a dentist for the provision of dental services.

d. A vision encounter is a face-to-face visit between a beneficiary and an ophthalmologist, optometrist, physician, nurse practitioner or physician assistant for the provision of vision services.

2. Encounters with more than one health professional for the same type of service ~~and or multiple encounters~~ more than one encounter with the same health professional, which take place on the same day and at a single location constitute a single ~~visit encounter~~, except when one of the following circumstances occur:

a. After the first encounter, the ~~patient~~ beneficiary suffers illness or injury requiring additional diagnosis or treatment.

b. The ~~patient~~ beneficiary has a combination of a medical ~~visit encounter~~, mental health encounter, dental encounter, and/or vision encounter that are each a separate identifiable service. ~~and a visit with a mental health professional, a dentist, or an optometrist.~~ or

c. The beneficiary has an initial preventative physical exam encounter and a separate medical, mental health, dental or vision encounter on the same day. ~~In these instances, the clinic is paid for more than one encounter on the same day.~~

23. Hospital and Nursing Home Visits Encounters

~~RHC services are not covered when performed in a hospital (inpatient or outpatient). A physician employed by an RHC and rendering services to clinic patient in a hospital must file under his own individual provider number.~~

~~Nursing home visits will be reimbursed at the RHC PPS rate.~~

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  - b. Must meet all federal and state requirements for RHC mobile units.
  - c. Must have a fixed set of locations where the mobile unit is scheduled to provide services at specified dates and times.
    - 1) Locations for RHC mobile unit services must meet the rural and shortage area requirements at the time of survey.
    - 2) The schedule of times and locations must be posted on the mobile unit and publicized by other means so that beneficiaries will know the mobile unit's schedule in advance.
  - d. Must operate:
    - 1) Within rural areas in the county or an adjacent county where the affiliated RHC has a permanent structure.
    - 2) If the RHC has no permanent structure, within rural areas in the county or adjacent county of the initial CMS approved locations.
    - 3) Mobile units must have a separate Mississippi Medicaid provider number from the affiliated RHC.

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1. RHC services are not covered when performed in a:
  - a. Hospital (inpatient or outpatient).
  - b. Nursing facility.
2. A physician employed by an RHC and rendering services to beneficiaries in a hospital must bill under the physician's individual provider number.
3. A school setting for the purpose of providing EPSDT well-child screenings.
4. Group therapy.