



MISSISSIPPI DIVISION OF
MEDICAID

Administrative Code

Title 23: Medicaid
Part 222
Maternity Services

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Title 23: Division of Medicaid

Part 222: Maternity Services

Part 222 Chapter 1: General

Rule 1.1: Maternity Services

A. The Division of Medicaid covers maternity services which include:

1. Antepartum services defined by the Division of Medicaid as the care of a pregnant woman during the time in the maternity cycle that begins with conception and ends with labor.
2. Delivery services defined by the Division of Medicaid as the care involved in labor and delivery.
3. Postpartum services defined by the Division of Medicaid as the care of the mother inclusive of both hospital and office visits following delivery for sixty (60) days including any remaining days in the month in which the sixtieth (60th) day occurs.

B. The Division of Medicaid covers inductions of labor or cesarean sections prior to one (1) week before the treating physician's expected date of delivery when medically necessary due to one (1) of the following medical and/or obstetric conditions including, but not limited to:

1. Non-reassuring fetal status or fetal compromise,
2. Fetal demise in prior pregnancy,
3. Fetal malformation,
4. Intrauterine Growth Restriction (IUGR),
5. Preeclampsia,
6. Eclampsia,
7. Isoimmunization,
8. Placenta previa, accreta, or abruption,
9. Thrombophilia or an occurrence of maternal coagulation defects,
10. Complicated chronic or gestational hypertension,
11. Chorioamnionitis,

12. Premature rupture of membranes,
 13. Oligohydramnios,
 14. Polyhydramnios,
 15. Multiple gestations,
 16. Poorly controlled diabetes mellitus (pregestational or gestational),
 17. HIV infection,
 18. Pulmonary disease,
 19. Renal disease,
 20. Liver disease,
 21. Malignancy,
 22. Cardiovascular diseases,
 23. Classical or vertical uterine incision from prior cesarean delivery, or
 24. Prior myomectomy.
- C. The Division of Medicaid does not cover non-medically necessary early elective deliveries, prior to the expected due date including, but not limited to, the following:
1. Maternal request,
 2. Convenience of the beneficiary or family,
 3. Maternal exhaustion or discomforts,
 4. Availability of effective pain management,
 5. Provider convenience,
 6. Facility scheduling,
 7. Suspected macrosomia with documented pulmonary maturity with no other medical indication,
 8. Well-controlled diabetes,

- 9. History of rapid deliveries,
 - 10. Long distance between beneficiary and treating facility, or
 - 11. Adoption.
- D. Medical records will be subject to retrospective review. Reimbursement for hospital and professional services related to the delivery will be recouped if determined not to have met criteria for coverage.
- E. Antepartum and postpartum office visits do not apply to the physician services limit.

Source: Miss. Code Ann. §§ 43-13-115(8), 43-13-117, 43-13-121.

History: Revised eff. 01/02/2015.

Rule 1.2: [Reserved]

History: Removed eff. 01/02/2015.

Rule 1.3: Maternal Fetal Ultrasound

- A. For a fetal biophysical profile, the physician may bill one (1) unit for each fetus being evaluated in cases of multiple gestations.
- B. For an ultrasound during hospitalization, Medicaid reimburses the physician submitting a claim for a visit and a review of an ultrasound on the same date of service for the visit only. A physician's interpretation of the results of an ultrasound will be reimbursed as a separate service when prepared with a separate distinctly identifiable signed written report using the appropriate procedure code with the appropriate modifier which indicates professional component only.
- C. Medicaid does not cover routine sonography during pregnancy.
- D. Medicaid covers medically necessary ultrasounds when all of the following criteria are met:
 - 1. The ultrasound is consistent with the beneficiary's signs, symptoms, and/or condition,
 - 2. Diagnosis cannot be made through clinical evaluation of the beneficiary's signs and symptoms, and
 - 3. The results of the ultrasound can reasonably be expected to influence the beneficiary's treatment plan.
- E. For Medicaid reimbursement for any type of obstetrical ultrasound, documentation in the beneficiary's record must justify the medical necessity. This documentation includes, but is not limited to, at least one (1) of the following:

