

By: Representatives Reynolds, Clark, Scott, Lane To: Medicaid; Appropriations

HOUSE BILL NO. 1471
(As Sent to Governor)

1 AN ACT TO AMEND CHAPTER 303, LAWS OF 2006, WHICH ESTABLISHED
2 A PROGRAM ADMINISTERED BY THE DIVISION OF MEDICAID THAT PROVIDES
3 NONEMERGENCY TRANSPORTATION FOR CERTAIN KIDNEY DIALYSIS PATIENTS,
4 TO EXTEND THE REPEALER ON THAT SECTION; TO AUTHORIZE THE DIVISION
5 TO STUDY THE USE OF PRIVATE PROVIDER FUNDS FOR THE CONTINUED
6 OPERATION OF THE PROGRAM; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Chapter 303, Laws of 2006, is amended as follows:

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

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

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

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

38 (5) This section shall stand repealed on June 30, 2008.

39 Section 2. The division is authorized to seek approval from
40 the Centers for Medicare and Medicaid Services (CMS) for a waiver
41 or grant to cover those individuals identified to receive services
42 under this act, as allowed by federal law. The division is also
43 authorized to explore other options for administering and
44 providing services under this program, including, but not limited
45 to, matching any available federal funds and/or making grants to
46 nonprofit organizations. The division may study, but shall not
47 implement without explicit statutory authorization during the 2008
48 Regular Session of the Legislature, the use of private provider
49 funds for the continued operation of this program.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after its passage.