

PUBLIC NOTICE

April 28, 2023

Pursuant to 42 C.F.R. Section 447.205, public notice is hereby given for the submission of a Medicaid State Plan Amendment (SPA) 23-0010 Private Duty Nursing (PDN) Rate Updates. 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 May 1, 2023, contingent upon approval from CMS, our Transmittal #23-0010.

1. Mississippi Medicaid 23-0010 Private Duty Nursing (PDN) Rate Updates is submitting this SPA to allow the Division of Medicaid (DOM) to remove the administrative allowance and revise PDN rates annually. This SPA also continues the PDN rates in effect January 1, 2023 until June 30, 2023.
2. The expected increase in federal annual aggregate expenditures is \$6,890,471 for Federal Fiscal Year 2023 (FFY23) and \$16,287,453 for FFY24. The expected increase in state annual aggregate expenditures is \$1,959,350 for FFY23 and \$4,791,171 for FFY24.
3. The Division of Medicaid is submitting this proposed SPA to comply 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.
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 601-359-3984 or by emailing at DOMPolicy@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 DOMPolicy@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

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

Early and Periodic Screening, Diagnostic and Treatment (EPSDT)

Private Duty Nursing

The Division of Medicaid reimburses private duty nursing (PDN) services for a registered nurse (RN) by adding the Federal Insurance Contributions Act (FICA) percentage of 7.65% ~~and an administrative allowance of 0.53%~~ to the ~~May 2018~~ National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for an RN in the Memphis, TN-MS-AR area in effect January 1 of each year, updated July 1 and effective for services provided on or after that date. An additional \$17.00 per hour is added to the rate calculation for RN PDN ventilator services will use the 90th percentile hourly rate for the Memphis, TN-MS-AR area in the rate calculation. For dates of service May 1, 2023 through June 30, 2023 the rates will remain the same as those in effect on January 1, 2023.

The Division of Medicaid reimburses private duty nursing (PDN) services for a licensed practical nurse (LPN) by adding the Federal Insurance Contributions Act (FICA) percentage of 7.65% and an administrative allowance of 16.51% to the ~~May 2018~~ National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for an LPN in the Memphis, TN-MS-AR area in effect January 1 of each year, updated July 1 and effective for services provided on or after that date.

Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of PDN services. All rates are published on the agency's website and can be found at [Fee Schedules and Rates - Mississippi Division of Medicaid \(ms.gov\)](#).

Personal Care Services

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

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 July 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 [Fee Schedules and Rates - Mississippi Division of Medicaid \(ms.gov\)](#).

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.

State of Mississippi

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

Early and Periodic Screening, Diagnostic and Treatment (EPSDT)

Private Duty Nursing

The Division of Medicaid reimburses private duty nursing (PDN) services for a registered nurse (RN) by adding the Federal Insurance Contributions Act (FICA) percentage of 7.65% to the National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for an RN in the Memphis, TN-MS-AR area in effect January 1 of each year, updated July 1 and effective for services provided on or after that date. The rate calculation for RN PDN ventilator services will use the 90th percentile hourly rate for the Memphis, TN-MS-AR area in the rate calculation. For dates of service May 1, 2023 through June 30, 2023 the rates will remain the same as those in effect on January 1, 2023.

The Division of Medicaid reimburses private duty nursing (PDN) services for a licensed practical nurse (LPN) by adding the Federal Insurance Contributions Act (FICA) percentage of 7.65% and an administrative allowance of 16.51% to the National Bureau of Labor Statistics (BLS) Highest Median Hourly rate for an LPN in the Memphis, TN-MS-AR area in effect January 1 of each year, updated July 1 and effective for services provided on or after that date.

Except as otherwise noted in the plan, state-developed fee schedule rates are the same for both governmental and private providers of PDN services. All rates are published on the agency's website and can be found at [Fee Schedules and Rates - Mississippi Division of Medicaid \(ms.gov\)](https://www.ms.gov/healthcare/medicaid/fee-schedules).

Personal Care Services

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

Except as otherwise noted in the state plan, state-developed fee schedule rates are the same for both governmental and private providers of PCS. The Division of Medicaid's fee schedule rate was set as of July 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 [Fee Schedules and Rates - Mississippi Division of Medicaid \(ms.gov\)](https://www.ms.gov/healthcare/medicaid/fee-schedules).

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.