1. Fetal measurements, as applicable to gestational age, such as crown-rump length, biparietal diameter (BPD), occipitofrontal diameter/head circumference (OFD or HC), abdominal circumference (AC), or femur length (FL),
 2. Fetal position,
 3. Placental location,
 4. Amniotic fluid assessment or measurement,
 5. Suspected or known fetal anomalies or conditions,
 6. Fetal measurements relative to determination of suspected or known intrauterine growth retardation (IUGR), or
 7. Presence of multiple gestations.
- F. Documentation must reflect the type of obstetrical ultrasound actually performed, limited or complete.
- G. The biophysical profile combines ultrasound with a non-stress test to check fetal well-being. The five (5) fetal parameters checked are as follows:
1. Reactive non-stress test,
 2. Fetal breathing movement,
 3. Fetal body movement,
 4. Fetal muscle tone, and
 5. Amniotic fluid volume.
- H. Documentation must include a report on each of the five (5) parameters listed in Part 222, Chapter 1 Rule 1.3.G.
- I. Providers must maintain proper and complete documentation to verify services provided.
1. The provider has full responsibility for maintaining documentation to justify the services provided.
 2. Records must be documented and maintained in accordance with requirements set forth in Part 200, Chapter 1, Rule 1.3.

Source: Miss. Code Ann. § 43-13-121

Rule 1.4: Maternity Epidurals

- A. Medicaid covers a maternity epidural for all pregnant Medicaid beneficiaries. Medicaid considers maternity epidurals as a medically necessary service for treatment of labor pain and does not consider it an elective procedure.
- B. A physician who is participating in the Medicaid program must take all reasonable measures to ensure that maternity patients are instructed and offered an epidural as an available and covered service under Medicaid as part of the patient's prenatal counseling. The patient's options for pain relief medication during childbirth must be explained to her.
- C. Anesthesiologists/CRNAs cannot refuse to provide a maternity epidural to a Medicaid beneficiary except when medically contraindicated.
 - 1. An anesthesiologist/CRNA who is participating in the Medicaid program must make available and offer maternity epidural services to pregnant Medicaid beneficiaries and cannot require a pregnant Medicaid beneficiary to pay for an epidural.
 - 2. He/she must accept the Medicaid payment as payment in full and cannot require a co-payment for his/her services. Under federal Medicaid law, deductions, cost sharing, or similar charges are not permitted for Medicaid services furnished to pregnant women. Thus, a participating provider's demand for these additional payments would be in violation of the law.
 - 3. The decision to have an epidural is to be decided between the beneficiary and her anesthesiologist/CRNA in consultation with the obstetrician. No means of coercion, dissuasion, or refusal by an anesthesiologist/CRNA to provide an epidural to a beneficiary in labor shall be utilized in determining this decision.
- D. A hospital that accepts a pregnant Medicaid beneficiary for treatment accepts the responsibility for making sure that the beneficiary has access to an epidural.
 - 1. If an anesthesiologist does not accept a Medicaid patient for treatment, the hospital has the responsibility of assuring the delivery of this service.
 - 2. A pregnant beneficiary is entitled to receive the service from a provider who has accepted her as a patient without the imposition of deductibles, cost sharing, or similar charges.

Source: Miss. Code Ann. § 43-13-121

Rule 1.5: [Reserved]

History: Removed eff. 01/02/2015.

Rule 1.6: Reimbursement for Delivery and Tubal Ligation

A delivery, cesarean section or vaginal, and a tubal ligation performed at the same setting will be reimbursed at one hundred percent (100%) of the fee schedule for each procedure.

Source: Miss. Code Ann. § 43-13-121

Rule 1.7: Sterilization

Medicaid reimburses covered sterilization procedures when the criteria for covered sterilization are satisfied in accordance with Part 202, Chapter 1, Rule 1.8.

Source: Miss. Code Ann. § 43-13-121; 42 CFR 441, Subpart F

Rule 1.8: Terbutaline Therapy

Terbutaline pump therapy with uterine activity monitoring for beneficiaries who are at risk for preterm labor is not covered by Medicaid.

