

By: Representative Flaggs

To: Rules

HOUSE CONCURRENT RESOLUTION NO. 68

1 A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE
2 PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF HOUSE BILL
3 1013, REGULAR SESSION OF 2008, ENTITLED "AN ACT TO AMEND SECTION
4 43-13-115, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM
5 FAMILY INCOME FOR CERTAIN CHILDREN TO BE ELIGIBLE FOR MEDICAID TO
6 200% OF THE POVERTY LEVEL; TO AMEND SECTION 43-13-117, MISSISSIPPI
7 CODE OF 1972, TO PROVIDE THAT MEDICAID RECIPIENTS REQUIRING
8 TRANSPLANTS SHALL NOT HAVE THOSE DAYS INCLUDED IN THE TRANSPLANT
9 CASE RATE COUNT AGAINST THE THIRTY-DAY LIMIT FOR INPATIENT
10 HOSPITAL CARE; TO PROVIDE THAT THE DIVISION, IN OBTAINING MEDICAL
11 AND MENTAL HEALTH ASSESSMENTS FOR CHILDREN WHO ARE IN, OR AT RISK
12 FOR BEING PUT IN, THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES
13 MAY ENTER A COOPERATIVE AGREEMENT WITH THE DEPARTMENT FOR THE
14 PROVISION OF THOSE SERVICES; TO AUTHORIZE THE DIVISION TO PROVIDE
15 FOR PRESCRIPTION DRUGS TO MEDICAID BENEFICIARIES IN A COMBINATION
16 OF PREFERRED AND NON-PREFERRED DRUGS INSTEAD OF A COMBINATION OF
17 SINGLE SOURCE AND INNOVATOR MULTIPLE SOURCE DRUGS AND GENERIC
18 DRUGS; TO PROVIDE MEDICAID REIMBURSEMENT FOR FAMILY PLANNING
19 SERVICES THAT ARE PROVIDED UNDER THE SUPERVISION OF A PHYSICIAN
20 ASSISTANT; TO PROVIDE THAT THE ASSESSMENT ON HOSPITALS UNDER THE
21 AUTHORITY FOR THE MEDICARE UPPER PAYMENT LIMITS PROGRAM SHALL BE
22 USED FOR THE SOLE PURPOSE OF FINANCING THE STATE PORTION OF THAT
23 PROGRAM; TO PROVIDE MEDICAID REIMBURSEMENT FOR PRETERM LABOR
24 MANAGEMENT SERVICES TO PREGNANT WOMEN WHO ARE EXPERIENCING PRETERM
25 LABOR, WITH THE PRIOR AUTHORIZATION OF THE DIVISION AND SUBJECT TO
26 UTILIZATION CONTROLS; TO PROHIBIT THE DIVISION FROM CHANGING THE
27 PAYMENT METHODOLOGY TO MEDICAID PROVIDERS WITHOUT SPECIFIC
28 AUTHORIZATION BY THE LEGISLATURE; TO AMEND SECTION 43-13-117.1,
29 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION SHALL
30 IMPLEMENT A "MONEY FOLLOWS THE PERSON" PROCESS BY WHICH FUNDING
31 FOR NURSING FACILITY SERVICES FOR MEDICAID-ELIGIBLE BENEFICIARIES
32 MAY BE USED TO PAY FOR HOME- AND COMMUNITY-BASED WAIVER SERVICES
33 FOR THOSE NURSING FACILITY RESIDENTS WHO CHOOSE THOSE SERVICES; TO
34 AMEND SECTION 43-13-213, MISSISSIPPI CODE OF 1972, TO CLARIFY THE
35 DEFINITION AND PENALTIES FOR FALSE OR FRAUDULENT MEDICAID CLAIMS
36 IN CONFORMITY WITH FEDERAL LAW; TO CREATE NEW SECTION 43-13-221.1,
37 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL AND
38 PRIVATE CITIZENS TO RECOVER PAYMENTS INCORRECTLY MADE FOR FALSE OR
39 FRAUDULENT MEDICAID CLAIMS; TO AMEND SECTION 43-13-223,
40 MISSISSIPPI CODE OF 1972, TO ESTABLISH THE STATUTE OF LIMITATION
41 FOR ACTIONS BROUGHT UNDER THE PRECEDING SECTIONS; TO BRING FORWARD
42 SECTIONS 43-13-107, 43-13-113, 43-13-117.2, 43-13-121, 43-13-122,
43 43-13-125, 43-13-126, 43-13-129, 43-13-131, 43-13-143 AND
44 43-13-145, MISSISSIPPI CODE OF 1972, OF THE MISSISSIPPI MEDICAID
45 LAW, FOR THE PURPOSES OF AMENDMENT; TO AMEND SECTION 43-13-117.3,
46 MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN NONSUBSTANTIVE



