

By: Representatives Holland, Morris, Flaggs, To: Medicaid
Harrison, Ellis, Scott

HOUSE BILL NO. 229
(As Sent to Governor)

1 AN ACT TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL DESIGN
2 AND IMPLEMENT A TEMPORARY PROGRAM TO PROVIDE NONEMERGENCY
3 TRANSPORTATION FOR CERTAIN KIDNEY DIALYSIS PATIENTS; TO PROVIDE
4 THAT THE TRANSPORTATION SERVICES UNDER THE PROGRAM MAY BE PROVIDED
5 BY PUBLIC OR PRIVATE ENTITIES AND INDIVIDUALS, AND THE DIVISION
6 SHALL REIMBURSE THOSE ENTITIES AND INDIVIDUALS IN ACCORDANCE WITH
7 A MUTUALLY AGREED UPON REIMBURSEMENT SCHEDULE; TO PROVIDE THAT THE
8 PROGRAM IS NOT PART OF OR CONNECTED TO THE MEDICAID PROGRAM; TO
9 AUTHORIZE THE DIVISION TO APPLY FOR WAIVERS TO CONTINUE THIS
10 PROGRAM; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** (1) The Division of Medicaid shall immediately
13 design and implement a temporary program to provide nonemergency
14 transportation to locations for necessary dialysis services for
15 end stage renal disease patients who are sixty-five (65) years of
16 age or older or are disabled as determined under Section
17 1614(a)(3) of the federal Social Security Act, as amended, whose
18 income did not exceed one hundred thirty-five percent (135%) of
19 the nonfarm official poverty level as defined by the Office of
20 Management and Budget, and whose resources did not exceed those
21 established by the division as of December 31, 2005, whose
22 eligibility was covered under the former category of eligibility
23 known as PLADs (Poverty Level Aged and Disabled).

24 (2) The transportation services under the program shall be
25 provided by any reasonable provider, which may include (a) public
26 entities or (b) private entities and individuals who are in the
27 business of providing nonemergency transportation, including
28 faith-based organizations, and the division shall reimburse those
29 entities and individuals or faith-based organizations for
30 providing the transportation services in accordance with a
31 mutually agreed upon reimbursement schedule.

32 (3) The program shall be funded from monies that are
33 appropriated or otherwise made available to the division. The
34 funds shall be appropriated to the division specifically to cover
35 the cost of this program and shall not be a part of the division's
36 regular appropriation for the operation of the federal-state
37 Medicaid program.

38 (4) The program is a separate program that is not part of or
39 connected to the Medicaid program, and the relationship of the
40 division to the program is only as the administering agent.

41 (5) This section shall stand repealed on October 31, 2006.

42 **SECTION 2.** The division is authorized to seek approval from
43 the Centers for Medicare and Medicaid Services (CMS) for a waiver
44 or grant to cover those individuals identified to receive services
45 under this act as allowed by federal law. The division is also
46 authorized to explore other options for administering and
47 providing services under this program, including, but not limited
48 to, grants to nonprofit organizations.

49 **SECTION 3.** This act shall take effect and be in force from
50 and after its passage.