Source: Miss. Code Ann. § 43-13-121

Rule 1.9: [Reserved]

Rule 1.10: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT)

The Division of Medicaid pays for all medically necessary services for EPSDT-eligible beneficiaries in accordance with Part 223 of Title 23, without regard to service limitations and with prior authorization.

Source: Miss. Code Ann. § 43-13-121

Rule 1.11: Screening, Brief Intervention, and Referral to Treatment (SBIRT) Services

- A. The Division of Medicaid defines Screening, Brief Intervention, and Referral to Treatment (SBIRT) as an early intervention approach that targets pregnant women with nondependent substance use to provide effective strategies for intervention prior to the need for more extensive or specialized treatment.
- B. SBIRT services must include:
 - 1. Screening of a pregnant woman for risky substance use behaviors using evidence based standardized assessments or validated screening tools,
 - 2. Brief intervention of a pregnant woman showing risky substance use behaviors in a short conversation, providing feedback and advice, and
 - 3. Referral to treatment for brief therapy or additional treatment to a pregnant woman whose assessments or screenings indicate a need for additional services.

- C. The Division of Medicaid covers one (1) SBIRT service per pregnancy when performed by one (1) of the following licensed practitioners:
1. Physician,
 2. Nurse Practitioner,
 3. Certified Nurse Midwife,
 4. Physician Assistant,
 5. Licensed Clinical Social Worker,
 6. Licensed Professional Counselor, or
 7. Clinical Psychologist.
- D. SBIRT services provided through a Community Mental Health Center or Private Mental Health Center must be performed by one (1) of the licensed practitioners listed in Miss. Admin. Code Part 222, Rule 1.11.
- E. The Division of Medicaid reimburses for SBIRT services according to Healthcare Common Procedure Coding System (HCPCS) guidelines and in accordance with applicable provider reimbursement methodologies.
1. SBIRT services provided by Rural Health Clinics (RHCs), Federally Qualified Health Centers (FQHCs), and the Mississippi State Department of Health (MSDH) providers, are covered in the encounter rate for core services. An encounter cannot be paid solely for SBIRT services.
 2. SBIRT services are not covered in an inpatient hospital setting.
- F. The Division of Medicaid covers all medically necessary services for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) eligible beneficiaries in accordance with Miss. Admin. Code Part 223 without regard to service limitations and with prior authorization.
- G. Providers of SBIRT services must document and maintain auditable records that meet the requirements set in Part 200, Chapter 1. Rule 1.3 including the following:
1. A copy of the evidence based standardized assessment screening tool with scoring,
 2. Brief description of the intervention, and
 3. Referral information.

Source: 42 C.F.R. §§ 440.210, 440.250; Miss. Code Ann. §§ 43-13-117, 43-13-121.

History: New rule to correspond to SPA 17-0003 (eff. 07/01/2017), eff. 11/01/2017.

Rule 1.12: Tobacco Cessation Counseling Services

- A. The Division of Medicaid covers one (1) face-to-face counseling session per quit attempt with mandatory referral to the Mississippi (MS) Tobacco Quit Line for pregnant women who use tobacco.
- B. Face-to-Face sessions must be provided by:
 - 1. Or under supervision of a physician,
 - 2. Any other health professional who is legally authorized to furnish such services under State Law and who is authorized to provide Medicaid coverable services other than tobacco cessation services, or
 - 3. Any other health professional legally authorized to provide tobacco cessation services under State Law and who is specifically designated by the Secretary in regulations.
- C. The Division of Medicaid covers tobacco cessation counseling services in the encounter rate for a core service for Rural Health Clinics (RHC), Federally Qualified Health Centers (FQHC), and the Mississippi State Department of Health (MSDH) providers.
- D. The Division of Medicaid does not reimburse for an encounter if the only service provided is tobacco cessation counseling services.
- E. The Division of Medicaid reimburses for services made from a statewide uniform fee schedule and paid at the lesser of the usual and customary charge on the physician's fee schedule.

Source: 42 U.S.C. § 1396d; Miss. Code Ann. § 43-13-121; SPA 2013-002.

History: New Rule to correspond with SPA 2013-002 (effective 03/01/14), eff. 03/01/2019.