47 LANGUAGE IN THAT SECTION; TO AMEND SECTION 27-69-13, MISSISSIPPI
48 CODE OF 1972, TO INCREASE THE EXCISE TAX ON CIGARETTES; TO AMEND
49 SECTION 27-69-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
50 REVENUE DERIVED FROM THE TAX INCREASE PROVIDED FOR BY THE
51 PRECEDING SECTION SHALL BE DEPOSITED INTO THE MISSISSIPPI TRAUMA
52 CARE SYSTEMS FUND AND INTO THE SPECIAL FUND IN THE STATE TREASURY
53 TO THE CREDIT OF THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID; AND
54 FOR RELATED PURPOSES."

55 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
56 OF MISSISSIPPI, THE SENATE CONCURRING THEREIN, That the Joint
57 Rules of the House and the Senate, including all the deadlines and
58 other provisions imposed by Joint Rule No. 40, are suspended for
59 the purpose of permitting the further consideration and passage of
60 House Bill 1013, Regular Session of 2008, entitled "AN ACT TO
61 AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO INCREASE THE
62 MAXIMUM FAMILY INCOME FOR CERTAIN CHILDREN TO BE ELIGIBLE FOR
63 MEDICAID TO 200% OF THE POVERTY LEVEL; TO AMEND SECTION 43-13-117,
64 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEDICAID RECIPIENTS
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66 TRANSPLANT CASE RATE COUNT AGAINST THE THIRTY-DAY LIMIT FOR
67 INPATIENT HOSPITAL CARE; TO PROVIDE THAT THE DIVISION, IN
68 OBTAINING MEDICAL AND MENTAL HEALTH ASSESSMENTS FOR CHILDREN WHO
69 ARE IN, OR AT RISK FOR BEING PUT IN, THE CUSTODY OF THE DEPARTMENT
70 OF HUMAN SERVICES MAY ENTER A COOPERATIVE AGREEMENT WITH THE
71 DEPARTMENT FOR THE PROVISION OF THOSE SERVICES; TO AUTHORIZE THE
72 DIVISION TO PROVIDE FOR PRESCRIPTION DRUGS TO MEDICAID
73 BENEFICIARIES IN A COMBINATION OF PREFERRED AND NON-PREFERRED
74 DRUGS INSTEAD OF A COMBINATION OF SINGLE SOURCE AND INNOVATOR
75 MULTIPLE SOURCE DRUGS AND GENERIC DRUGS; TO PROVIDE MEDICAID
76 REIMBURSEMENT FOR FAMILY PLANNING SERVICES THAT ARE PROVIDED UNDER
77 THE SUPERVISION OF A PHYSICIAN ASSISTANT; TO PROVIDE THAT THE
78 ASSESSMENT ON HOSPITALS UNDER THE AUTHORITY FOR THE MEDICARE UPPER
79 PAYMENT LIMITS PROGRAM SHALL BE USED FOR THE SOLE PURPOSE OF
80 FINANCING THE STATE PORTION OF THAT PROGRAM; TO PROVIDE MEDICAID
81 REIMBURSEMENT FOR PRETERM LABOR MANAGEMENT SERVICES TO PREGNANT
82 WOMEN WHO ARE EXPERIENCING PRETERM LABOR, WITH THE PRIOR



83 AUTHORIZATION OF THE DIVISION AND SUBJECT TO UTILIZATION CONTROLS;
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