Part 222 Chapter 2: Perinatal High Risk Management and Infant Services

Rule 2.1: Provider Participation

- A. The Division of Medicaid covers the multidisciplinary case management program known as the Perinatal High Risk Management/Infant Services System (PHRM/ISS) program, administered by the State Department of Health, for certain Medicaid eligible pregnant/postpartum women and infants.
- B. Any physician or clinic licensed to practice in the State of Mississippi or other approved

practitioner actively enrolled as a Mississippi Medicaid provider may provide PHRM/ISS services as a High Risk Case Management Agency.

C. Providers must meet all the following qualifications:

1. Meet applicable state and federal laws governing the participation of providers in the Medicaid program.
2. Meet the criteria established by the Division of Medicaid as a provider of high risk case management agency services.
3. Be enrolled by the Division of Medicaid as an EPSDT provider to provide high risk infant services
4. Must have qualified case managers who meet the qualifications applicable to their specific disciplines.
 - a) Medical Discipline: Case manager must be one (1) of the following:
 - 1) Physician licensed in Mississippi.
 - 2) Physician assistant licensed in Mississippi.
 - 3) Nurse practitioner licensed in Mississippi.
 - 4) Nurse-midwife certified in Mississippi.
 - 5) Registered nurse licensed in Mississippi with a minimum of one (1) year of experience in community nursing.
 - b) Psychosocial Discipline: Social worker with a minimum of one (1) year of experience in health and/or human services, and one (1) of the following:
 - 1) Masters in Social Work (MSW) social worker licensed in Mississippi.
 - 2) Bachelor in Social Work (BSW) social worker licensed in Mississippi in consultation with an MSW.
 - 3) Other Mississippi licensed social worker supervised by an MSW.
 - c) Nutritional Discipline: Nutritionist licensed in Mississippi or a registered dietitian, with a minimum of one (1) year of experience in providing nutritional services to pregnant women and infants. The nutritionist/dietitian may only serve as a case manager for enrollees for whom nutritional problems are their primary risk.

Source: Miss. Code Ann. § 43-13-121; 43-13-117(19)(a)

Rule 2.2: Freedom of Choice

- A. Medicaid beneficiaries have the right to freedom of choice of providers for Medicaid covered services. Refer to Part 200, Chapter 3, Rule 3.6.
- B. The PHRM/ISS case management services will not restrict an individual's free choice of providers. An eligible beneficiary may choose to receive extended or enhanced services through any PHRM/ISS provider.

Source: Miss. Code Ann. § 43-13-121; Social Security Act 1902(a)(23)

Rule 2.3: High Risk Pregnant Women

- A. A maternity medical risk screening is required to determine if a beneficiary is eligible for PHRM services.
 - 1. A beneficiary qualifies for PHRM services if one (1) or more positive risk factors are identified.
 - 2. The medical risk screening must be completed by a physician, physician assistant, a nurse practitioner, or a certified nurse-midwife.
 - 3. Only one (1) medical risk screening is covered during each pregnancy unless the beneficiary changes providers and the new provider is unable to obtain the beneficiary's medical records.
- B. The case management agency is responsible for locating, coordinating, and monitoring PHRM services.
- C. Enhanced services are provided to the pregnant woman based on health risks identified during the medical risk screening. Services include:
 - 1. Nutritional assessment/counseling,
 - 2. Psychosocial assessment/counseling,
 - 3. Health education must:
 - a) Be provided by a registered nurse, nurse practitioner, certified nurse-midwife, physician assistant, nutritionist/dietician and/or social worker, either one-on-one or in a group, during pregnancy and the postpartum period
 - b) Not exceed ten (10) times during the pregnancy and postpartum period, and
 - c) Include a written plan or curriculum designed to prevent the development of further

complications during pregnancy and provide education that includes:

- 1) Prenatal care,
- 2) Danger signs in pregnancy,
- 3) Labor and delivery,
- 4) Nutrition,
- 5) Pregnancy risk reduction, and
- 6) Reproductive health.

4. Home visits must:

- a) Be provided by a registered nurse, nurse practitioner, certified nurse mid-wife, physician assistant, nutritionist/dietitian, and/or social worker during pregnancy as part of the assessment and follow-up,
- b) Not exceed a maximum of five (5) visits, with at least one (1) during the postpartum period. A registered nurse must make the postpartum home visit, and
- c) Be recorded in the progress notes and on the Patient Tracking Form.

Source: Miss. Code Ann. § 43-13-121; 43-13-117(19)(a)

Rule 2.4: High Risk Infants

- A. The Division of Medicaid defines high risk infants as those whose medical status during their first (1st) year of life places them at risk for morbidity or mortality.
- B. An infant medical risk screening must be completed by a physician, physician assistant, certified nurse-midwife, or a nurse practitioner to determine if the infant is high risk for mortality or morbidity.
 1. An infant is considered high risk if one (1) or more risk factors are indicated.
 2. An infant is limited to two (2) medical risk assessments.
- C. The case manager will coordinate enhanced services with needed medical services. Children who are eligible for early intervention should be referred immediately to the Mississippi State Department of Health's Early Intervention program First Steps.
- D. Enhanced services are provided to high risk infants through the EPSDT program and include:

1. Nutritional assessment/counseling.
2. Psychosocial assessment/counseling.
3. Health Education must:
 - a) Be provided to the family of the infant in a one-on-one setting,
 - b) Include a written plan or curriculum designed to prevent the development of complications and identifying early signs and symptoms of disease, and
 - c) Be provided by a registered nurse, nurse practitioner, certified nurse-midwife, physician assistant, nutritionist/dietitian or social worker.
4. Home visits must:
 - a) Be provided at the infant's place of residence as part of the assessment and follow-up,
 - b) Be provided by a registered nurse, nurse practitioner, certified nurse-midwife, physician assistant, nutritionist/dietitian, or social worker, and
 - c) Be documented in the progress notes and recorded on the Patient Tracking Form.

Source: Miss. Code Ann. § 43-13-121; 43-13-117(19)(a)

Rule 2.5: Plan of Care

- A. A plan of care must be developed and implemented for problems identified from the detailed enhanced services assessment.
- B. A PHRM/ISS case manager must be assigned.
 1. The case manager must be a physician, physician assistant, registered nurse, nurse practitioner, certified nurse-midwife, social worker, or nutritionist/dietitian.
 2. The nutritionist/dietitian may only serve as the case manager if the enrollee's primary risk is nutritional problems.
- C. The case manager along with the PHRM/ISS team members must review the plan of care monthly to determine if the desired outcomes were achieved by the target date. If not, a revised plan of care must be implemented.

Source: Miss. Code Ann. § 43-13-121; 43-13-117(19)(a)

Rule 2.6: Medical Record Documentation Requirements

PHRM/ISS medical record documentation must contain the following on each patient:

- A. Signed consent for treatment,
- B. Date of service,
- C. Demographic information including:
 - 1. Name,
 - 2. Address,
 - 3. Medicaid number,
 - 4. Date of birth,
 - 5. Sex, and
 - 6. Marital status.
- D. Past and present medical history,
- E. Family history,
- F. Allergies including:
 - 1. Type,
 - 2. Reaction, and
 - 3. Treatment.
- G. Medications:
 - 1. Prescribed, and
 - 2. Over-the-counter.
- H. Specific name/type of all diagnostic studies with the results/findings,
- I. Physical findings,
- J. Signed physician orders, treatments, and procedures rendered,
- K. Maternity services including:

1. Initial assessment,
2. Second trimester updates,
3. Hospital postpartum/discharge summary,
4. Emergency room reports, and
5. Specialty referrals.

L. Infant services including:

1. Injuries and hospitalizations,
2. Hospital admission/discharge summary,
3. Emergency room reports,
4. Operations,
5. Major illnesses,
6. Immunizations,
7. Physical examination,
8. EPSDT program services, and
9. Specialty referrals.

Source: Miss. Code Ann. § 43-13-12143-13-117; 43-13-118; 43-13-129

Rule 2.7: Early and Periodic Screening, Diagnosis, and Treatment (EPSDT)

The Division of Medicaid pays for all medically necessary services for EPSDT-eligible beneficiaries in accordance with Part 223 of Title 23, without regard to service limitations and with prior authorization.

Source: Miss. Code Ann. § 43-13-121